



CITY COUNCIL REGULAR MEETING

Monday, March 21, 2022 at 4:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

AGENDA

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-25-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT:

Zoom Meeting Link:

<https://us06web.zoom.us/j/87460555933?pwd=UFBFZ0EyR3picXNXZWtXVIZLQTJoQT09>

Dial: (669) 900-6833

Meeting ID: 874 6055 5933

Passcode: 7dY809

AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

CLOSED SESSION - 4:00 PM

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

ADJOURN INTO CLOSED SESSION

1. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Gov. Code, § 54956.9(d)(2): One Potential Case

RECONVENE INTO OPEN SESSION

OPEN SESSION - 5:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

CITY CLERK'S REPORT ON AGENDA POSTING

APPROVAL OF THE AGENDA

PRESENTATIONS

2. Receive an update on the Green Waste Disposal Day on Saturday, April 9th and 16th of 2022, between the hours of 8:00 AM-12:00PM and 1:00PM-3:30PM.

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. Approval of City Council Minutes for August 24, 2020, November 16, 2020, December 7, 2020, and February 22, 2021.
4. Adopt Resolution 03-21-2022-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.
5. Adopt Resolution No. 03-21-2022-B, authorizing the closure of State Route 49 (Washington Street & Stockton Road), along with certain other City Streets for the 2022 Mother Lode Round-Up Parade and Rodeo.
6. Adopt Resolution No. 03-21-2022-C, authorizing the possession of opened alcoholic beverage containers and the public consumption of alcoholic beverages within the cordoned areas of the special event, which is identified by the street closures of State Route 49 (Washington Street) and other identified connecting City Streets for the 2020 Mother Lode Round-Up Parade.
7. Approval of the Fire Chief to submitting an application to the California Board of Forestry to become eligible for the Fire Risk Reduction Community List by the deadline of April 1, 2022.
8. Approval of disbursements in the amount of \$158,942.78 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.

PUBLIC HEARINGS

9. Waive reading, read by title only, and introduce for first reading Ordinance No. 882 of the City of Sonora Amending Title 7, Integrated Waste Management, of the Sonora Municipal Code to regulate the disposal of recyclable and organic materials.
10. Waive reading, read by title only, and introduce for first reading Ordinance No. 883 for the Sonora Police Department's policy on military equipment use as required by Assembly Bill 481.

NEW BUSINESS

11. Approval of the continued closure of Linoberg Street between Washington Street and Stewart Street to vehicular traffic indefinitely with the following conditions:
 1. That public pedestrian access be maintained along Linoberg Street between Washington Street and Stewart Street.
 2. That the area of the subject street be used as a public space, with events usage and private usage subject to a Special Event Permit and/or an Encroachment Permit issued by the City of Sonora.
 3. That all improvements and usage of the street recognize the need for equipment access to maintain, repair or replace water, sewer, storm drain and other utilities on the closed street.
12. Approval of the 2021 Sonora General Plan Annual Report.

MONTHLY REPORTS

13. Receive the Sonora Police Department Monthly Report for February 2022.
14. Receive the Sonora Fire Department Monthly Report for February 2022
15. Receive the Sonora Public Works Department Report for February 2022.
16. Receive the Community Development Department Monthly Report for February 2022.

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 Deputy City Clerk at City Hall (209) 532-4541, jsmith@sonoraca.org. 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: March 21, 2022

TO: City Council Members

FROM: Aimee New, Fire Chief

SUBJECT: Green Waste Program

RECOMMENDATION

Receive an update on the Green Waste Disposal Day on Saturday, April 9th and 16th of 2022, between the hours of 8:00 AM-12:00PM and 1:00PM-3:30PM.

DISCUSSION

This program is an annual event that allows City residents to dispose of their green waste at a significantly reduced rate, while providing the perfect opportunity to reduce green waste fuels (brush, weeds, limbs, and grass) that contribute to urban wildland fire hazards. The threat of fire is a stark reality our City faces every fire season. The City of Sonora Fire Department encourages City residents to participate in this program to create defensible space around their homes and outbuildings by removing flammable vegetation.

“Green Waste Disposal Day” is an event established to provide City of Sonora residents an opportunity to clear their property of hazardous vegetation and dispose of it at the Cal Sierra Earth Resource Facility for a nominal fee. This program aids residents in creating an important “fire safe defensible space,” while improving the aesthetics of the City’s neighborhoods at the significantly reduced disposal rate of one dollar (\$1.00) per cubic yard.

The Cal Sierra Earth Resource Facility at 14909 Camage Avenue (off Tuolumne Road) will accept vegetation from Sonora City residents presenting a coupon on Saturday, April 9, 2022 and Saturday, April 16, 2022, between the hours of 8:00 AM and 12:00 PM and 1:00 PM to 3:30 PM.

Residents of the City must transport their own vegetation.

FISCAL IMPACT

No fiscal impact to the General Fund.



