



CITY COUNCIL REGULAR MEETING

Tuesday, January 17, 2023 at 5:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

AGENDA

NOTICE IS HEREBY GIVEN that the Sonora City Council will have their regular meeting on Tuesday, January 17, 2023, at 5:00 PM in the City of Sonora Council Chambers located at 94 N. Washington Street Sonora, CA 95370.

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH GOVERNMENT CODE SECTION 52953(E) AND THE CITY OF SONORA CITY COUNCIL RESOLUTION NO. 12-19-2022-A.

THIS MEETING IS PHYSICALLY OPEN TO THE PUBLIC AND MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT:

Zoom Meeting Link:

<https://us06web.zoom.us/j/81193397821?pwd=UGdrRTcyaFFac3o0b2JQK2FmMTRyUT09>

Dial: (669) 444-9171

Meeting ID: 811 9339 7821

Passcode: 906625

MEMBERS OF THE PUBLIC WILL BE GIVEN THE OPPORTUNITY TO PROVIDE COMMENT.

THIS MEETING WILL BE LIVE STREAMED ON THE CITY'S WEBSITE AT www.sonoraca.com.

Written comments can be submitted to be included as part of the administrative record; they will not be read during the meeting. All comments must be received by 3:00 pm on the day of the noticed meeting and can be submitted to the City Clerk at 94 N. Washington Street Sonora, CA 95370 or via email to tskelly@sonoraca.com.

CLOSED SESSION - 4:00 PM

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

ADJOURN INTO CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9 (d)(1)); Name of Case: Jaycee Alameda v. City of Sonora, et al., Tuolumne Superior Court Case No. CV 63114; Doug White, City Attorney.
2. Conference with Legal Counsel – Anticipated Litigation - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section § 54956.9: One (1) Potential Case; Doug White, City Attorney.

RECONVENE INTO OPEN SESSION [City Council Chambers]

OPEN SESSION - 5:00 PM

REPORT OUT OF CLOSED SESSION

PLEDGE OF ALLEGIANCE

ROLL CALL

CITY CLERK'S REPORT ON AGENDA POSTING

APPROVAL OF THE AGENDA

PUBLIC COMMENT (NON-AGENDA ITEMS)

*The public may address the Council on any item of public interest not otherwise on the agenda that is within the jurisdiction of the City. No action may be taken. Matters to be addressed may be referred to City Staff or placed on a subsequent meeting Agenda. Speakers are limited to a three (3) minute presentation. If participating via Zoom, please raise your hand using the Raise Your Hand feature or dial *9 (*6 to unmute).*

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and will be voted on in one motion unless a Council member or member of the public has a question or wishes to discuss an item. In that case, the item will be removed from the Consent Calendar and considered separately.

3. Consider approval of disbursements in the amount of \$151,396.32 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, holiday pay and other adjustments, including retro-pay; Tracy Skelly, Administrative Services Officer.
4. Consider Adoption of Resolution 01-17-2023-A authorizing remote teleconferencing meetings of the City Council and its committees and commissions for 30 days pursuant to Government Code Section 52953(e) Brown Act provisions; Tracy Skelly, Administrative Services Officer.

UNFINISHED BUSINESS

5. Discuss and consider adoption of Resolution No. 01-17-2023-B authorizing the termination and dissolution of the Tuolumne County Economic Development Authority ("TCEDA"); Melissa Eads, City Administrator.

NEW BUSINESS

6. Consider approval of vendor selection for a citywide compensation study and authorize the City Administrator to sign the contract; Chris Gorsky, Administrative Services Director.

MONTHLY REPORTS

7. Receive the Sonora Administrative Services Department monthly report for November 2022; Chris Gorsky, Administrative Services Director.
8. Receive the Sonora Community Development Department Report for December 2022; Rachelle Kellogg, Community Development Director.
9. Receive the Sonora Fire Department monthly report for December 2022; Aimee New, Fire Chief.
10. Receive the Sonora Police Department monthly report for December 2022; Turu VanderWiel, Police Chief.
11. Receive the Sonora Public Works Department monthly report for December 2022; Rachelle Kellogg, Community Development Director, Michael Lagomarsino, Public Works Supervisor.

COMMUNICATIONS

12. Receive communications from the Tuolumne County Review Council.

COUNCIL MEMBER/DEPARTMENT HEAD REPORTS

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator at City Hall (209) 532-4541, meads@sonoraca.com. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Administrator's Office at 94 N. Washington Street, Sonora, CA 95370 during normal business hours (8:00 am - 4:00 pm, Monday through Friday, excluding holidays). The agenda and supporting public documents are also available on our City website www.sonoraca.com listed under the agenda/minutes link on the Government page.



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 17, 2023
TO: City Council Members
FROM: Tracy Skelly, Administrative Services Officer
SUBJECT: Disbursements in the amount of \$151,396.32 for payroll

RECOMMENDATION

Consider approval of disbursements in the amount of \$151,396.32 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, holiday pay and other adjustments, including retro-pay.

DISCUSSION

This payroll was the 1st payroll of the month, which was an expected amount.

This payroll is the 14th payroll of 26 for FY22-23, we would have expected to expend 53.84% of the budgeted amount. In total, we have expended 47.58% of the Salaries and Wages for the FY 22/23 budget.

FISCAL IMPACT

Disbursements are part of the approved FY22-23 Budget.



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 17, 2023

TO: City Council Members

FROM: Melissa Eads, City Administrator
Prepared by Tracy Skelly, Administrative Services Officer

SUBJECT: Government Code Section 52953(e): Modified Brown Act Procedures
During a Declared Emergency

RECOMMENDATION

Consider Adoption of Resolution 01-17-2023-A authorizing remote teleconferencing meetings of the City Council and its committees and commissions for 30 days pursuant to Government Code Section 52953(e) Brown Act provisions.

DISCUSSION

Since the beginning of the COVID-19 Pandemic, Governor Newsom has issued several Executive Orders that have waived certain Brown Act requirements and allowed remote meetings without compliance with the standard teleconferencing procedures. The Governor's Executive Orders waived requirements during the health emergency through September 30, 2021.

On September 16, 2021, the Governor signed AB 361 which created exceptions to remote meeting requirements found in the Brown Act. The law became effective on October 1, 2021 and allows any legislative body that wishes to meet remotely without complying with the standard teleconference procedures to make findings pursuant to AB 361 every 30 days. The decision to continue in person or make findings to move to remote meetings for City Committee and Commissions must be made by the legislative body, i.e., the City Council.

AB 361 suspends the standard requirements in Government Code Section 54593(b)(3). The modified teleconference requirements include:

- During a declared emergency by the Governor,
- Agendas do not need to be posted at all teleconference locations,
- Agendas do not need to identify each teleconference location,
- Agencies are not required to make each teleconference location accessible to the public,
- There is no requirement that councilmembers participate from within the territorial boundaries of the jurisdiction,
- Each agenda must include notice to the public as to how members may access the meeting and offer public comment,

- The agenda shall identify and include an opportunity for all persons to attend via a call-in or internet-based service option,
- Members of the public are allowed to access the meeting remotely,
- In the event of a disruption which prevents the agency from broadcasting the meeting to the public, or in the event of a disruption within the local agency's control which prevents the public from offering public comments, the body shall take no further action on items appearing on the meeting agenda until the public access is restored,
- Written/remote public comment must be accepted until the point at which the public comment period is closed,
- The public shall not be required to register with the local agency to provide comment, however if a 3rd party provider such as Zoom requires registration such requirement is acceptable as long as the public agency does not control this 3rd party provider.

Legislative bodies wishing to hold remote meetings under AB361 must meet the following criteria:

1. the local agency is holding a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; and
2. the local agency is holding a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and
3. the local agency is holding a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risk to the health or safety of attendees.

On July 6, 2021, the City Council approved by a 3-2 vote to allow for in-person meetings and to suspend teleconferencing at City Council meetings.

October 18, 2021, the City Council directed staff to bring forth a resolution making findings pursuant to AB 361. The Council also directed staff to continue with in person meetings for City Council meetings but make available the ability for City committees and commissions to meet remotely via teleconferencing.

The City Council originally adopted 11-01-2021-B on November 1, 2021, to comply with the requirements of AB 361.

The City Council then adopted 12-06-2021-B on December 6, 2021, in compliance with the requirements of AB 361.

The City Council then adopted 01-18-2022-A on January 18, 2022, in compliance with the requirements of AB 361.

The City Council then adopted 02-22-2022-B on February 22, 2022, in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 03-21-2022-A on March 21, 2022, in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 04-18-2022-A in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 05-16-2022-A in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 06-21-2022-A in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 07-18-2022-A in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 08-15-2022-A in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 09-19-2022-A in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 10-17-2022-A in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 11-21-2022-A in compliance with the requirements of Government Code Section 54593(b)(3).

The City Council then adopted 12-19-2022-A in compliance with the requirements of Government Code Section 54593(b)(3).

Staff recommends the Council adopt Resolution 01-17-2023-A that authorizes remote teleconferencing meetings of the City Council and its committees and commissions for 30 days pursuant to Government Code Section 54593(b)(3).

FISCAL IMPACT

No fiscal impact to the General Fund.

ATTACHMENTS

- Resolution No. 01-17-2023-A

RESOLUTION 01-17-2023-A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA PROCLAIMING AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE CITY COUNCIL AND ITS COMMITTEES AND COMMISSIONS FOR 30 DAYS PURSUANT TO GOVERNMENT CODE SECTION 62953(E) BROWN ACT PROVISIONS

WHEREAS, the City of Sonora is committed to preserving and nurturing public access and participation in meetings of the City Council and its committees and commissions; and

WHEREAS, all meetings of the City Council and its committees and commissions are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 -54963), so that any member of the public may attend, participate, and watch the City Council and its committees and commissions conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meeting by members of the legislative body, without compliance with the requirements of Government Code section 54953 (b)(3), subject to existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster of extreme peril to the safety of persons and property within the state cause by conditions as described in Government code 8558; and

WHEREAS, a proclamation is made when there is an actual incident, there of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the City's boundaries caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under the California Emergency Services Act, California Government Code section 8625, that a state of emergency exists with regard to a novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, the Governor clarified that reopening of California on June 15, 2021, did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020, and other Executive Orders but did not rescind the proclaimed state of emergency; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the state Legislature have exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution the state Legislature; and

WHEREAS, the California Department of Industrial Relations has issued regulations related to COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the measures to

decrease the spread of COVID-19 based on the fact that particles containing the virus can travel more than six feet, especially indoors; and,

WHEREAS, the City Council finds that state or local officials have imposed or recommended measures to promote social distancing, based on the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(5)(D); and

WHEREAS, City Council meetings shall be conducted by a hybrid model of both in-person and teleconference and committee and commission meetings may participate by teleconferencing, and members of the public may also participate virtually in committee and commission meetings; and

WHEREAS, on occasion a Councilmember may need to appear and participate in a City Council meeting remotely in order to comply with Public Health guidance, the City desires to allow such participation using the requirements of Government Code Section 52953(e);

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SONORA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. The City Council acknowledges the Governor has declared a state of emergency related to the novel coronavirus and hereby proclaims that state officials have imposed or recommended measures to promote social (physical) distancing based on the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(5)(D).

Section 3. Remote Teleconference Meetings. The City Administrator is hereby authorized and directed to take all actions necessary to conduct the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of December 31, 2022, or such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the City Council may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED as a Resolution of the City Council of the City of Sonora, California, at a regular meeting of said City Council held on December 19, 2022, by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and dated:

Mark Plummer
Mayor of the City of Sonora

ATTEST:

Tracy Skelly
City Clerk



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 17, 2023

TO: City Council Members

FROM: Melissa Eads, City Administrator

SUBJECT: Adopt a Resolution authorizing the termination and dissolution of the Tuolumne County Economic Development Authority

RECOMMENDATION:

Discuss and adopt a resolution authorizing the termination and dissolution of the Tuolumne County Economic Development Authority ("TCEDA").

DISCUSSION:

On September 15, 2008, the TCEDA was formed by the County of Tuolumne ("County") and the City of Sonora ("City") in accordance with the provisions of the Joint Exercise of Powers Act in the California Government Code. The purpose of the TCEDA was to effectively implement, coordinate and administer general economic development programs within the County, including the City.

On February 19, 2019, the Board of Supervisors for the County voted to withdraw from the TCEDA. On the same day, the Sonora City Council accepted the Board of Supervisors' written notice of withdrawal and concurred with the County's desire to dissolve the TCEDA. Since that time, the County and City have worked to finalize and wind up TCEDA matters and to separately determine how each agency will handle economic development services respectively. The City and County have no plans to use the TCEDA in the foreseeable future, and there are no remaining assets or liabilities.

OPTIONS:

Council's options are to:

1. Adopt the resolution; or
2. Reject the resolution in its entirety.

FISCAL IMPACT:

None.

ATTACHMENTS:

1. Resolution authorizing the termination and dissolution of the TCEDA

RESOLUTION NO. 01-17-2023-B**RESOLUTION OF THE SONORA CITY COUNCIL TERMINATING THE JOINT EXERCISE OF POWERS AGREEMENT WHICH ESTABLISHED THE TUOLUMNE COUNTY ECONOMIC DEVELOPMENT AUTHORITY**

WHEREAS, on September 15, 2008, the Joint Powers Authority entitled the Tuolumne County Economic Development Authority ("TCEDA") was formed by the County of Tuolumne and the City of Sonora (the "Parties") pursuant to California Government Code Sections 6500 et seq.; and

WHEREAS, on February 19, 2019, the Tuolumne County Board of Supervisors voted to withdraw from TCEDA and

WHEREAS, on February 19, 2019, the Sonora City Council accepted the Board of Supervisors' written notice of withdrawal and concurred with the County's desire to dissolve the TCEDA; and

WHEREAS, pursuant to the Joint Powers Authority agreement and bylaws, the parties have mutually agreed to dissolve the TCEDA, all debts and advances of the TCEDA have been paid, the property of the TCEDA was divided among and distributed to the Parties; and

WHEREAS, the TCEDA has no remaining assets or liabilities; and

WHEREAS, the Parties have no plans to use the TCEDA in the foreseeable future; and

WHEREAS, California Government Code Section 6510 authorizes a joint powers agreement to be terminated by the terms of the agreement; and

WHEREAS, Article VIII of the Amended Joint Powers Agreement of the TCEDA 2011 provides the process for termination, which have been complied with by the Parties.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SONORA AS FOLLOWS:

Section 1. The above recitals are true and correct and are incorporated into this Resolution by this reference.

Section 2. The City of Sonora authorizes the termination and dissolution of the Tuolumne County Economic Development Authority.

Section 3. The TCEDA's operations and activities have ceased, the TCEDA has been inactive, and there are no further assets or liabilities.

Section 4. The Parties are hereby directed and authorized to do and perform all such acts necessary in order to fulfill the intent of this Resolution. All actions heretofore taken by officers, employees or agents of the TCEDA that are in conformity with the purposes and intent of this Resolution are hereby approved, confirmed and ratified.

PASSED, APPROVED, AND ADOPTED AS A RESOLUTION BY THE SONORA CITY COUNCIL AT A MEETING HELD BY THE CITY COUNCIL ON THE 17th DAY OF JANUARY 2023, BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Tracy Skelly
City Clerk

Mark Plummer
Mayor



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 17, 2023
TO: City Council Members
FROM: Chris Gorsky, Administrative Services Director
SUBJECT: Vendor Selection for Citywide Compensation Study

RECOMMENDATION

Consider approval of vendor selection for a citywide compensation study and authorize the City Administrator to sign the contract.

BACKGROUND

In an effort to maintain our current staff and attract new employees, a citywide compensation study is recommended by staff. A well-designed and competitive compensation plan is a key part of delivering quality public services to the community. A classification study and update was conducted in 2017 by Koff and Associates.

DISCUSSION

Staff developed a Request for Proposals (RFP) and distributed it to vendors who specialize in completing human resource/organizational analysis and compensation and classification studies as well as posted the RFP on the City's webpage and the Union Democrat. The RFP was issued on October 26, 2022, with a deadline for the submittal of proposals on November 30, 2022. Three proposals were received in response to the RFP; Regional Government Services (RGS), Ralph Anderson & Associates, and Clemans, Nelson & Associates, Inc.

The Request for Proposals (RFP) asked for qualified firms and individuals to submit proposals for professional consulting services to conduct a citywide compensation study.

During the review and evaluation of the proposals, Regional Government Services (RGS) was the preferred vendor. Therefore, it is the staff's recommendation to enter into an agreement with Regional Government Services (RGS) to conduct the City's Comprehensive Compensation Study.

Compensation Plan

The compensation plan requires the Consultant to complete a comprehensive total compensation study using comparable agencies, agreed upon by the City and City Associations, using not only job titles but duties and responsibilities based upon the classification specifications from the City. To accomplish this, the Consultant will complete an internal base salary relationship analysis and develop appropriate internal relationship guidelines. A written report of the findings and recommendations will be prepared to include a discussion of methods, techniques, and data used to develop the Compensation Plan.

Proposals submitted in response to the RFP were responsive to City's request and included all elements of the City's defined scope of work. The key differences in the proposal were cost and data collection and analysis.

FISCAL IMPACT

The contract's total estimated cost is not to exceed \$31,500.00 and was budgeted as part of the \$100,00 budget for an organizational review and compensation study in the FY22/23 Budget.

ATTACHMENT

- Sample Contract for Professional Services

SAMPLE AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement is made and entered into as of the _____, day of _____, 2023 by and between the **CITY OF SONORA**, a municipal corporation ("City"), and SAMPLE ("Consultant").

RECITALS:

A. Consultant is specially trained, experienced, and competent to perform the special services which will be required by this Agreement; and

B. Consultant possesses the skill, experience, ability, background, certification, and knowledge to provide the services described in this Agreement on the terms and conditions described herein.

C. City desires to retain Consultant to render professional services as set forth in this Agreement.

AGREEMENT

1. Scope of Services. The Consultant shall furnish the following services in a professional manner: ***"Consultant shall perform the services described on Exhibit A which is attached hereto and incorporated herein by reference. Consultant shall provide said services at the time, place, and in the manner specified in Exhibit A, subject to the direction of the City through its staff that it may provide from time to time."***

2. Time of Performance. The services of Consultant are to commence upon execution of this Agreement and shall continue until all authorized work is approved by the City.

3. Compensation. Compensation to be paid to Consultant shall be no more than **\$SAMPLE**. In no event shall Consultant's compensation exceed \$SAMPLE without additional written authorization from the City. Payment by City under this Agreement shall not be deemed a waiver of defects, even if such defects were known to the City at the time of payment.

4. Method of Payment. Consultant shall submit monthly billings to City describing the work performed during the preceding month. Consultant's bills shall include a brief description of the services performed, the date the services were performed, the number of hours spent and by whom, and a description of any reimbursable expenditures. City shall pay Consultant no later than 30 days after approval of the monthly invoice by City staff.

5. Extra Work. At any time during the term of this Agreement, City may request that Consultant perform Extra Work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of the Project, but which the parties did not reasonably anticipate would be necessary at the execution of this Agreement. Consultant shall not perform, nor be compensated for, Extra Work without written authorization from City.

6. Termination. This Agreement may be terminated by the City immediately for cause or by either party without cause upon fifteen days' written notice of termination. Upon termination, Consultant shall be entitled to compensation for services performed up to the effective date of termination.

7. Ownership of Documents. All plans, studies, documents, and other writings prepared by and for Consultant, its officers, employees and agents, and subcontractors in the course of implementing this Agreement, except working notes and internal documents, shall become the property of the City upon

payment to Consultant for such work, and the City shall have the sole right to use such materials in its discretion without further compensation to Consultant or any other party. Consultant shall, at Consultant's expense, provide such reports, plans, studies, documents, and other writings to City upon written request by City. Consultant shall not be responsible for any unauthorized modification or use of such information for other than its intended purpose.

8. Consultant's Books and Records.

- a. Consultant and sub-consultants, shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services, or expenditures and disbursements charged to City for a minimum period of three (3) years, or for any longer period required by law, from the date of final payment to Consultant to this Agreement.
- b. Consultant and sub-consultants, shall maintain all documents and records which demonstrate performance under this Agreement for a minimum period of three (3) years, or for any longer period required by law, from the date of termination or completion of this Agreement.
- c. Any records or documents required to be maintained pursuant to this Agreement shall be made available for inspection or audit, at any time during regular business hours, upon written request by the City Administrator, City Attorney, City Auditor, or a designated representative of these officers. Copies of such documents shall be provided to the City for inspection at City Hall when it is practical to do so. Otherwise, unless an alternative is mutually agreed upon, the records shall be available at Consultant's address indicated for receipt of notices in this Agreement.
- d. Where City has reason to believe that such records or documents may be lost or discarded due to dissolution, disbandment, or termination of Consultant's business, City may, by written request by any of the above-named officers, require that custody of the records be given to the City and that the records and documents be maintained in City Hall. Access to such records and documents shall be granted to any party authorized by Consultant, Consultant's representatives, or Consultant's successor-in-interest.

9. Independent Contractor. It is understood that Consultant, in the performance of the work and services agreed to be performed, shall act as and be an independent contractor and shall not act as an agent or employee of the City. Consultant shall obtain no rights to retirement benefits or other benefits which accrue to City's employees, and Consultant hereby expressly waives any claim it may have to any such rights.

10. Interest of Consultant. Consultant (including principals, associates, and professional employees) covenants and represents that it does not now have any investment or interest in real property and shall not acquire any interest, direct or indirect, in the area covered by this Agreement or any other source of income, interest in real property or investment which would be affected in any manner or degree by the performance of Consultant's services hereunder. Consultant further covenants and represents that in the performance of its duties hereunder no person having any such interest shall perform any services under this Agreement.

Consultant is not a designated employee within the meaning of the Political Reform Act because Consultant:

- a. will conduct research and arrive at conclusions with respect to his/her rendition of information, advice, recommendation, or counsel independent of the control and direction of the City or of any City official, other than normal agreement monitoring; and

b. possesses no authority with respect to any City decision beyond the rendition of information, advice, recommendation, or counsel. (FPPC Reg. 18700(a)(2).)

11. Professional Ability of Consultant. City has relied upon the professional training and ability of Consultant to perform the services hereunder as a material inducement to enter into this Agreement. Consultant shall therefore provide properly skilled professional and technical personnel to perform all services under this Agreement. All work performed under this Agreement shall be in accordance with applicable legal requirements and meet the standard of quality ordinarily expected of competent professionals in Consultant's field of expertise.

12. Compliance with Laws. Consultant shall use the standard of care in its profession to comply with all applicable federal, state, and local laws, codes, ordinances, and regulations.

13. Licenses. Consultant represents and warrants to City that it has all licenses, permits, qualifications, insurance, and approvals of whatsoever nature which are legally required of Consultant to practice its profession. Consultant represents and warrants to City that Consultant shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, insurance, and approvals which are legally required of Consultant to practice its profession.

14. Indemnity. Consultant shall indemnify and hold harmless City, its elected and appointed officials, officers, employees, and volunteers (collectively, "City") from losses, costs, liabilities, and expenses for any damage, injury or death (collectively, "Liability") arising directly or indirectly from or connected with the services provided under this Agreement to the extent that such Liability is caused by the negligence or willful misconduct of Consultant, its officers, employees, agents, contractors, subcontractors, consultants, or any person under its direction or control and shall make good to and reimburse City for any expenditures, including reasonable attorneys' fees, the City may incur by reason of such matters. Consultant's obligations under this Section shall exist regardless of concurrent negligence or willful misconduct on the part of the City or any other person; provided, however, that Consultant shall not be required to indemnify City for the proportion of Liability a court determines is attributable to the negligence or willful misconduct of the City. The City acknowledges that this indemnity does not require the Consultant to provide an up-front legal defense to the City. This indemnification clause shall survive the termination or expiration of this Agreement.

Consultant further agrees to provide, at Consultant's expense, reasonable assistance to the City in responding to third-party claims to the extent such claims implicate the quality of the Consultant's performance under this Agreement, which assistance shall include selection, management, and compensation of expert witnesses as necessary to substantiate or defend the quality of the Consultant's performance under this Agreement, as well as making Consultant's employees and project work product available as reasonably necessary to assist in the defense of such claims. This shall not preclude the City from recovering its reasonable attorneys' fees and defense costs in responding to third-party claims to the extent such claims are found to have been caused by the Consultant's negligence or willful misconduct.