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Jackie Smith, Deputy City Clerk

SUBJECT: Meeting Minutes for August 24, 2020, November 16, 2020, December 7, 2020, and February 22, 2021.

RECOMMENDATION

Approval of City Council Minutes for August 24, 2020, November 16, 2020, December 7, 2020, and February 22, 2021.

DISCUSSION

Staff recommends that the City Council approve meeting minutes for August 24, 2020, November 16, 2020, December 7, 2020, and February 22, 2021.

FISCAL IMPACT

No fiscal impact to the General Fund.

ATTACHMENTS

- 08-24-2020 Meeting Minutes
- 11-16-2020 Meeting Minutes
- 12-07-2020 Meeting Minutes
- 02-22-2021 Meeting Minutes



CITY COUNCIL SPECIAL MEETING

Monday, August 24, 2020 at 5:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

MINUTES

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-25-20, ISSUED BY CALIFORNIA. GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT:

Zoom Meeting Link

<https://zoom.us/j/97453182409>

Dial: (669) 900-6833

Meeting ID: 974 5318 2409

AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

OPEN SESSION -

5:00 PM

Called to order at 5:00 pm.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Plummer led the Pledge of Allegiance.

ROLL CALL

PRESENT

Mayor Matt Hawkins

Mayor Pro Tem Mark Plummer

Council member Ann Segerstrom

Council member Colette Such

Council member Jim Garaventa

CITY CLERK'S REPORT ON AGENDA POSTING

The agenda was posted on Friday, August 21, 2020, at 12:00 pm.

APPROVAL OF THE AGENDA

The agenda was approved without adjustment.

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 five (5) minute presentation.

A member of the public updated the Council on the activities of the Vision Sonora Committee.

A member of the public updated the Council on the activities of the Sonora Chamber of Commerce.

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.

No public comments.

Motion made by Mayor Pro Tem Plummer, Seconded by Council member Garaventa.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

1. Approval of disbursements in the amount \$146,103.44 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions and miscellaneous voluntary employee deductions.

UNFINISHED BUSINESS

2. Informational item to discuss Governor Newsom's Executive Order N-33-20 requiring all citizens to stay at home unless needed to maintain operation of essential critical infrastructures.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

No public comments.

A member of the public asked a question to the Council.

City Staff answered a member of the public's question.

NEW BUSINESS

3. Receive a presentation by the Tuolumne County Transportation Council regarding the 2020 Draft Tuolumne County Active Transportation Plan.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Tuolumne County Transportation Council's Tyler Summerset further detailed this item.

Green DOT Transportation's Jeff Schwein presented the 2020 Draft Tuolumne County Active Transportation Plan using a PowerPoint presentation.

Tuolumne County Transportation Council's Darin Grossi further detailed this item.

Councilmembers discussed.

A member of the public commented in support of the Columbia-Sonora route and asked the Council a question.

TCTC staff answered a member of the public's questions.

A member of the public commented in support of adding the Greenly Road Extension project to the plan.

4. Consideration to agendaize for discussion and possible action at a future date amending Urgency Ordinance 868 to expand the use of a Special Temporary Outdoor Operations Permit to include bars, health centers and hair salons.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

A member of the public commented in support of including more businesses in the Ordinance.

A member of the public asked a question to the Council.

City staff answered a member of the public's questions.

Direction was given to staff.

5. Consider and adopt the FY 2020/2021 Final Budget with a General Fund Capital Asset Expenditure of \$28,000 for the Public Works Roof repair and authorize the City Administrator to make FTE adjustments as outlined in the budget document.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

A member of the public commented in support of the Vision Sonora Committee and local businesses being resilient to COVID-19 restrictions.

Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

6. Adopt Resolution 08-17-2020-A creating a new staff position, Executive Assistant/Deputy City Clerk (Extra Help), in the Administration Department.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

Motion made by Council member Mayor Pro Tem Plummer, Seconded by Council member Segerstrom.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

MONTHLY REPORTS

7. Receive the Community Development Department Report for July 2020.
8. Receive the Fire Department Report for July 2020.
9. Receive the Public Works Department Report for July 2020.
10. Receive the Police Department Report for July 2020.

COUNCIL MEMBER/DEPARTMENT HEAD REPORTS

Community Development Director Rachelle Kellogg updated the Council on planning applications and code complaints.

Financial Director Chris Gorsky updated the Council on a new software.

City Administrator Mary Rose Rutikanga updated the Council on a new Agenda management software.

Councilmember Garaventa attended the Tuolumne County Transportation Council Meeting.

Councilmember Such requested a Committee issue be agendized.

Councilmember Segerstrom attended the YES Partnership Committee meeting, the Central Sierra Economic Development Committee Meeting, and plans to attend the Hope and Honor Walk for Teen Suicide.

Mayor Pro Tem Plummer thanked the Vision Sonora Committee, noted the efforts of the Tuolumne County Transportation Council, and requested a discussion on the Social Equity Committee be agendized.