15. Insurance Requirements.

a. Consultant, at Consultant's own cost and expense, shall procure and maintain, for the duration of the contract, the following insurance policies.

i. Workers' Compensation Coverage. Consultant shall maintain Workers' Compensation Insurance and Employer's Liability Insurance for his/her employees in accordance with the laws of the State of California. In addition, Consultant shall require each subcontractor to similarly maintain Workers' Compensation Insurance and

Employer's Liability Insurance in accordance with the laws of the State of California for all of the subcontractor's employees. Any notice of cancellation or non-renewal of all Workers' Compensation policies must be received by the City at least thirty (30) days prior to such change. The insurer shall agree to waive all rights of subrogation against City, its officers, agents, employees, and volunteers for losses arising from work performed by Consultant for City.

ii. General Liability Coverage. Consultant shall maintain commercial general liability insurance in an amount not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage. If a commercial general liability insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.

iii. Automobile Liability Coverage. Consultant shall maintain automobile liability insurance covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with the work to be performed under this Agreement, including coverage for owned, hired, and non-owned vehicles, in an amount of not less than one million dollars (\$1,000,000) combined single limit for each occurrence.

iv. Professional Liability Coverage. Consultant shall maintain professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors, or omissions which may arise from Consultant's operations under this Agreement, whether such operations be by the Consultant or by its employees, subcontractors, or sub-consultants. The amount of this insurance shall not be less than one million dollars (\$1,000,000) on a claims-made annual aggregate basis, or a combined single limit per occurrence basis.

b. Endorsements. Each general liability and automobile liability insurance policy shall be with insurers possessing a Best's rating of no less than A: VII and shall be endorsed with the following specific language:

i. The City, its elected or appointed officers, officials, employees, agents, and volunteers are to be covered as additional insured with respect to liability arising out of work performed by or on behalf of the Consultant, including materials, parts, or equipment furnished in connection with such work or operations.

ii. This policy shall be considered primary insurance with respect to the City, its elected or appointed officers, officials, employees, agents, and volunteers. Any insurance maintained by the City, including any self-insured retention the City may have, shall be considered excess insurance only and shall not contribute with it.

iii. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring company.

iv. The insurer waives all rights of subrogation against the City, its elected or appointed officers, officials, employees, or agents.

v. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected or appointed officers, officials, employees, agents, or volunteers.

vi. The insurance provided by this policy shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) days written notice has been received by the City.

c. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the City. At the City's option, Consultant shall demonstrate financial capability for payment of such deductibles or self-insured retentions.

d. Certificates of Insurance. Consultant shall provide certificates of insurance with original endorsements to City as evidence of the insurance coverage required herein. Certificates of such insurance shall be filed with the City on or before the commencement of performance of this Agreement. Current certification of insurance shall be kept on file with the City at all times during the term of this Agreement.

16. Notices. Any notice required to be given under this Agreement shall be in writing and either served personally or sent by prepaid, first-class mail. Any such notice shall be addressed to the other party at the address set forth below. Notice shall be deemed communicated within 48 hours from the time of mailing if mailed as provided in this section.

If to City: City of Sonora
 94 N Washington Street
 Sonora CA 95370
 Attention: Melissa Eads, City Administrator

If to Consultant: SAMPLE

17. Entire Agreement. This Agreement constitutes the complete and exclusive statement of Agreement between the Agency and Consultant. All prior written and oral communications, including correspondence, drafts, memoranda, and representations, are superseded in total by this Agreement.

18. Amendments. This Agreement may be modified or amended only by a written document executed by both Consultant and City and approved as to form by the City special counsel.

19. Assignment and Subcontracting. The parties recognize that a substantial inducement to City for entering into this Agreement is the professional reputation, experience, and competence of Consultant. Assignments of any or all rights, duties, or obligations of the Consultant under this Agreement will be permitted only with the express consent of the City. Consultant shall not subcontract any portion of the work to be performed under this Agreement without the written authorization of the City. If City consents to such subcontract, Consultant shall be fully responsible to City for all acts or omissions of the subcontractor. Nothing in this Agreement shall create any contractual relationship between City and subcontractor nor shall it create any obligation on the part of the City to pay or to see to the payment of any monies due to any such subcontractor other than as otherwise is required by law.

20. Waiver. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.

21. Severability. If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

22. Litigation Expenses and Attorneys' Fees. If either party to this Agreement commences any legal action against the other party arising out of this Agreement, the prevailing party shall be entitled to

recover its reasonable litigation expenses, including court costs, expert witness fees, discovery expenses, and attorneys' fees.

23. Mediation. The parties agree to make a good faith attempt to resolve any disputes arising out of this Agreement through mediation prior to commencing litigation. The parties shall mutually agree upon the mediator and shall divide the costs of mediation equally. If the parties are unable to agree upon a mediator, the dispute shall be submitted to JAMS/ENDISPUTE ("JAMS") or its successor in interest. JAMS shall provide the parties with the names of five qualified mediators. Each party shall have the option to strike two of the five mediators selected by JAMS and thereafter the mediator remaining shall hear the dispute. If the dispute remains unresolved after mediation, either party may commence litigation.

24. Execution. This Agreement may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties when at least one copy hereof shall have been signed by both parties hereto. In approving this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

25. Authority to Enter Agreement. Consultant has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.

26. Prohibited Interests. Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid, nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift, or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer, or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

27. Equal Opportunity Employment. Consultant represents that it is an equal opportunity employer, and it shall not discriminate against any subcontractor, employee, or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex, or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, or termination. Consultant shall also comply with all relevant provisions of City's Minority Business Enterprise program, Affirmative Action Plan, or other related programs or guidelines currently in effect or hereinafter enacted.

IN WITNESS HEREOF, the parties have caused this Agreement to be executed on the date first written above.

CITY OF SONORA:

SAMPLE

By: _____
Melissa Eads,
City Administrator

By: _____
SAMPLE
SAMPLE

ATTEST:

Tracy Skelly

City Clerk

APPROVED AS TO FORM:

Douglas White, City Attorney



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 17, 2023

TO: City Council Members

FROM: Chris Gorsky, Administrative Services Director

SUBJECT: Administrative Services Department Report for November 2022

RECOMMENDATION

Receive the Administrative Services Department Report for November 2022

DISCUSSION



The Administrative Services Department provides a wide range of comprehensive support services which include: accounting, finance administration and reporting, budgeting, audit, compliance, treasury management, payroll, human resources, recruitments, accounts receivable, local tax collection, accounts payable, procurements, business license management, risk management, information technology for the City.

Monthly Report to the City Council

November 2022

Highlights of General Fund Revenues:

	Current Period	YTD	FY22/23 Budget	% of Budget
Property Tax	\$ 94,169	\$ 111,111	\$1,374,800	8.1%
Sales Tax	\$ 289,834	\$ 1,369,284	\$3,397,100	40.3%
Transient Occupancy Tax	\$ 39,378	\$ 321,239	\$ 490,000	65.6%
Cannabis Public Benefit Fees	\$ 49,100	\$ 240,470	\$ 525,000	45.8%
Building Permits	\$ 10,500	\$ 44,682	\$ 95,000	47.0%
Business Licenses	\$ 685	\$ 107,510	\$ 120,000	89.6%

Highlights of General Fund Expenditures:

	Current Period	YTD	FY22/23 Budget	% of Budget
Salaries and Benefits	\$ 464,542	\$ 2,693,813	\$6,986,250	38.6%
Operating Expenditures	\$ 160,813	\$ 905,021	\$2,199,950	41.1%
Transfers	\$ -	\$ 79,993	\$ 112,000	71.4%

Total Number of Checks/DD Processed:

A/P	YTD	H/R	YTD
99	607	129	635

Current Staff Recruitments:

Community Development Specialist I/II
Public Works Assistant
Deputy City Clerk - Exec Assistant
Community Service Officer

Business License Activity:

Licenses Issued

Current Month Zone A	Current Month Zone B	YTD Zone A	YTD Zone B
1	11	8	63



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 17, 2023

TO: City Council Members

FROM: Rachelle Kellogg, Community Development Director

SUBJECT: Community Development Department Report for December 2022

RECOMMENDATION

Receive the Community Development Department Report for December 2022

DISCUSSION

In addition to the day-to-day operations of the Department, staff completed the following items:

CHRISTMAS ACTIVITIES – Staff wrapped up all of the City sponsored Christmas activities. Public Works has removed most of the Christmas decorations and should finish next week depending on storm activity.

STORMS – Staff's time has been consumed by storm related calls from the public, inspections, reports and scheduling work. Some of this is related to City owned facilities and others on private property. Staff has also been proactively addressing/noting areas of potential failures and hazards in anticipation of future storms.

WASHINGTON-STOCKTON TRANSIT PROJECT – Contracts have been executed with the Construction Contractor Dirt Dynasty, Inc. and the Construction Engineer UNICO Engineering for the project and the Notice to Proceed has been issued. Staff is finalizing submittals to Caltrans and coordinating their involvement during construction. The Construction Engineer and staff have been review and approving project submittals. The Pre-Construction Meeting will be held on January 17th during which staff will address the required Caltrans items and those specific to the project. A start of construction date will also be set at the meeting.

SIGN ORDINANCE – The Sign Ordinance was adopted by the City Council, as presented by staff, at their November 21, 2022 meeting. It went into effect on December 21, 2023 and staff process the sign applications that were awaiting this date. Staff will begin inspecting the commercial areas of the City and working with businesses that need to modify their signs.

BUILDING PERMIT ACTIVITY – Building permit activity continues to be strong and staff has met with several individuals who are looking to do projects within the City. Most of which plan on getting their applications in over the next few months in anticipation of the Community Development Director's pending retirement.

MONTH OF, NOVEMBER 2022		COMMUNITY DEVELOPMENT DEPARTMENT ACTIVITY REPORT		CITY OF SONORA 94 N. WASHINGTON ST. SONORA, CA 95370	
NAME	LOCATION	TYPE	VALUATION	FEES	
NEW RESIDENTIAL		TOTAL UNITS ____1__			
1	456 MC GOWAN ST	SINGLE FAM. DWELLING	\$277,000	\$4,031.51	
SUBTOTAL __1__					
CDBG REHABS		TOTAL UNITS _____			
SUBTOTAL ____0__					
COMMERCIAL		TOTAL UNITS __0__			
SUBTOTAL ____0__					

ALTERATIONS & ADDITIONS		TOTAL UNITS _12__			
WLI LLC	REMODEL AND ADD 140 SQ. FEET	355 HOSPITAL ROAD	\$28,000	\$ 446.55	
GHOMIZADEH ANITA GHOMIZADEH MASSOUD	NEW FIRE ALARM - EMERGENCY REPAIR	1071 SANGUINETTI RD	\$9,500	\$ 1,054.51	
CASHKOW LLC	REPLACED NEW BURNED DOWN RESIDENCE & ADU	456 MC GOWAN ST	\$ 277,000.00	\$ 3,983.50	
CASHKOW LLC	14.43 KW SOLAR IN REP HOME AND NEW ADU	456 MC GOWAN ST	\$ 44,000.00	\$ 464.28	
CASHKOW LLC	FIRE SPR. IN REP HOME AND NEW ADU	456 MC GOWAN ST	\$ 25,300.00	\$ 1,035.56	
TENNYSON MICHAEL JAMES & SHELLEY JEAN	INSTALL A SEWER LATERAL	349 KNOWLES HILL DR	\$ 6,000.00	\$ 266.66	

ALTERATIONS & ADDITIONS				TOTAL UNITS <u>12</u>
WBC CONSTRUCTION MANAGEMENT INC	INT DEMO CLEAN UP, ELEC, HVAC, NEW ADA BATHROOM	21 S WASHINGTON	\$ 185,000.00	\$ 920.53
WBC CONSTRUCTION MANAGEMENT INC	RE BUILD EX REAR OFFICE, INST. SIGN	21 S WASHINGTON	\$ 40,000.00	\$ 684.06
SIPOLA AUTUMN & NATHAN	INSTALL 16.65 KW ROOF MOUNT SOLAR PV SYSTEM AND MSP UPGRADE	589 E BALD MOUNTAIN RD	\$ 50,000.00	\$ 629.75
ROOS AMANDA & STEPHEN	INSTALL 7.40 KW RES ROOF OP SOLAR	191 UPPER SUNSET DR	\$ 22,200.00	\$ 521.68
975 MORNINGSTAR LLC	INSTALL PED CHARGING STATION WITH EV CHARGERS	975 MORNING STAR	\$ 10,000.00	\$ 446.46
BECKER JOHNATHAN CASTLE SARAH	RES. SOLAR, 6.4KW	230 E JACKSON ST	\$ 18,400.00	\$ 379.35