Mayor Hawkins thanked the Police, Fire, and Public Works departments.

ADJOURNMENT

Meeting adjourned at 7:19 pm.

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, mrutikanga@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).

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CITY COUNCIL REGULAR MEETING

Monday, November 16, 2020 at 5:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

MINUTES

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT:

Zoom Meeting Link: <https://zoom.us/j/95697783270>

Dial: (669) 900-6833

Meeting ID: 956 9778 3270

Passcode: 934671

AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

OPEN SESSION -

5:00 PM

Called to order at 5:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Matt Hawkins

Mayor Pro Tem Mark Plummer

Council member Ann Segerstrom

Council member Colette Such

Council member Jim Garaventa

CITY CLERK'S REPORT ON AGENDA POSTING

The Agenda was posted by Friday, November 13, 2020.

APPROVAL OF THE AGENDA

The Agenda was approved without change.

PRESENTATIONS

1. Receive an update on the COVID-19 pandemic from the Tuolumne County Public Health Department

Tuolumne County Public Health updated the Council on the COVID-19 pandemic.

Councilmembers discussed.

2. Receive an update on the 2020 Sonora Christmas Parade and other Holiday Events

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

Community Development Director Rachelle Kellogg further detailed this item.

A member of the public representing the Sonora Chamber of Commerce updated the Council on the There's No Place Like Sonora holiday campaign.

A member of the public representing the Vision Sonora Committee updated the Council on the There's No Place Like Sonora holiday campaign.

3. Introduction and Swearing in of Police Sergeant Scott Mallon.

Police Chief Turu VanderWiel introduced and swore in Sergeant Scott Mallon.

Councilmembers discussed.

4. Introduction and swearing in of Dustin Donnelly

Fire Chief Aimee New introduced and swore in Dustin Donnelly.

PUBLIC COMMENT (NON-AGENDA ITEMS)

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A member of the public updated the Council on Cal Sierra's Waste Management program.

CONSENT CALENDAR

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No public comments.

**Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.**

5. Approval of disbursements in the amount of \$145,549.60 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, retrospective pay, holiday pay and equity adjustments.
6. Consideration to waive the second reading and adopt of Ordinance No. 875 amending chapter 3.60, sections 3.60.010 through 3.60.200 of the City of Sonora municipal code to adopt the provisions of the California Uniform Public Construction Cost Accounting Act Procedures.

UNFINISHED BUSINESS

7. Consideration to waive second reading and adopt ordinance 873, amending the Sonora Municipal Code Chapter 8.36: Cannabis Business Regulation, and ordinance 874, amending the Sonora Municipal Code Chapter 17.60.040.

City Administrator Mary Rose Rutikanga presented and detailed this item to the Council.

Councilmembers discussed.

Legal counsel was provided throughout discussion.

Multiple members of the public commented in disapproval of the item.

Multiple members of the public commented in approval of the item.

**Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.**

NEW BUSINESS

8. Consideration to accept a donation from Hazy Bulldog Farms; and approve associated budget adjustments to the Police Department's budget unit.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

A member of the public asked a question to the Council.

City staff answered a member of the public's questions.

Staff was given direction.

Multiple members of the public commented in disapproval of the donation.

Multiple members of the public commented in support of the donation.

**Motion made by Mayor Pro Tem Plummer, Seconded by Council member Such.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Such, Council**

member Garaventa

Voting Abstaining: Council member Segerstrom.

9. Approve the Final Parcel Map and accept the dedications of right of way and drainage easements for the Bank of Stockton Project.

Community Development Director Rachelle Kellogg presented this item to the Council.

City Engineer Gerry Fuccillo further detailed this item.

Councilmembers discussed.

No public comments.

Motion made by Council member Garaventa, Seconded by Council member Segerstrom.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

10. Consideration to adopt Resolution No. 11-16-2020-A, a 3.3% Cal Sierra Disposal, Inc. rate increase effective November 1, 2020.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

No public comments.

Motion made by Council member Such, Seconded by Council member Segerstrom.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

11. Provide direction to City staff to do one of the following: 1) Prepare an ordinance or resolution for the Council's consideration establishing contribution limits for candidates for City office; or 2) Do nothing and default to contribution limits for candidates for City office established by state law.

City Attorney Douglas White presented and detailed this item to the Council.

Councilmembers discussed.

No public comments.

Staff was given direction.

12. Approve transitioning to "Action" or "Brief" summary style for the City Council's official minutes as outlined in the City Clerks Association of California Guidelines for Preparing City Council Minutes.

City Administrator Mary Rose Rutikanga presented and detailed this item to the Council.

Councilmembers discussed.

Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

MONTHLY REPORTS

13. Receive the Community Development Department Staff Report for October 2020.
14. Receive the Fire Department Monthly Report October 2020
15. Receive the Sonora Police Department monthly report for October 2020.
16. Receive the Public Works Department Report for October 2020.

COUNCIL MEMBER/DEPARTMENT HEAD REPORTS

Community Development Director Rachelle Kellogg updated the Council on curbside pickup signs.

City Engineer Gerry Fuccillo updated the Council on the completion of the Striping Project.

City Administrator Mary Rose Rutikanga updated the Council on CalTrans encroachment permits.

Councilmember Segerstrom updated the Council on the YES Partnership.

Councilmember Garaventa attended the Tuolumne County Transportation Council.

Mayor Pro Tem Plummer reminded the public to appreciate diversity of thought and the efforts of the Council.

Mayor Hawkins informed those in attendance thanked the Police Department for their work.

ADJOURNMENT

Meeting adjourned at 11:19 pm.

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CITY COUNCIL REGULAR MEETING

Monday, December 07, 2020 at 4:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

MINUTES

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-25-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

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Zoom Meeting Link: <https://zoom.us/j/96636329055>

Dial: (669) 900-6833

Meeting ID: 966 3632 9055

Password: 688615

AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

CLOSED SESSION -

4:00 PM

CALL TO ORDER

Called to order at 4:00 pm.

ROLL CALL

PRESENT

Mayor Matt Hawkins

Mayor Pro Tem Mark Plummer

Council member Ann Segerstrom

Council member Colette Such

Council member Jim Garaventa

PUBLIC COMMENTS

No public comments.

ADJOURN INTO CLOSED SESSION

RECONVENE INTO OPEN SESSION

Nothing to report.

1. Public Employee Performance Evaluation – City Administrator (Gov. Code § 54957(b)(1)).

OPEN SESSION -

5:00 PM

Called to order at 5:00 pm.

PLEDGE OF ALLEGIANCE

Councilmember Segerstrom led the Pledge of Allegiance.

ROLL CALL

PRESENT

Mayor Matt Hawkins

Mayor Pro Tem Mark Plummer

Council member Ann Segerstrom

Council member Colette Such

Council member Jim Garaventa

CITY CLERK'S REPORT ON AGENDA POSTING

The Agenda was posted on Thursday, December 3, 2020, at 2:10 pm.

APPROVAL OF THE AGENDA

The Agenda was approved without change.

PRESENTATIONS

2. Receive an introduction of District 4 Supervisor-Elect Kathleen Haff and District 5 Supervisor-Elect Jaron Brandon.

Supervisor Haff and Supervisor Brandon introduced themselves to the Council.

Councilmembers discussed.

3. Introduction and Swearing in of Police Sergeant Chris Johnson.

Police Chief Turu VanderWiel introduced and swore in Police Sergeant Chris Johnson.

PUBLIC COMMENT (NON-AGENDA ITEMS)

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A member of the public commented in disapproval of a Not A Protest Parade and noted the There's No Place Like Sonora campaign for the holidays.

A member of the public representing the Sonora Chamber of Commerce updated the Council on their Holiday campaign.

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.

No public comments.

Approval of Item #4:

**Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.**

Approval of Item #5:

**Motion made by Council member Garaventa, Seconded by Council member Such.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.**

4. Approval of disbursements in the amount of \$139,194.79 and \$171,682.75 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, retrospective pay, holiday pay and equity adjustments.
5. Consideration to cancel the regularly scheduled meeting of Monday, January 4, 2021.

NEW BUSINESS

6. Consideration to approve a City of Sonora Temporary Outdoor Permit to Type One Enterprises dba Sonora Brewing Company for closure of Bradford Avenue for use of outdoor restaurant seating due to COVID-19 restaurant limited capacity guidelines; authorize the City Administrator to execute the permit.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

Sonora Brewing Company Owner Thomas Silva further detailed this item.

Multiple members of the public commented in support of the item.

A member of the public suggested working on traffic mitigation before approving the item.

Police Chief Turu VanderWiel and Fire Chief Aimee New elaborated on traffic restrictions regarding the request.

Motion made by Mayor Pro Tem Plummer, Seconded by Mayor Hawkins.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer.

Voting Nay: Council member Segerstrom, Council member Such, Council member Garaventa.

Direction was given to staff.

7. Consider and adopt a resolution of the City of Sonora City Council (the "City Council") reciting the facts of the consolidated special municipal election held on Tuesday, November, 3, 2020, declaring the results and other matters required by law.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

No public comments.

Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.

Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.

8. Consideration to:

1) Approve the Joint Exercise of Powers Agreement for Tuolumne County Fire Authority between the following local agencies: County of Tuolumne, City of Sonora, Groveland Community Services District, Tuolumne Fire District, Jamestown Fire Protection District, Columbia Fire Protection District, and Mi-Wuk-Sugar Pine Fire Protection District;

2) Authorize a City Official to serve on the JPA Board of Directors; and

3) Approve Resolution 12-7-2020-B Authorizing the City of Sonora's Participation in the Joint Exercise of Powers Agreement for the Tuolumne County Fire Authority.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Councilmembers discussed.

Fire Chief Aimee New answered multiple questions for the Council.