DEMOLITIONS					TOTAL UNITS <u>0</u>
NAME	LOCATION	TYPE	VALUATION	FEE	
SUBTOTAL					
MISCELLANEOUS REPAIRS					
NUMBER OF PERMITS	VALUATION \$		FEE		
13	\$326,773		\$4,261.52		

TOTAL NUMBER OF PERMITS ISSUED	25
TOTAL VALUATION	1,042,173
SUB TOTAL OF PERMIT FEES COLLECTED	\$15,094.41
TOTAL FIRE DEPARTMENT FEES COLLECTED	\$360
TOTAL TRAFFIC FEES COLLECTED	\$4,271.00
TOTAL PUBLIC SAFETY FEES COLLECTED	0
TOTAL PARKS & RECREATION FEES COLLECTED	0
TOTAL FEES COLLECTED	\$19,725.41

FISCAL YEAR TO DATE*Item 8.*

TOTAL NUMBER OF PERMITS ISSUED	81
TOTAL VALUATION	\$3,558,215.00
TOTAL FIRE DEPARTMENT FEES COLLECTED	\$720.00
TOTAL PUBLIC SAFETY FEES COLLECTED	0
TOTAL PARKS & RECREATION FEES COLLECTED	0
TOTAL TRAFFIC MITIGATION FEES COLLECTED	\$8,522.00
TOTAL PERMIT FEES COLLECTED	\$58,795.70

MONTH OF, DECEMBER 2022	COMMUNITY DEVELOPMENT DEPARTMENT ACTIVITY REPORT		CITY OF SONORA 94 N. WASHINGTON ST. SONORA, CA 95370	
NAME	LOCATION	TYPE	VALUATION	FEES
NEW RESIDENTIAL		TOTAL UNITS __0__		
SUBTOTAL __0__				
CDBG REHABS		TOTAL UNITS __0__		
SUBTOTAL __0__				
COMMERCIAL		TOTAL UNITS __0__		
SUBTOTAL __0__				

ALTERATIONS & ADDITIONS		TOTAL UNITS 7		
056-082-003	INSTALL NEW GENERATOR	647 S STEWART ST	\$ 10,000.00	\$ 229.75
056-090-032	INSTALL NEW GENERATOR	10 CALAVERAS	\$ 15,000.00	\$ 299.75
001-060-027	SOLAR, RES, 13.32 KW	501 SONORA AVE	\$ 40,000.00	\$ 538.80
056-160-006	BUILD ULTRA BLOCK WALL	355 HOSPITAL RD	\$ 5,000.00	\$ 281.56
002-210-040	OFFICE REMODEL, SOLAR AND FIRE SPRINKLER SYSTEM DEFERRED SUBMITTALS	184 FAIRVIEW LANE	\$150,000.00	\$ 1,783.95
035-420-050	ROOF MOUNT SOLAR. 6KW, 15PV	424 ARBONA CIR	\$ 48,220.00	\$ 562.73
035-430-005	RES ROOF MOUNT SOLAR. 8.8KW SYSTEM	700 GOLDEN GATE CT	\$ 48,220.00	\$ 540.98

DEMOLITIONS			TOTAL UNITS __0__	
NAME	LOCATION	TYPE	VALUATION	FEE
SUBTOTAL _____				
MISCELLANEOUS REPAIRS				
NUMBER OF PERMITS	VALUATION \$		FEE	
12	\$391,851.00		5,739.04	

TOTAL NUMBER OF PERMITS ISSUED	19
TOTAL VALUATION	\$631,851
SUB TOTAL OF PERMIT FEES COLLECTED	\$9,435.58
TOTAL FIRE DEPARTMENT FEES COLLECTED	-
TOTAL TRAFFIC FEES COLLECTED	-
TOTAL PUBLIC SAFETY FEES COLLECTED	-
TOTAL PARKS & RECREATION FEES COLLECTED	-
TOTAL FEES COLLECTED	

FISCAL YEAR TO DATE

TOTAL NUMBER OF PERMITS ISSUED	100
TOTAL VALUATION	\$ 4,190,066.00
TOTAL FIRE DEPARTMENT FEES COLLECTED	\$ 720.00
TOTAL PUBLIC SAFETY FEES COLLECTED	0
TOTAL PARKS & RECREATION FEES COLLECTED	0
TOTAL TRAFFIC MITIGATION FEES COLLECTED	\$ 8,522.00
TOTAL PERMIT FEES COLLECTED	\$ 68,231.28



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 17, 2023

TO: City Council Members

FROM: Aimee New, Fire Chief

SUBJECT: Fire Department Monthly Report – December 2022

RECOMMENDATION

Receive Fire Department Report – December 2022

DISCUSSION

Fire Department Monthly Report – December 2022

FISCAL IMPACT

N/A

1. City of Sonora responded to 179 calls for service in December 2022.
2. Sonora City units responded to emergency calls as follows:

111 - Building fire	1
114 - Chimney or flue fire, confined to chimney or flue	2
130 - Mobile property (vehicle) fire, other	1
132 - Road freight or transport vehicle fire	1
311 - Medical assist, assist EMS crew	26
321 - EMS call, excluding vehicle accident with injury	75
322 - Motor vehicle accident with injuries	6
324 - Motor vehicle accident with no injuries.	5
440 - Electrical wiring/equipment problem, other	1
444 - Power line down	2
510 - Person in distress, other	1
511 - Lock-out	2
520 - Water problem, other	4
550 - Public service assistance, other	2
551 - Assist police or other governmental agency	1
553 - Public service	4
554 - Assist invalid	9
561 - Unauthorized burning	1
611 - Dispatched & cancelled en route	18
622 - No incident found on arrival at dispatch address	2

631 - Authorized controlled burning	2
651 - Smoke scare, odor of smoke	2
715 - Local alarm system, malicious false alarm	1
730 - System malfunction, other	4
735 - Alarm system sounded due to malfunction	3
743 - Smoke detector activation, no fire - unintentional	2
744 - Detector activation, no fire - unintentional	1
Total Incidents	179

3. Monthly dollar loss in the City, resulting from fire: **0**
4. The average response time during the month: **5.73**
5. Automatic or mutual aid given **55**



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 17, 2023

TO: City Council Members

FROM: Turu VanderWiel, Chief of Police

SUBJECT: MONTHLY REPORT – SONORA POLICE DEPARTMENT

RECOMMENDATION

Receive the Sonora Police Department monthly report for December 2022.

DISCUSSION

The attached summarizes activities for December 2022.

	Dec 2022	Nov 2022	Dec 2021
Total Incidents	1,225	1,173	1,352
Calls for Service	708	696	653
Officer Initiated	517	477	699
Total Arrests	43	55	47
Felony Arrests	6	10	5
Misd. Arrests	37	45	42
Total Reports	106	133	110
Parking Citations	14	13	12
Moving Citations	22	22	18
Domestic Violence	2	1	2
Larceny Invest.	14	22	15
Collision Incidents	25	34	35
Collision Invest.	10	14	12

	Dec 2022	Nov 2022	Dec 2021
Homeless Activity	62	77	103
Animal Calls	34	42	27
Public Intox. / UID	4	5	13
DUI Arrests	4	2	2
Total Phone Calls / 911 Calls	1,910/352	2,004/297	1,930/179
Average Per Day	62	67	62
Vehicle Releases	3	1	2

*Homeless Activity tracking requires additional manual inputs; the actual number of associated incidents will typically be higher than the reported number.

*The Larceny Investigation category reflects only those incidents where an investigation is conducted and a case report is generated. The actual number of larcenies is considerably higher.

FISCAL IMPACT

There is no fiscal impact on the General Fund

AREA 1

Violent Crimes:

Burglaries / Other Larceny:

- 11 Business Burglaries (Shoplifting).
- 1 Stolen Vehicle (Recovered by SPD)
- 1 Theft from Hotel Laundry Room

AREA 2

Violent Crimes:

- 1 Felony Domestic Violence
- 1 Misdemeanor Domestic Violence
- 1 Felony Battery with Serious Bodily Injury
- 1 Felony Assault with a Deadly Weapon, Not Firearm, with Felony Threats

Burglaries / Other Larceny:

- 1 School Burglary

12/01/2022 - 12/31/2022

Area 2 Monthly Report December 2022

Neighborhood Watch:

MYERS HILL:

- Inactive.

N. STEWART:

- Interest by residents is still pending.

HIGHLANDS VIEW:

- Inactive.

Cases for discussion:

22-1605- On 12/03/2022 at about 6:00 pm, Officers were dispatched to the 200 block of Mono Way for a single-vehicle collision involving a vehicle found to have collided with a Sonora City message sign trailer parked off of the roadway edge. Responding Officers directed traffic due to the roadway wreckage hazard and contacted the driver, identified as 60-year-old Columbia resident Martha Christian. An officer smelled the odor of an alcoholic beverage, and a DUI investigation was conducted, resulting in Christian's arrest for DUI, in excess of three times the legal limit.

22-1639- On 12/13/2022 at about 6:00 pm, Officers observed and stopped a vehicle for driving with an unsecured load in an opened trunk with an obstructed license plate. The driver was identified as 48-year-old Coulterville resident Jeffrey England, who frequents the Sonora area. Officers observed drug paraphernalia in plain view and asked England to exit the vehicle. England faked compliance while exiting and immediately tried to avoid arrest and physically resisted the two Officers on scene. England was subsequently subdued by the use of a Taser device and taken into custody for resisting arrest and possession of drugs and drug paraphernalia.

Recruitments:

- 1 Full-time Police Sergeant
- 3 Full-time Police Officers
- 1 Community Service Officer

Training:

- None in December.

Range:

- Quarterly range training is tentatively scheduled for February 2023.

Respectfully Submitted,
Sgt. Chris Johnson



SONORA POLICE DEPARTMENT
100 South Green Street
Sonora, California 95370

Emergency 911 Item 10.
Business (209) 532-8143
Fax (209) 532-4845
Web-Site: www.sonorapd.com
Turu VanderWiel, Chief of Police
E-Mail: tvanderwiel@sonorapd.com

"Maintaining a Safe Community since 1851"

MEMORANDUM

TO: Honorable Mayor and City Council Members
FROM: Turu VanderWiel, Chief of Police
DATE: January 17, 2022
RE: Area 1 Supervisor Report - No Monthly Report

Due to a staffing vacancy in the Sergeant's positions, no Area 1 Supervisor report will be submitted for December 2022.



CITY COUNCIL AGENDA REPORT

MEETING DATE: January 17, 2022

TO: City Council Members

FROM: Mike Lagomarsino, Public Works Supervisor

SUBJECT: Public Works Department Report for December 2022

RECOMMENDATION

Receive the Public Works Department Report for December 2022

DISCUSSION

For the month of December 2022, the City of Sonora Public Works Department performed the following activities:

Events

- Placed banners above Washington Street for upcoming events.
- Provided signage and barricades for annual Pop Hudson Sing held in Courthouse Park.

Streets

- Sanded numerous streets following storm.
- Assisted Police and Fire Department with traffic control and cleanup following RV accident on Hope Lane and hauled off debris.
- Repaired damaged street signs on Tidwall St. and Sanguinetti Rd.
- Removed parking spot and replaced it with no parking on Bradford Street as approved by the Parking and Traffic Commission.
- Returned numerous shopping carts abandoned throughout the City.
- Spent several days potholing City streets.
- Installed brackets for security cameras requested by the Police Department.

Facilities

- Installed new exhaust fan in restroom at Sonora Police Department.
- Installed new lights in equipment room at Public Works.
- Made repairs to door lock to storage room at Opera Hall.

Parks/Landscapes/Parking Lots

- Spent numerous days blowing and removing leaves in City landscapes, sidewalks and parks.
- Removed a hazardous Elm tree in the City lot on Green Street.
- Pruned trees in Grigsby Park.
- Graffiti removal in Rotary Park restrooms.
- Graffiti removal on the upper parking level at the Terzich parking structure.
- Replaced vandalized light fixture in the stairway in the Terzich parking structure.

Storm Drains

- Spent SEVERAL days digging debris out of storm drains, as well as ditches, and culverts, following rain events.

Cemeteries

- Prepared required monthly reports, installed headstones, checked messages daily, and returned phone calls.