No public comments.

Motion made by Mayor Pro Tem Plummer.

Motion dies to lack of a second.

For the first section of the item:

**Motion made by Mayor Pro Tem Plummer, Seconded by Council member Such.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.**

For the second section of the item, appointing Councilmember Garaventa:

**Motion made by Council member Such, Seconded by Council member Segerstrom.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.**

For the third section of the item:

**Motion made by Council member Garaventa, Seconded by Mayor Pro Tem Plummer.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such, Council member Garaventa.**

9. 9. Consideration to approve a capital asset in the amount of \$121,5000 entitled "The Council Chambers Audio Visual Modernization Project" (requires 3/5s vote); and approve the associated budget adjustment (requires (4/5s vote).

Councilmember Garaventa recused himself from the item due to his association with Access Tuolumne.

City Administrator Mary Rose Rutikanga presented this item to the Council.

Administrative Services Director Chris Gorsky further detailed this item.

Councilmembers discussed.

No public comments.

**Motion made by Mayor Pro Tem Plummer, Seconded by Council member Segerstrom.
Voting Yea: Mayor Hawkins, Mayor Pro Tem Plummer, Council member Segerstrom, Council member Such.
Voting Abstaining: Council member Garaventa.**

COUNCIL MEMBER/DEPARTMENT HEAD REPORTS

Community Development Director Rachelle Kellogg updated the Council on a Municipal Code update.

Police Chief Turu VanderWiel further introduced the new Sergeant Chris Johnson.

City Administrator Mary Rose Rutikanga updated the Council on the stay-at-home order.

Councilmember Segerstrom attended the Energy Action Committee and planned to attend the YES Partnership.

Councilmember Such attended the Social Equity Committee.

Councilmember Garaventa attended the Social Equity Committee.

Mayor Hawkins encouraged the community supporting each other in times of need.

ADJOURNMENT

Meeting adjourned at 7:15 pm.

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 SPECIAL MEETING

Monday, February 22, 2021 at 12:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

MINUTES

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-25-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT. THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT:

Zoom Meeting Link:

<https://zoom.us/j/93399138751?pwd=TEZQNmVjOGxENmdCUlZFUGtWa3Ztdz09>

Dial: (669) 900-9128

Meeting ID: 933 9913 8751

Passcode: 289973

AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

CALL TO ORDER -

12:00 PM

Called to order at 12:00 PM.

PLEDGE OF ALLEGIANCE

Councilmember Such led the Pledge of Allegiance.

ROLL CALL

PRESENT

Ann Segerstrom

Colette Such

Jim Garaventa

Matt Hawkins

Mark Plummer

PUBLIC COMMENT

No public comments.

NEW BUSINESS

1. Discussion and possible action of the 2021 City of Sonora Goal Setting Study Session

City Administrator Mary Rose Rutikanga presented this item to the Council.

Facilitator Morgan Gace further detailed this item to the Council.

Councilmembers discussed.

The Council reached consensus on the Mission Statement.

A member of the public thanked the Council for their work.

City Engineer Gerry Fuccillo noted the importance of the Greenley Road Extension Project.

The Council reached consensus on the Goals.

The Council reached consensus on the Objectives.

Community Development Director Rachelle Kellogg gave the Council input on the Woods Creek Project.

The Council reached consensus on developing a Climate Action Plan.

A member of the public commented in support of developing a Climate Action Plan.

ADJOURNMENT

Meeting adjourned at 3:34 PM.

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, mrutikanga@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: March 21, 2022

TO: City Council Members

FROM: Melissa Eads, Interim City Administrator
Prepared by Jackie Smith

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

RECOMMENDATION

Adopt Resolution 03-21-2022-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).

Staff recommends the Council adopt Resolution 03-21-2022-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. 03-21-2022-A

RESOLUTION 03-21-2022-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 a 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 carry out 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 April 22, 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 March 21, 2022, by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and dated:

Matt Hawkins

Mayor of the City of Sonora

ATTEST:

Deputy City Clerk



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Turu VanderWiel, Chief of Police

SUBJECT: 2022 Mother Lode Round-Up Parade Resolution

RECOMMENDATION

Adopt Resolution No. 03-21-2022-B, authorizing the closure of State Route 49 (Washington Street & Stockton Road), along with certain other City Streets for the 2022 Mother Lode Round-Up Parade and Rodeo.

DISCUSSION

Each year the Tuolumne County Sheriff's Posse sponsors the Mother Lode Round-Up Parade on the Saturday proceeding Mother's Day. This year, the Parade will be held on Saturday, May 7, 2022. It is scheduled to begin at 10:00 AM and will conclude at approximately 1:00 PM. The Rodeo will be held on Saturday, May 7, 2022 and Sunday, May 8, 2022.

Once again, parking will not be allowed on the side streets between Washington and Green Street and Washington and Stewart Street. This gives participants a secure area to view the parade; it also allows for a safer and more controlled area for pedestrians to travel during the conclusion of the parade. In addition, traffic will be held for approximately fifteen minutes following the parade, allowing spectators sufficient time to clear the streets.

Due to the size and duration of the parade, a resolution is required from the City Council authorizing the temporary closure of State Route 49 (Washington Street) and specific City streets, along with the temporary elimination of parking on State Route 49 (Washington Street and Stockton Road) and specific City streets for the event.

FISCAL IMPACT

The majority of costs incurred are directly related to staffing needs. The City's salaries and overtime costs are expected to be approximately \$5,400, with supplementary costs, such as fuel and materials, estimated at \$450.

ATTACHMENTS:

- Resolution No. 03-21-2022-B

RESOLUTION 03-21-2022-B

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA, CALIFORNIA, APPROVING THE TEMPORARY PARKING RESTRICTIONS ON, AND THE CLOSURE OF, STATE ROUTE 49 (WASHINGTON STREET & STOCKTON ROAD) IN CONJUNCTION WITH CERTAIN CITY STREETS TO ACCOMMODATE THE MOTHER LODE ROUND-UP PARADE, SATURDAY, MAY 7, 2022, AND OTHER PARKING RESTRICTIONS TO ACCOMMODATE THE RODEO TO BE HELD ON SATURDAY MAY 7, 2022, AND SUNDAY MAY 8, 2022.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SONORA THAT THE FOLLOWING STREETS BE CLOSED ON SATURDAY, MAY 7, 2022, COMMENCING AT 9:30 AM AND SHALL REMAIN CLOSED UNTIL 1:00 PM UNLESS OPENED EARLIER UPON THE AUTHORITY OF THE SONORA POLICE DEPARTMENT.

1. State Route 49 (Washington Street) from Snell and Elkin Streets to State Route 49 (Stockton Road).
2. South Washington Street from State Route 49 (Stockton Road) to State Route 108.
3. State Route 49 (Stockton Road) from S. Green Street to S. Washington Street.
4. Snell Street from State Route 49 (Washington Street) to Bonanza Way.
5. School Street from State Route 49 (Washington Street) to Snell Street.
6. Wyckoff Street between Snell Street and Washington Street.
7. The following streets between State Route 49 (Washington Street) and Stewart Street;
 - A) Elkin Street
 - B) East Dodge Street
 - C) East Jackson Street
 - D) East Bradford Ave.
 - E) East Linoberg Street
 - F) Theall Street
 - G) East Church Street
 - H) Gold Street
 - I) William Street
 - J) East Lytton Street
8. The following streets between State Route 49 (Washington Street) and Green Street;
 - A) West Dodge Street
 - B) Yaney Ave.
 - C) West Jackson Street
 - D) West Bradford Street
 - E) West Linoberg Street
9. West Church Street between S. Washington Street and Green Street.
10. June Street at S. Washington Street.
11. Toby Street between S. Washington Street and McGowan Street.
12. West Lytton and Bulwer Streets between Washington Street and Olive Street.

BE IT FURTHER RESOLVED THAT THE FOLLOWING STREETS WILL BE CLOSED AND NO PARKING WILL BE ALLOWED ON SATURDAY MAY 7, 2022, COMMENCING AT 7:30 AM AND 8:00 AM RESPECTIVELY AND SHALL REMAIN CLOSED UNTIL 1:00 PM, UNLESS OPENED EARLIER UPON THE AUTHORITY OF THE SONORA POLICE DEPARTMENT:

1. South Washington Street at SR 108 (7:30 A.M.).
2. Restano Way, eastbound right turn lane onto Mono Way (8:00 A.M.), with the remainder of Restano Way closing at 9:30 A.M.

BE IT FURTHER RESOLVED THAT “NO PARKING” WILL BE ALLOWED ON THE FOLLOWING STREETS ON SATURDAY MAY 7, 2022, COMMENCING AT 5:00 AM AND SHALL REMAIN “NO PARKING” ZONES UNTIL 1:00 PM, UNLESS OPENED EARLIER UPON THE AUTHORITY OF THE SONORA POLICE DEPARTMENT:

1. East and West sides of State Route 49 (Washington Street) from Elkin Street to Toby Street.
2. North and South sides of State Route 49 (Stockton Road), between S. Washington Street and 70 Stockton Road.
3. Stewart Street between Elkin Street and East Dodge Street.
4. North side of Lyons Street between Stewart Street and Shepherd Street.
5. South side of Lyons Street between Shepherd Street and Barretta Street.
6. Snell Street from State Route 49 (Washington Street) to Bonanza Road.
7. School Street from State Route 49 (Washington Street) to Snell Street.
8. Wyckoff Street between Snell Street and State Route 49 (Washington Street.)
9. The following streets between State Route 49 (Washington Street) and Stewart Street;
 - A) Elkin Street
 - B) East Dodge Street
 - C) East Jackson Street
 - D) East Bradford Street
 - E) Theall Street
 - F) East Church Street
 - G) Gold Street
 - H) William Street
 - I) East Lytton Street
10. The following streets between State Route 49 (Washington Street) and Green Street;
 - A) West Dodge Street
 - B) Yaney Ave.
 - C) West Jackson Street
 - D) West Bradford Street
 - E) Linoberg Street
11. West Church Street between S. Washington Street and June Street.
12. June Street between S. Washington Street and West Church Street.
13. Toby Street between S. Washington Street and McGowan Street.
14. West Lytton and Bulwer Streets between Washington Street and Olive Street.
15. Parking will be allowed for “Official” Parade announcing trailers, and designated support vehicles for those trailers, which have been identified to the Police Department by the Posse.