Miscellaneous

- Performed routine daily and monthly activities including regular checking of parks and landscape areas for maintenance needs and safety concerns, garbage collection at City facilities, cleaning and stocking City restrooms, opening of gate to Dragoon Gulch Trail parking lot, routine maintenance of City vehicles, participation on assigned committees, weekly mowing of lawns at Mt Shadow Cemetery and Rotary Park, and weekly sweeping of City Streets.

FISCAL IMPACT

None

DISCRIMINATION

IN TUOLUMNE COUNTY

AMPLIFYING THE VOICES OF THE MARGINALIZED

2021-2022

TUOLUMNE COMMUNITY REVIEW COUNCIL
In conjunction with Stand Up, Speak Up, Speak Out, Inc.

"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."

Dr. Martin Luther King, Jr

Acknowledgments & Disclaimer

This report would not be possible without the courage and bravery of those who shared their stories. The identities of our interviewees have been kept confidential because many feared the consequences from community members for sharing the ugly and painful truth hidden in Tuolumne County. Thank you to the Unheard Voices.

In addition, we would like to thank those members of the Social Equity Committee who dedicated their time and energy to stand against the odds by taking first steps toward dismantling White Supremacy Culture by creating a resolution committed to equity, fairness, and justice.

This is not a representative study. It is a qualitative report about experiences that people have in our community. All anecdotes and quotes are from members of the community who have been pushed to the margins.

For more information about this project, contact:

Tuolumne Community Review Council (TCRC)

crctuolumne@gmail.com

Access to opportunities and a sense of safety and belonging are being denied to members of our community because of unacknowledged and unaddressed discrimination in all sectors of Tuolumne County.

Members of our Community...

Experience Discrimination

We have an issue with discrimination in the county and it is not being seriously acknowledged or addressed, even by people in positions of leadership who have the power to make change.

Live in Daily Fear and Anxiety

The physical and mental health of people pushed to the margins in Tuolumne County are at high risk because of living with daily fear and anxiety.

Use Strategies to Ensure Physical and Emotional Safety

Those that are marginalized must use different strategies such as: passing as straight, acting white and isolating at home, to feel and stay safe in Tuolumne County.

Perceive Our Community as Exclusionary, Hierarchical and Unjust

The hierarchy of human value that exists in Tuolumne County is denied, which significantly impacts the manner in which people who are pushed to the margins experience life in Tuolumne County.

Believe Change is Possible

Tuolumne County is a community that has many people who care for others and who strive to make our County a place that feels welcoming and inclusive. As a community we need to strive to ensure that all people and systems embrace a narrative of inclusion, cultural humility and acceptance of all people regardless of differences.

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In the words of Jewish poet and activist Emma Lazarus,
“Until we are all free, we are none of us free.”

Section 1: Background

TCRC believes that when we center the needs of the most vulnerable, the needs of all will be met.

WHO IS TCRC?

The Tuolumne Community Review Council was founded in the summer of 2020 after George Floyd's murder. Four concerned community members met with our local law enforcement: (LLE) Sheriff Pooley Chief VanderWeil, and California Highway Patrol. The purpose of the meeting was to discuss how to make sure that Black, Indigenous, and People of Color (BIPOC) were never victims of police brutality, excessive force, or loss of life at the hands of LLE in Tuolumne County. After this meeting TCRC was formed and quickly decided to expand our focus from the BIPOC population to all members of our community that are pushed to the margins. In addition to the relationship with LLE, TCRC also became supporters of the Sonora City Council Social Equity Committee. Our members attended the meetings to share information and facts about systemic discrimination in Tuolumne County, and participated in the process of creating the resolution. TCRC believes that when we center the needs of the most vulnerable, the needs of all will be met. In order to center the needs of the most vulnerable, we needed to listen and learn about their experiences living in Tuolumne County. To that end, we began our interview project. Our goal was to hear and amplify the voices of marginalized people in Tuolumne County.

We hope, that if our community knows what is happening to people pushed to the margins, that our community will work together and make a change to ensure all people are welcome and safe in Tuolumne County.

WHO IS TUOLUMNE COUNTY?

Tuolumne County is overwhelmingly populated by White people (89.9%-census.gov) many of whom are proud of this heritage and the county's wild west gold rush mining history dating back to the 1850's. Largely missing in the recollection of this history is the devastating impact of the gold rush period on the Indigenous People of the land, in which their eradication was attempted. Also missing are the many People of Color, such as the Chinese, Chilean, Peruvian, Mexican, and others who were significant in the development of this county. A recent effort by Sonora City Council Social Equity Committee to address and acknowledge the experiences of BIPOC in Tuolumne County by drafting a resolution to condemn racism was vehemently rejected by many community members, businesses, elected officials and other leaders.

THE INTERVIEW PROJECT

The Interview Project was born out of the necessity to give voice to and document the legitimacy of the experiences of BIPOC and others who have been pushed to the margins in Tuolumne County on the basis of age, behavioral and mental health, body size, color, disability, ethnicity, gender (including gender identity and gender expression), immigration status, housing status, marital status, national origin, race, religion, sexual orientation, socio-economic and/or veteran status. TCRC modeled our project on a similar project conducted by Dr. Lynn Verduzco-Baker, Dr. Jessica Kane, and the Albion National Association for the Advancement of Colored People on community experiences of policing in Albion, MI. After several months of discussion with Dr. Kane, our survey was ready and we reached out to community members to hear their stories. From the data collected we have drafted this report and we are creating an artistic presentation to more fully express the courage exhibited and pain experienced by members of our community.

Section 2: The Power of 35

Who was Interviewed?

TCRC interviewed 35 community members who have been pushed to the margins in our community. The statistics below are based on these 35 people who were open to sharing their story. In addition to these 35 interviews, TCRC also collected information from people who were fearful of the consequences of officially participating in the interview process, so their statistics are not included in these numbers, but their stories are included in this report. TCRC also gathered information from public comments at public meetings.

There are many who will look to discredit this report due to the limited number of people interviewed but this is a qualitative not representative study. Imagine the exponential possibilities if Tuolumne County actually changed in a manner that these 35 people began to feel safe, supported and included in our community.

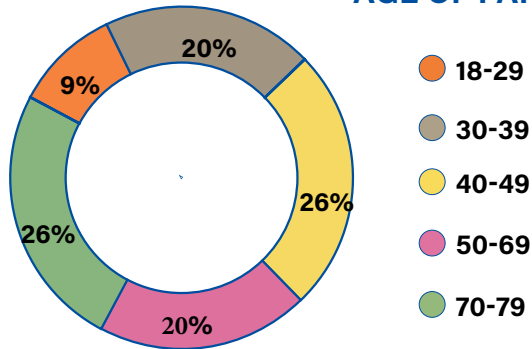
It is the belief of TCRC that these 35 people are simply the tip of an iceberg, and that there were many others who were too fearful to speak. By honoring and acknowledging their stories, and striving to enact the necessary changes, our whole community will benefit.

**"It is our belief that even one act of
discrimination is unacceptable. "**

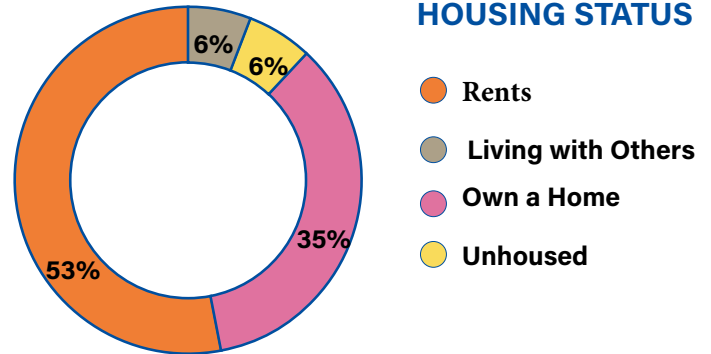
TCRC

Section 2: The Power of 35 - Statistics

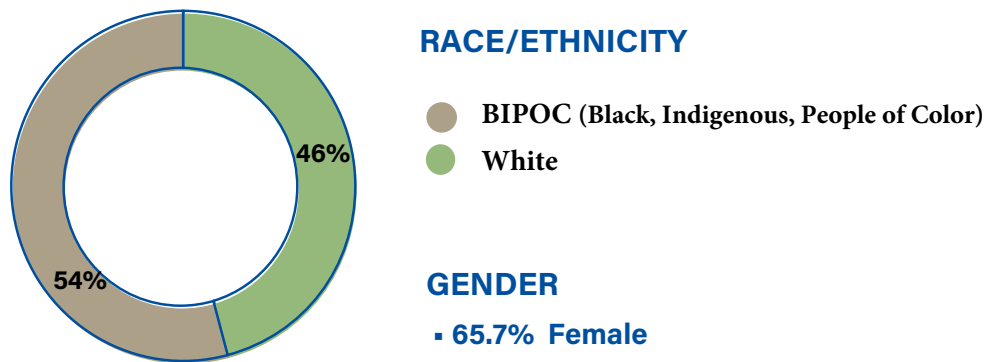
AGE OF PARTICIPANTS



HOUSING STATUS



RACE/ETHNICITY



GENDER

- 65.7% Female
- 34.3% Male
- 2.9% Non-Binary/Transgender

EMPLOYMENT STATUS

- 57.2% Work Part or Full Time
- 11.4% Students
- 14.3% Retired
- 17.1% Did Not state

LGBTQ+

- 62.9% Do Not Identify as LGBTQ+
- 34.3% Identify as LGBTQ+
- 2.9% Prefer Not to Answer

EDUCATIONAL ATTAINMENT

- 64.7% Associates Degree or Higher
- 29.4% Some College
- 5.9% High School Graduate/GED

MARGINALIZATION

Everyone Identified as Marginalized in One or More of the Following:

- 65.7% Female
- 34.3% LGBTQ+
- 54% BIPOC
- 31.4% Low Income
- 29.4% Unhoused
- 14.3% Single Parent
- 20% Have a Disability
- 25.7% Mental Health
- 34.3% Non-Christian
- 8.6% Previously Incarcerated
- 5.7% First Language Not English
- 2.9% Senior Citizen
- 2.9% Domestic Violence Survivor

Section 3: Key Questions

Item 12.

What is Discrimination?

Discrimination is the unjust or prejudicial treatment of different categories of people who have been pushed to the margins on the basis of age, behavioral and mental health, body size, color, disability, ethnicity, gender (including gender identity and gender expression), immigration status, housing status, marital status, national origin, race, religion, sexual orientation, socio-economic and/or veteran status. **Some acts of discrimination are illegal; all acts of discrimination are unethical and immoral.**

What does Unacknowledged and Unaddressed Mean?

In order for this country to live up to its highest ideals and achieve prosperity for everyone, the United States must reckon with the discrimination of the past and present. In communities all across the United States, discrimination must be acknowledged. Law enforcement, public leaders, business owners, educators, health care providers, and all community members must listen to those who have experienced discrimination and acknowledge that it happened. Then discrimination must be addressed at the individual, interpersonal and institutional levels through education, making amends, and changing policy and institutional structures. Only then can this be a country where everyone thrives.

What are the Long Term Effects of Discrimination?

When intolerance prevents individuals from exercising their talents, there tends to be widespread, long lasting negative effects. Discrimination affects people's opportunities, their well-being, and their sense of agency. Persistent exposure to discrimination can lead individuals, especially youth, to internalize the prejudice or stigma that is directed toward them, manifesting in shame, low self-esteem, fear and stress, self-isolation, and poor health. The economic effect of social exclusion results in an astounding loss of revenue ("Cost of Racism: U.S. Economy Lost \$16 Trillion Because of Discrimination, CitiBank Says." Adedayo Akala, NPR, September 23, 2020.). In contrast, social inclusion harnesses our diversity as a fuel for small business formation, creativity, public interest, tourism and innovation.

"We've got to get on the on the same page before we can turn it and move toward a new story together." Heather McGhee, Author of The Sum of Us

Members of Our Community...

Experience Discrimination

Live with Daily Fear and Anxiety

Use Strategies to Ensure Physical and Emotional Safety

Perceive Our Community as Exclusionary, Hierarchical and Unjust

Believe Change is Possible

**“Do your little bit of good where you are;
it's the little bits of good put together
that overwhelm the world.”**

Desmond Tutu

FACTS

Too many members of our community do not feel welcomed. They feel like outsiders and have experienced a wide range of insults, threats and acts of intimidation because of their age, behavioral and mental health, body size, color, disability, ethnicity, gender (including gender identity and gender expression), immigration status, housing status, marital status, national origin, race, religion, sexual orientation, socio-economic and/or veteran status. They are experiencing discrimination from all sectors of our community: community members, schools, health care, law enforcement, businesses, social services, community events and public and private services.

Of those interviewed 94% reported having acts of discrimination leveled against them in Tuolumne County. Of the 94% who experienced discrimination, 57.9% said it was due to their race or the race of someone they were with, 16.1 % said it was due to their sexual orientation and/or gender identity, and another 12.9% say it was due to someone they were with, but they did not identify what it was about the person they were with. 3.2% say it was due to their disability and 3.2% say it was due to their body size. 25% of those surveyed described experiences in which they received inadequate medical or behavioral health care due to their marginalized identity.

EVIDENCE

Discrimination By General Public:

"People do not respect the laws designed to support disabled people from joining in the community by taking parking spaces, blocking sidewalks and generally thinking of themselves."

"At the river, a white man came up to me talking about how they don't like strangers and that he has a gun in his truck that he is not afraid to use. I felt like my life was in danger and needed to leave to be safe."

94%
of those interviewed
reported having acts of
discrimination leveled against them
in Tuolumne County

"Someone put a notice on my apartment door with a note that said, "do us a favor-leave" and then taped a knife to the message."

"I don't feel welcome, appreciated, or valued. I have been the victim of death threats, harassment, vendettas and jeers. I am afraid to walk outside. Cars have deliberately tried to hit me. The landlord is trying to force me out even though I pay my rent and pass all inspections. The landlord ignores my service requests and honors others. She refuses to ensure that other tenants are not threatening me."

"When homeless people were exposed to Covid, some of us homeless folks got a campground which we paid for, to self-isolate. We got kicked out, kicked out of every place where we thought we could be safe. LLE would kick us out. Even if we were on public land. If we were next to homes, and the home owners didn't want us there, we would be kicked out. There were no resources for homeless people to quarantine ourselves".

"I got a message on my computer saying you had better hope that you get deported before I kill you."

Experience Discrimination Continued

Discrimination By General Public Cont.

“When working as a chef, I had residents of Tuolumne County refuse to be served by a person of color on several occasions. When working as a bartender, I’ve witnessed first hand the use of the N word. The use of racial slurs is prominent in establishments with a right wing crowd everywhere in this county.”

“When I was shopping with daughter, we were speaking Spanish and were told ‘Speak English: This is America.’ I was with my son and someone in a car shouted ‘Mexican get out’ at crosswalk and he was almost run over.”

“I have been harassed for being ‘fat’ by people yelling out from their cars to insult me.”

“I was raised here as a child. There weren’t many black children around me growing up in Sonora, and I was always made to feel lesser than. That was normal. I knew I would never stay or raise children here as an adult so I moved to the Bay Area when I turned 18.”

Discrimination in the Educational System:

“In gymnastics as a child, I was called the ‘n’ word. In high school, people wrote KKK on my locker several times and I was spit upon.”

“At school, students would not let me sit with them. I had to have lunch in the Principal’s office because students wouldn’t accept me since I was the only black person in my class.”

“In high school I had many [uncomfortable experiences]. I was told to go home several times, and called ‘spic’ several times, mostly in the hall and in passing...Being told to go home stood out to me because my family is Native American, so it was confusing to hear. This was from other high school students.”

“While at [local elementary school] in 5th grade, I was called ‘Black Mamba’ by a fellow student and hit in the face with a ball. The school did not do anything about this. They discriminated against me because I was from [neighboring town], which they called “ghetto.” In high school kids would ask if they can have the ‘N Word Pass’ because I’m part African-American.”

“The county is behind the times. I cannot hold hands with my partner in this county. I had to be escorted off campus in High School because I was being threatened and harassed ‘Kill the faggot’. I wasn’t out yet, but when playing sports was called gay and harassed. I tried to commit suicide in High School three times due to harassment around being gay.”

“I have been discriminated against and sexualized by peers, teachers, and coaches. Adults are worse than kids when it comes to harassing me. “

Discrimination in the Health Care System:

“The mental health specialist to which I was referred had no knowledge of LGBT issues and concerns which was the reason for my appointment. She was not only clueless, she was insulting.”

“I was also discriminated against at the hospital. Because of former drug use, I don’t get the attention I feel I deserve. They don’t treat homeless people well when they should be treated especially well.”

“They (local health clinic) did not address my needs as an Asian, non-Christian woman.”

Discrimination in Health Care Cont.

"I have definitely been at the hospital before, like way back when I needed my gallbladder out, they told me that my stomach hurt so badly because I was fat. Turns out I had a tumor on my gallbladder that was making it contract all the time. Not because I'm fat."

"They (local health clinic) tried to discharge me from care because they didn't want to see Trans patients anymore because they did not know enough about them, and I had to go in and be like, you can't do that. It's like saying you won't see Black people because you don't know enough about sickle cell-you have to go fucking figure it out—it's your job."

Discrimination in Local Law Enforcement:

"Forest Service LE harassed me for [allegedly] selling drugs at Rainbow Pools because my car 'looked like a Mexican weed grower's car' and demanded to search my car. Tried to manipulate me into thinking that they didn't need my permission to search my car. LE said, 'I don't need your permission.'"

"I was pulled over in high school leaving a business. It's all lit up in the parking lot, and when I pulled out I turned on my lights and was pulled over by 5 cop cars, and had to get out and put my hands on the car. This was in high school so probably 12 years ago or so. But it was me and [male teenager] and [sister], so all people who were brown and we had to all get out and put our hands on the car. It was very traumatic at the time. It didn't register as being racially motivated at that point, but I think in retrospect it probably was."

"Interactions with them due to BLM protests. The police assumed that the protests will be violent. They have a prejudged opinion about the events. They do not stop harassment of children at the BLM protests let alone the adults. LLE was supportive of the State of Jefferson BLM protest meeting but not the BLM protest. This shows bias towards the conservative side of Tuolumne. When I called to let them know I was organizing the BLM protests the first question was, 'will they be violent.'"

"Pulled over many times for what seems like harassment. There were never reasons to single me out. Once I was given a ticket for driving 5 miles over the limit. Another time, friends had been drinking. I was the driver and had not been drinking. They questioned me relentlessly but ignored my friends who had obviously been drinking. Another time I was sitting in my car in a park playing a game. That was 'suspicious' as far as they were concerned. Just like the many times, when they would pull me over on my motorcycle because I was wearing a suit and it was in the middle of the night. I was going home from my job. It seemed they enjoyed taunting me."

"Recently I was in a situation where the police were called because I was being harassed. Although the police talked to both me and the person who was harassing me, they dismissed him to go on about his business and told me they were taking me home in their police car. As soon as I got in the car with them, I panicked and started crying and shaking with fear. I didn't know what was going to happen to me. Were they taking me to jail or were they taking me home? Even though I had done nothing wrong, I felt like I was in trouble and worried that everyone would label me as 'aggressive or out of control for yelling.'"

Discrimination From Local Businesses:

"Toxicity impacts my decisions. Businesses are not helpful and do not speak out when people are being racist. As a veteran with training, I could defend myself in most scenarios, but there is a higher likelihood of being arrested or detained in this community, and as the sole caretaker of my aunt, I try to avoid possible jail time."

"When I walked into [local big box store] for materials, and even walking around asking for help, people would say 'this is not my department' and not help; it was like grabbing the ankles of employees to try to find an item or aisle. During quarantine I walked in with a mask, and three older gentlemen with a female expressed their disapproval of the mask wearing mandate, which was not being enforced. They said, 'even the monkeys are wearing masks.' There were three employees behind the counter who said nothing, one even laughed."

Discrimination From Local Businesses Cont.

“On the day of the incident, I was riding on the bus.. While I was on the phone, a strange man approached me, accusing me of being someone else. Although I told him several times, I was not that person, he kept insisting. This harassment continued on until I could take no more and told the bus driver that this gentleman was harassing me and the driver did nothing! The man continued and I finally reached my breaking point and told him to 'shut the fuck up and leave me alone.' It was only at that point that the bus driver pulled over and called the police. The driver gave my description over the radio along with the man bothering me. I was in utter shock and disbelief! Meanwhile the other passengers said or did nothing. So I was kicked off the bus and the guy who was harassing me stayed on the bus. I reported what happened to me to the transportation company and asked for their assurances that my safety be protected while riding the bus. They have not responded to my request. Because I no longer feel safe riding the bus, now I walk to wherever I need to go.”

“I went to visit my family in Sonora with my wife. Afterwards, we were looking for a place to eat and where we could watch an MMA fight on TV. The signage on a bar downtown looked like it was going to be showing the fight. Right from the moment we walked in, it felt like people’s attention shifted from what they had been talking about to looking at us, and people were very aware of our presence. We sat down at the bar top. I raised my hand to get the waitress’ attention, but she kept walking past me each and every time. Sitting next to us was an older white gentleman. The gentleman next to us made weird comments critiquing my inability to get the waitress’ attention, basically teasing me about her not serving me. I initially ignored him, but then he started asking why we were here, what we were doing here. I started to get the feeling that we were not welcome in this place. I looked around and realized I was the only person of color in the room. I realized this was not a good place, this guy was not letting up, and my wife was feeling nervous in this situation as well, so we decided to leave the bar.”

“I saw that in a restaurant that they were paying Latinos less than non Latinos and spoke up about it. I ended up leaving the job rather than deal with it.”

“A former classmate posted something like 'Someone just brought to my attention that we get fresh fruits and vegetables due to immigrants, and I don't support illegal aliens, but I guess they can stay' which sparked 250 person comment thread, in which I received death threats. A former classmate said, 'You better hope that you get deported before I kill you.' A former teacher at the high school and local business owner screen shot pictures of me from my private profile and posted them on the thread. People said I was in [another town], and they said they would go down there.”

Discrimination in Community Services:

“I was stereotyped as the single poor Black woman. When they found out I was in college their attitude shifted. Just because we are receiving services, they should not assume we are incompetent. I was required to come to the office every week to check in and take time off from work. A white friend only had to check in monthly.”

“[At a community agency] multiple (4) homeowners went to the general manager and demanded I be fired because 'the child molesting lesbian should be fired and not be in the pool touching their small children.'”

“Child Protective Services (CPS) was called on me because I am gay, so therefore, I must be a child molester. It was deemed to be unfounded.”

FACTS

Marginalized people in Tuolumne County have normalized living with daily fear and anxiety. This normalized fear and anxiety ultimately leads to physical and emotional health issues. When members of our community feel daily fear and anxiety it impacts how they participate in our community and has long term effects on them and their families. Members of our community should feel safe and included in all aspects of our County. The words most used by those who were interviewed were versions of the word “harass,” mentioned 39 times, “race or racist” 27 times, and “threats” 22 times. Interviewees used the word “diversity”, mentioned 33 times, to suggest how to create a sense of safety for people pushed to the margins.

EVIDENCE

“I have lived all over the country and this is the most overt racist place I have ever experienced. I feel paranoid that I could be accosted, accused or threatened in places ranging from the Post Office, to the streets of Sonora.”

“I don't feel like I belong here, I don't feel safe and I feel like that most of the time. I would say about eight out of ten people are going to immediately just not want to know me or they're going to want to hurt me.”

“I don't trust people when I'm in crisis anymore and it's all of these different experiences that have compounded one on top of another that has left me saying ‘It's just safer for me to risk killing myself than to reach out, most of the time. I'm afraid if I call a Crisis Hot-line, they'll call the police and I'll have cops at my door holding me at gunpoint again. Or they'll force me to go to a hospital where they'll assault me and if I try to defend myself, I'll get new charges. It is just this area it is not just this county. For me to get any safe treatment I would need to go down to the Bay Area or I need to go to Sacramento because this area is not safe for me. I've stopped reporting it because when someone wrote ‘tranny’ on my door and they just painted over it. Nothing was ever done about it. No one was questioned, no statement was released saying that this sort of behavior is unacceptable. I've had multiple transphobic things happen here, and I've stopped reporting them, because nothing gets done about it. And this is a federally funded apartment complex, so I should be protected, and I am not. Then the note on my car came after and I did not report that. What came after that, was I overheard neighbors calling me an ‘it’ at one point, like making fun of me as I went to my car– didn't report that. I’ve had pride stickers ripped off my car before, and I've been followed in a parking lot and been called a ‘tranny.’ I have been kicked out of bathrooms in this county, multiple times.”