BE IT FURTHER RESOLVED THAT THE FOLLOWING PARKING LOT(S) SHALL BE CLOSED COMMENCING ON SATURDAY MAY 7, 2022 AT 6:00 AM AND SHALL REMAIN CLOSED UNTIL 1:00 PM, UNLESS OPENED EARLIER UPON THE AUTHORITY OF THE SONORA POLICE DEPARTMENT:

1. The Sonora Fire Museum lot, located at 125 N. Washington Street.
2. The Sonora City Terzich Parking Structure, 1st level, located at 96 N. Washington Street.

BE IT FURTHER RESOLVED THAT “NO PARKING” WILL BE ALLOWED ON THE FOLLOWING STREETS COMMENCING ON SATURDAY MAY 7, 2022, AT 5:00 AM UNTIL SUNDAY MAY 8, 2022 AT 5:00 PM:

1. There will be no parking at the south/east corner of the intersection of State Route 49 (Stockton Road) and Southgate Drive, in the area of the locomotive.
2. There will be no parking on the east side of Solinsky Street between State Route 49 (Stockton Road) and West Jackson Street.
3. There will be no parking on Fairview Lane between State Route 49 (Stockton Road) and the driveway into the Tuolumne County Superintendent of Schools Office.
4. There will be no parking on Forest Road between State Route 49 (Stockton Road) and the driveway into Sonora Regional Prompt Care.
5. There will be no parking at the south/east corner of the intersection of State Route 49 (Stockton Road) and Southgate Drive, in the area of the locomotive.
6. There will be no parking on the east side of Solinsky Street between State Route 49 (Stockton Road) and West Jackson Street.
7. There will be no parking on Fairview Lane between State Route 49 (Stockton Road) and the driveway into the Tuolumne County Superintendent of Schools Office.
8. There will be no parking on Forest Road between State Route 49 (Stockton Road) and the driveway into Sonora Regional Prompt Care.

BE IT FURTHER RESOLVED THAT THE FOLLOWING PARKING LOTS WILL BE RESERVED FOR “DISABLED PARKING ONLY” ON SATURDAY MAY 7, 2022, COMMENCING AT 6:00 AM AND SHALL REMAIN DISABLED PARKING ONLY UNTIL 1:00 PM, UNLESS OPENED EARLIER UPON THE AUTHORITY OF THE SONORA POLICE DEPARTMENT:

3. The Terzich parking structure located on State Route 49 (Washington Street), second-level, front row, accessed of S. Green Street.
4. The Fountain parking lot located at the south/east corner of the intersection of S. Washington Street and East Church Street.

BE IT FURTHER RESOLVED THAT ALL VENDORS DURING THE PARADE MUST POSSESS A VALID CITY BUSINESS LICENSE.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Sonora that all of the above is hereby approved, subject to the Tuolumne County Sheriff’s Posse meeting all liability insurance requirements as specified by the City of Sonora, and having met all conditions as required by the California Department of Transportation.

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 March 21, 2022 by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and dated:

Matt Hawkins
Mayor of the City of Sonora

ATTEST:

Jackie Smith
Sonora Deputy City Clerk



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Turu VanderWiel, Chief of Police

SUBJECT: Open containers of alcoholic beverages during the 2022 Mother Lode Round-Up Parade

RECOMMENDATION

Adopt Resolution No. 03-21-2022-C, authorizing the possession of opened alcoholic beverage containers and the public consumption of alcoholic beverages within the cordoned areas of the special event, which is identified by the street closures of State Route 49 (Washington Street) and other identified connecting City Streets for the 2020 Mother Lode Round-Up Parade.

DISCUSSION

Each year the Tuolumne County Sheriff's Posse sponsors the Mother Lode Round-Up Parade on the Saturday proceeding Mother's Day. This year the Parade will be held on Saturday, May 7, 2022. It is scheduled to begin at 10:00 AM and will conclude at approximately 1:00 PM.

Historically, open containers of alcoholic beverages and public consumption of alcohol have been permitted for the duration of the parade. Upon the completion of the parade, and prior to the re-opening of any streets and/or at the direction of the Police Department, all open containers are removed from public areas and private lands open to the public.