“We were planning the BLM protest, and we were getting death threats. On Facebook Messenger a person sent me a photo of a tractor, and said that if anything happened at the BLM protest, if any person did anything out of line, that is the vehicle that he would be driving through Courthouse Park. And he said, ‘I have one, I bought one, I will take it to the park and mow you guys over’....When another person and I started setting up in the park, two trucks started circling and they were swinging baseball bats outside of their truck while we were setting up-- just swinging, you know, not saying anything to us, just showing them.”

“I have not had one single experience with [LLE] where I haven't left shaking. There was one experience was Sonora PD where I was pulled over, with [another person] in the car. It was around midnight. They pulled us over, they said because they couldn't see our license plate because the light above it was out, but when I looked later it was not out so they just pulled us over to pull us over. And the whole time I'm in the passenger seat, and there's a cop on either side of the car interrogating us about where we're going. And this cop keeps clicking the door handle like he's gonna pull it open, and I was afraid that if he pulled it open, he was going to pull me out and hit me or something. Their body language and the fact that he kept fucking with the door handle made me think that something bad was about to happen.”

“In high school I was very unhappy, very ready to leave. I had a lot of uncomfortable experiences, particularly in high school, but didn't necessarily register them as microaggressions as I would now. In college, I sought a school with a large Latinx population. I would not live in Tuolumne County.”

“Confederate flags and Blue Lives Matter flags intimidate me. I will not attend the county fair because of discrimination. I avoid crowds.”

“I was told by police to get a restraining order but when I went to do that, I was told I had to do mediation with the person threatening to kill me.”

“I go shopping when there aren't a lot of people. I feel uncomfortable when other people are around.”

“I have called 911 five or six times due to being threatened and they have not taken me seriously. I have been told by police to stop calling to report harassment.”

“I no longer feel safe and am now paying attention to what owners support and don't support. I have stopped going to places based on their Covid practices and attitudes, political and religious views.”

“I'd like to hear police being more supportive, I was actually afraid to go to the Gay Pride event because there was so much backlash about it. I would have liked to hear law enforcement say, 'It's going to be okay, we are going to be there to protect you.' There was no reassurance that we could have that gathering, that they would offer some kind of protection.”

“No one is reaching out to me and I don't feel safe going places by myself.”

“A functioning society rests on a web of mutuality, a willingness among all involved to share enough with one another to accomplish what no one person can do alone.”

Heather McGhee, Author of The Sum of Us

Members of Our Community Use Strategies to Ensure Physical and Emotional Safety

FACTS

Virtually all of the individuals who spoke about their experiences said they had been discriminated against in a variety of ways, and as a result must utilize strategies to ensure their safety. In the interviews, the word they used most frequently was “safe or safety”—referring to either the lack of or pursuit of safety. A form of the word safe (safe, safety, safely, safer, unsafe) was mentioned 102 times in our interviews and is the interviewees’ number one consideration for determining the risks associated with what to do, where to go, or what to say. The next most frequently used word was a form of “harass”, which was mentioned 39 times. The third most used word, used 24 times, was a form of “avoid” which suggests interviewees’ primary strategy for dealing with these risks, harassment, threats, fear and anxiety is avoidance. Based on real, perceived and anticipated actions from individuals and groups aiming to belittle, harm or bully marginalized individuals, the strategies used by those who feel vulnerable are: to anticipate it and avoid the situation that would place them in “harm’s way,” to stay home, to hide, to isolate, or seek out safe friends, circumstances and settings. If possible, “passing”, blending in”, or “acting white” may be an option, but then there is always the fear of being “found out” or exposed.

EVIDENCE

“When I passed, I thought this was a really great place to live. I made friends a lot easier. I didn’t get the looks that I get now. I just don’t feel safe.”

“I stay away from the police because I do not feel safe. My driver’s license does not have a gender identity marking so I pass as a female and this keeps me safe from police, possibly. I let the police make assumptions about me. I fear harassment so I stay hidden to protect myself. I change routes so I am not seen consistently on the same route.”

“I am paying attention to what owners support and don’t support. I stopped going to the local business because of rigid, Christian, conservative values. I no longer feel safe.”

“If I am out with friends, we are likely to be made to feel that we need to leave before trouble starts.”

“If a place is blatantly unwelcoming towards my partner when we are out together, I tend not to go back.”

“Recently, to be inconspicuous, I have changed my appearance to conform more with traditional expectations, e.g. short haircut, preppy clothes, status car, etc.”

“I grew up here and know how to function as a POC in a white community. I talk white, I don’t ask questions, I don’t get angry or loud, I am polite. I avoid being seen as the angry Black woman. I was raised in white privilege and understand it.”

“As a brown woman, now I would not wear any identifying clothing (even though I am an outspoken political activist). I would not even wear a Biden/Harris shirt in Sonora because I would worry about being harassed. I was even worried about wearing a mask in Sonora, going back the past couple months.”

“I don’t feel safe walking in crowds or public spaces, so I choose to simply stay home.”

“I avoid crowds, events and situations where people might mentally or physically harm me. As a result, I am in the house with the doors locked by sunset. If I do go out, it is during the day and places like hiking, lakes and rivers.”

“What impacts my decisions of where to go is that I need to feel safe and know that management would control circumstances where patrons could get unruly towards me.”

Members of Our Community Perceive Our Community as Exclusionary, Hierarchical and Unjust

Item 12.

FACTS

Whether visiting from out of town or having lived in the area for decades, people pushed to the margins perceive Tuolumne County as exclusionary, hierarchical and unjust. This perception includes a wide range of spaces, from retail to education to health care, and more. This perception has been reinforced by the deliberations and decisions by city and county governments in public meetings, and further underscored by public comments that have become more transparent through Zoom.

Interviewees shared the perception that people who are considered “different” are being excluded from all sectors of the community, and especially from sectors that hold power. There is a hierarchy of human value in which some identities are valued more highly than other identities. Racism, homophobia, discrimination and segregation exist here, but there is widespread denial of these acts. The denial of discrimination reinforces the perception that the county is exclusive and hierarchical, because it favors those who hold privileged identities. Privileged identities include, but are not limited to, white, Christian, heterosexual, and cisgender male. Again and again, the interviews revealed a striking absence of justice for marginalized people in Tuolumne County.

It is the responsibility of the greater community and its leaders to create an environment that feels safe, welcoming and fair to everyone.

EVIDENCE

In the General Public:

“The culture of silence is reinforced. The belief that if we don't talk about discrimination, then it won't be a problem, is wrong. People don't want to see the problem.”

“Making change is hard, because it feels like it's unattainable in the area; it's hard for young people to get into professions, have to get at the root of the problem, which is white people ignore you and tell you are wrong and talk behind your back about it.”

“For being a small California town, it is unfortunate that there is such deeply rooted hatred and misunderstanding here of people of color and the LGBTQ community”

“I was raised here as a child. There weren't many black children around me growing up in Sonora, and I was always made to feel “lesser than.” That was normal. I knew I would never stay or raise children here as an adult so I moved to the bay area when I turned 18.”

“Regardless of the beauty that surrounds Sonora, the large number of conservative and less progressive people make it difficult to live here.”

“For people who were raised in Sonora and have moved away, it is a well-known fact that Sonora has a large population of racist people and there is a ton of racism that occurs, but people who live in Sonora tend to be in denial about the culture. It's okay to admit there is a problem and want to fix it. It's not okay to just deny the truth.”

“How little there is to do, how conservative it is; a white dominated area, not seeing a lot of people of color until recently; also this being a retirement area for older people, more expensive, pushing younger people out, a lot of judgment for people who are lower income; it's unfortunate, because it is such a pretty area- ugly people sometimes.”

“Having a low income and struggling to find housing makes feeling invested in the community hard. Low income prevents involvement.”

Perceive Our Community as Exclusionary, Hierarchical and Unjust Continued

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Local Businesses:

"It feels like most are sending me a message that 'I don't belong here.'"

"As a county worker part of the culture is to not have progressive views. Conservative views are allowed but not progressive views. I was reprimanded for sharing an opinion."

"I am somebody who has experienced racism and harassment in Tuolumne County. I married my wife, a Sonora hometown person. We went to a bar to enjoy an evening together and were isolated, harassed and completely ignored by staff and berated by patrons for about 30-45 minutes. At that point we decided to leave because we could not get served. As a result I made a choice not to see my two little nieces in Sonora, who I love dearly, because I don't want to have my wife seeing my being discriminated against and any confrontations that might result."

"A lot of the businesses downtown, I avoid. I want to support small businesses but the few times I have, bad things have happened. Like, I went to a place ... and I was getting so many looks, the people at the table was just staring at me and I don't know why. I am assuming it's because I didn't pass; that's all I could come up with. I didn't feel safe."

"I don't go to businesses - I go to my parents home for dinner when I'm in town, and stay at one hotel that is owned by Middle Eastern owners because they are accepting of me; I don't go many places here because I don't want my daughter to feel how I did as a child."

Public Officials:

"One issue is related to a welcoming attitude toward new people. Let me say I have not felt welcome. And I have made that known. I feel as if I'm on guard. And that affects my financial decisions. The attitude of this committee (Social Equity Committee) speaks volumes to me as a person who has family here who I love by virtue of marrying my wife. But I do not feel loved here."

If this is a challenge for the City Council, why is it that discrimination, which has long existed in your community, has not been dealt with? You need to help citizens make a home, spend their resources and spend time there. That is what helps create community and commitment. It is possible to deal with both potholes and discrimination by walking and chewing gum at the same time as demonstrated by many other communities across the country. Then we can work together as a nation to realize the dreams of our forefathers."

"The perception is that people who are "different" are being excluded from all sectors of the community, especially from sectors that hold power."

"Never doubt, that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has."

Margaret Mead

Perceive Our Community as Exclusionary, Hierarchical and Unjust Continued

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Health Care System:

"Some doctors need to be removed from the local hospital or at least need more accountability; The doctors need to learn more about gastric bypass stuff; older people need to be more open to changing views; because of the judgment, it is difficult to discuss sexual orientation, gender identity, mental health; extremely disheartening. So much so that avoiding getting medical services"

"...the fact that we have such a bigoted hospital means that if something like an emergency were to happen, I am at risk for dying because I can't go here.....They need mental health training, they need training on trans issues, they need trauma related training, they have none of these things, right, they are unsafe on multiple levels. And that's not even bringing in being a fat person..."

"The problem with Behavioral Health is that they do not require staff to be trained on LGBTQ concerns. They have only one person who knows these issues. And now she basically works in another department so LGBTQ people are getting sent to staff who have no training and who do not intend to get trained since it is not required. It's so exhausting to have to educate someone on something they should know."

"I would go out of my way, even as a teenager, to avoid experiences with LLE. I always felt nervous, even though I, most of the time, didn't have anything to be nervous about. I would definitely avoid local law enforcement."

Local Law Enforcement:

"Many marginalized people distrust the police and fear for their safety. We believe that the police will harm us rather than help, so we don't involve them".

"Sonora is very segregated and it is clear where POC and progressive people are welcome and where they are not. Police show up in a more aggressive fashion at progressive events and less at conservative events. LLE needs to advertise their stance against hate, discrimination etc."

"I feel that if I was in danger or being harassed, the LLE would do nothing or think I deserved it because of my lifestyle."

"I am not safe as a gay man. I am always at risk. I do not feel supported by the police."

"They (LLE) are clearly aligned with local business, property and searching out single instances of misbehavior like sleeping in a stairwell. They need to focus on the bigger issues of accountability for all Tuolumne residents. Their inclination seems to favor the one who filed the complaint when the defendant may be the one for whom injustice has been served."

"Faith is taking the first step even when you do not see the whole staircase."

Dr. Martin Luther King, Jr

Members of Our Community Believe Change is Possible

FACTS:

Positive experiences within communities allow individuals to feel more connected to their environment and the people in it. A positive community is one where neighbors take pride in their living environment, respecting and supporting one another regardless of age, behavioral and mental health, body size, color, disability, ethnicity, gender (including gender identity and gender expression), immigration status, housing status, marital status, national origin, race, religion, sexual orientation, socio-economic and/or veteran status.

A positive community is a cohesive, safe, confident, prosperous and happy place. It values and promotes open, participative development processes underpinned by a continuous culture of trans-generational learning. It is somewhere that people wish to stay and see their children and grandchildren grow up. It attracts, welcomes and respects outsiders, challenging ignorance and prejudice wherever it arises.

Tuolumne County is a community that has many people who care for others and who strive to make our County a place that feels welcoming and inclusive. As a community we need to strive to ensure that all people and systems embrace inclusion, cultural humility and acceptance of all people regardless of differences.

EVIDENCE

"I love the MiWuk Health Center because it provides comprehensive services-medical, mental, behavioral health, dental services and anything else I need. When needed, they also arrange referrals, take care of billing and take all of my needs seriously. They are responsive, attentive, and competent. They treat me like someone they care about."

"It is very hopeful to see that so many people are passionate about police reform and social justice. Positive movement and positive energy-- really hopeful and nice to see."

"This county was an awesome place to grow up. I went to the Waldorf School which was the greatest blessing in the world. I wouldn't have wanted to grow up anywhere else. Once I left Waldorf, and was getting older and in high school, I started having racialized experiences. That's when I started not wanting to be in Tuolumne County."

"My Service Worker (Social Services) case worker is awesome, helpful, accommodating. The Family Child Enrichment center staff are kind, understanding and cooperative. They have all been pretty great."

"I haven't had very many bad experiences with the police. I only remember the time they were called to campus and the policeman and principal sat down with me and were willing to listen."

"The Pride Event made me realize we can make change. Those who have been ostracized can find one another. The older generation must make room for the younger generation."

"A few years back there were some new young officers who would come in very direct and too strong and trigger trauma responses. Now the officers seem more trained and calmer. There seems to be a focus on understanding mentally ill people."

Support for Change from Sheriff Pooley and Chief VanderWeil

Over the last two years TCRC has met with Chief VanderWeil and Sheriff Pooley. We have had very positive and productive meetings, and specifically discussed the racism and discrimination that exists in Tuolumne County. Sheriff Pooley and Chief VanderWeil have a strong commitment to ensuring that all people, even those who have been pushed to the margins, are equally protected and treated with the utmost respect and care. They have committed to the following to help ensure that the deputies and officers they hire will also hold true to this commitment.

- 1) Internal examination of all applicants
- 2) Extensive external background investigation for all applicants
- 3) External Psychological Examinations for all applicants, which includes looking at bias and discriminatory/extremist beliefs.
- 4) Body camera use on all officers and deputies
- 5) Ongoing, direct and close supervision of all deputies and officers
- 6) A clearly described and accessible complaint process for members of the community that will ensure all complaints are taken seriously
- 7) Regular and consistent training of all officers and deputies that includes working with marginalized populations
- 8) Ongoing efforts to reach out and connect with members of marginalized communities to build open and healthy relationships
- 9) An open door policy to any member of the community that wants to share perspectives about any aspect of law enforcement.

TCRC has been encouraged by the openness and commitment of our law enforcement leaders. We have formed a relationship that allows us to have an open and direct conversation with both of them in regards to concerns we have. They have listened to our perspectives on different issues and even if our perspectives differ, they have maintained an atmosphere of respect and genuine interest in our experiences. It is our hope that TCRC's work with LLE will continue and that we will be able to support the process of bridge building between LLE and the people who are being marginalized in Tuolumne County.

UPDATE

TCRC met with Sheriff Pooley & Chief VanderWeil in July 2022 and shared a draft copy of this report. They were noticeably disturbed and stated, "**If we don't know, we can't help.**" A relationship of confidence and trust between members of the police department and the community they serve is essential to lawful, effective, and fair law enforcement. Every claim is treated seriously. If you feel that you have been wrongfully treated, **MAKE YOUR VOICE HEARD**. In your complaint state "I am contacting you, as recommended in the TCRC report on Discrimination."

Contact Info/Link to Complaint Form:

For Sonora Police Department (209) 532-8143

<https://www.sonorapd.com/wp-content/uploads/2020/04/CITIZEN-COMPLAINT.pdf>

Tuolumne County Sheriff Department (209) 533-5855

<https://www.tuolumnecounty.ca.gov/DocumentCenter/View/1826/Citizen-Complaint-Form?bidId=>

Section 5: Next Steps

There are many people who are unaware of the existence and experiences of those pushed to the margins in Tuolumne County. The stories and themes that emerged from our study spotlight the reality of what it means to be isolated and in fear for your life.

Many people are also unaware of how they might be contributing to the culture of fear by their attitudes, actions, policies and priorities, preferring to stay within their familiar comfort zones and accepting things as they are.

Once we acknowledge that some do not feel safe living in Tuolumne County, we can begin working together to ensure that everyone who visits and/or lives in Tuolumne County, can do so without fear and discrimination.

To create a sense of belonging and safety for marginalized people we must ensure policies and practices encourage diversity, such as in housing assistance, hiring practices, transportation accessibility, educational curriculum, and mental and behavioral health services. In addition, we need to increase opportunities that bridge the social divisions such as leadership, arts and cultural events, recreation activities, and places to gather that provide opportunities to learn more about each other.

Suggestions From The Power of 35:

"I think that we should intentionally encourage a culture of civility, respect and appreciation for diversity by creating a variety of opportunities and exposure in ways that bridge differences."

"It would be nice to see more people of color, more diversity, inclusivity and tolerance from people who are on the other side of things."

"Better stuff for kids, recreation stuff. The recreation department needs boosting. I don't think there are enough services. Keep the libraries open."

"The county leaders and LLE need to back away from connection with militia groups."

"I want people who work anywhere in public service to be compassionate and trained to be supportive."

"Signs signaling acceptance in business windows helps me feel more comfortable. Support from the community has helped."

"I would like to be able to bring all friends, Mexican, Black, all races and LGBTQ friends to come out and be themselves. Elect different officials."

"I would like to see public transportation with more stops and more buses running on a line so the wait wouldn't be so long. More early morning buses and later buses so people can get to and from work."

"I think we need more programs for low-income people. The money given to people with disabilities is inadequate to rent an apartment here."

"There are not enough options or activities and entertainment for young adults, e.g., places to socialize that are not bars--such as coffee houses, places to play board games, music events with a wide variety of musical styles, movies and libraries."

"Need more handicapped parking and enforcement."

"I would like to see the County celebrate more cultural events and diversity with more opportunities for diverse interaction which promote acceptance."

"More protection against hate crimes"

"I want Police to be held accountable for treating everyone equally and demonstrate empathy and compassion toward everyone, especially those that have previously been treated harshly. Also, all individuals need to be protected and that individuals committing crimes need to be brought to justice."

"I would like LLE to do more outreach, more training, beneficial not to just see them as authority figure. There is so much stigma and fear around law enforcement. It would be beneficial to go to schools and talk about their role and how they respond in certain situations, what are their protocols? Talk about if there is a shooting, how they can be a safe presence instead of an anxiety inducing experience."

Section 5: Next Steps Continued

TCRC is excited to move forward by supporting and acknowledging the findings in this report as well as those of the newly adopted resolution from the Social Equity Committee to the Sonora City Council which is included in the appendix.

Now that we know the stories about those who are “pushed to the margins”, **what are we going to do about it?** As Martin Luther King Jr. said, **“at some point silence becomes complicity”**.

As a first step, “Community Conversations” are being scheduled to discuss the information in this report. Community Conversations will be held in various group settings in person and by Zoom. If you would like to be invited to a Community Conversation please contact TCRC at crctuolumne@gmail.com.

No one should feel like they have to avoid coming here or have to leave because they are not welcome. Instead, let's become known as the county that truly has open doors and open arms to all people. Let's make it loud and clear that we condemn any form of discrimination and that we honor and value diversity. Tuolumne County can become a community where everyone can say,

"I feel welcome here!"

"When you see something that is not right, not fair, not just, you have to speak up, you have to say something."
John Lewis, Civil Rights Activist and Congressman

Appendix

City of Sonora Social Equity Resolution

No. 04-18-2022-C

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA AFFIRMING THE CITY OF SONORA'S COMMITMENT TO EQUITY, FAIRNESS, & JUSTICE

"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial 'outside agitator' idea. Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds."

Letter from a Birmingham Jail. Martin Luther King, Jr.

WHEREAS, the City of Sonora acknowledges the Tuolumne Band of Me-Wuk Indians and the Chicken Ranch Tribe of Me-Wuk Indians as the original inhabitants and stewards of this land, who continue to be strong, beloved leaders, and impactful members of this community; and

WHEREAS, the City of Sonora affirms its wish to be known, not only for the beauty of its place in the Sierra Nevada foothills and its vibrant Gold Country history, but to be known for being a champion of racial equity, justice, and acceptance; and

WHEREAS, the City of Sonora is proud of its Gold Rush history, which created opportunities for many people, but recognizes that this was also a period of violence, exclusion, and unjust laws against Indigenous, Chinese, Mexican, Chilean, and others; and

WHEREAS, the City of Sonora is committed to seeking a thoughtful and inclusive way to heal the wounds and inequities, reconcile the divide, and take steps to make sure that acts of violence, aggression, and exclusion will not happen against

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any marginalized groups, including but not limited to, Black, Indigenous, People of Color (BIPOC), those living in poverty, and those unhoused, those with mental or physical disabilities, and members of the LGBTQIA+ community; and

WHEREAS, the City of Sonora proclaims that it is committed to diversity, equity, and an atmosphere of inclusiveness and it respects the dignity of every person without regard to race, sex, religion, ancestry, national origin, immigration status, marital status, age, disability, sexual orientation, gender identity, or political affiliation. The City denounces all hate and discrimination in any form; and

WHEREAS, the City of Sonora recognizes that the City's diversity will continue to change, the City of Sonora acknowledges its responsibility to be culturally aware and racially and socially equitable; and

WHEREAS, the City of Sonora understands that we cannot reconcile the divide of the present without building a culture of inquiry and learning and must commit to listening and considering different points of view, especially towards those with whom we disagree; and

WHEREAS, the City of Sonora recognizes this as a historic moment to be seized upon and believes it cannot answer this time with silence.

NOW, THEREFORE, BE IT RESOLVED, the City of Sonora and its community welcomes and embraces cultural awareness and inclusivity and pledges to be a refuge, ally, and provide a safe zone to people of all racial, ethnic, and multicultural backgrounds for conversations, reflection, and understanding.

NOW, THEREFORE, BE IT RESOLVED, the City of Sonora, to fulfill its obligation to protect the public's safety and promote human rights and racial justice, proclaims that it is committed to acknowledging and celebrating diversity and equity and contributing to an atmosphere of inclusion that respects the dignity of every person without regard to race, sex, religion,

ancestry, national origin, immigration status, marital status, age, physical or emotional disability, sexual orientation, gender identity, economic status, or political affiliation. The City of Sonora denounces all hate and discrimination in any form.

NOW, THEREFORE, BE IT RESOLVED, the City of Sonora calls to residents to treat their neighbors with kindness, empathy, trust, and respect so that we may live and thrive together in a community of acceptance and peace.

NOW, THEREFORE, BE IT RESOLVED, the City of Sonora will promote an atmosphere of inclusion, listening, and addressing disparities that may arise in its future, focusing on our community's needs and values.

NOW, THEREFORE, BE IT RESOLVED, the City of Sonora pledges to engage individuals more impacted by social inequities, fostering a community where all ethnicities, cultural backgrounds, sexual orientations, and religions feel safe, represented, and included within our community.

NOW, THEREFORE, BE IT RESOLVED, the City of Sonora, in concert with City Staff, the City Council, the Social Equity Committee, and community partners, will work to identify existing disparities and systemic barriers and develop a plan to achieve intended Diversity, Equity, & Inclusion (DEI) outcomes and report measurable progress as a part of the Council's goal-setting exercise, while also recognizing and celebrating progress already made in the community.

NOW, THEREFORE, BE IT RESOLVED, the City of Sonora understands that this cannot be the work of the City alone and that we must join as a community, with groups and individuals interested in and committed to creating a racially and socially equitable community.

NOW, THEREFORE, BE IT RESOLVED, the City of Sonora will join in community, to keep this conversation alive, with a commitment to heal the wounds of past and present racial injustices as well as the current divide, preventing future harm from happening with ongoing honest and civil discourse to discourage all forms of discriminatory practices that are damaging, not only to individuals, but to the economic prosperity and wellbeing of our community.

**“Courage is the inner
resolution to go forward
despite obstacles.”**
Dr. Martin Luther King, Jr