California Business and Profession Code section 25620 prohibits the possession of open containers in any city, county, or city and county-owned park or other city, county, or city and county-owned public place, or any recreation and park district, or any regional park or open-space if the city, county, or city and county has enacted an ordinance that prohibits the possession of those containers or the consumption of alcoholic beverages in those areas. Accordingly, Sonora Municipal Code section 9.08.010 deems it unlawful for any person to drink, consume or possess an open container of an alcoholic beverage, or intoxicating liquor, or smoke marijuana upon any public street, public park, public parking lot, public sidewalk, and grounds of public buildings, and private building or lands that are open to the public.

The Tuolumne County Sheriff's Posse has asked that the area within the boundaries of the street closures, as identified in Sonora City Resolution No. 03-21-2022-C, to be designated as an open container area and that, within that area, public consumption of alcoholic beverages also be permitted for the duration of the Mother Lode Roundup Parade or as otherwise directed by the Sonora Police Department.

Recognizing that public safety is of the utmost priority, the Sonora Police Department is recommending that as a condition to allowing open containers of alcoholic beverages for said event, these containers are limited to those constructed of materials other than glass.

FISCAL IMPACT

There is no foreseen fiscal impact to the General Fund.

ATTACHMENTS:

- Resolution No. 03-21-2022-C

RESOLUTION 03-21-2022-C

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA, CALIFORNIA, APPROVING THE TEMPORARY SUSPENSION OF OPEN CONTAINER AND PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGE REGULATIONS TO ACCOMMODATE THE MOTHER LODE ROUND-UP PARADE ON, SATURDAY, 7 MAY 2022.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SONORA THAT OPEN CONTAINERS OF ALCOHOLIC BEVERAGES AND THE PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES BE ALLOWED WITHIN THE BOUNDARIES OF THE FOLLOWING STREET CLOSURES ON SATURDAY 7 MAY 2022, COMMENCING AT 10:00 AM AND CONCLUDING AT 1:00 PM, UNLESS OTHERWISE DIRECTED EARLIER UPON THE AUTHORITY OF THE SONORA POLICE DEPARTMENT.

1. State Route 49 (Washington Street) from Snell and Elkin Streets to State Route 49 (Stockton Road).
2. South Washington Street from State Route 49 (Stockton Road) to Hospital Road.
3. The following streets along State Route 49 /Washington Street;
 - A) East and West Dodge Street
 - B) East and West Jackson Street
 - C) East Bradford Ave
 - D) East and West Linoberg Street
 - E) Theall Street
 - F) East and West Church Street
 - G) Gold Street
 - H) William Street
 - I) East Lytton Street
 - J) Restano Way

BE IT FURTHER RESOLVED THAT THIS RESOLUTION ONLY APPLIES TO PERMITTING THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN SPECIFIED AREAS AND THAT THE PUBLIC SMOKING OF MARIJUANA REMAINS PROHIBITED AS DESCRIBED IN SONORA MUNICIPAL CODE 9.08.010.

BE IT FURTHER RESOLVED THAT THE POSSESSION OF OPEN CONTAINERS AS AUTHORIZED BY THIS RESOLUTION ARE LIMITED TO THOSE CONTAINERS NOT CONSTRUCTED OF GLASS.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Sonora that all of the above is hereby approved, subject to the Tuolumne County Sheriff's Posse meeting all liability insurance requirements as specified by the City of Sonora, and having met all conditions as required by the California Department of Transportation.

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 May 21, 2022 by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and dated:

Matt Hawkins
Mayor of the City of Sonora

ATTEST: _____
Jackie Smith
Sonora Deputy City Clerk



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Aimee New, Fire Chief

SUBJECT: Fire Risk Reduction Community List

RECOMMENDATION

Approval of the Fire Chief to submitting an application to the California Board of Forestry to become eligible for the Fire Risk Reduction Community List by the deadline of April 1, 2022.

DISCUSSION

The Fire Risk Reduction Community List, as mandated by PRC 4290.1, is "a list of local agencies located in a state responsibility area or a very high fire hazard severity zone...that meet best practices for local fire planning." The List will be developed and maintained by the Board for two years.

FISCAL IMPACT

Public Resources Code 4124.7 requires CAL FIRE to "prioritize local assistance grant funding applications from local agencies based on the "Fire Risk Reduction Community List." Fire Prevention Grant applicants will receive priority for utilizing the funding to meet the List eligibility requirements. Fire Prevention Grant applicants will also receive priority if the applicant is already on the Fire Risk Reduction Community List. Projects are selected on a competitive basis and consecutive awards are not guaranteed. The fiscal impact is unknown at this time.

ATTACHMENTS

- Fire Risk Reduction Community List Application

Fire Risk Reduction Community List Application

Board of Forestry and Fire Protection



January 2022

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Purpose and Background

The Board of Forestry & Fire Protection (Board) is responsible for maintaining a Fire Risk Reduction Community List of Local Agencies located in a State Responsibility Area (SRA) or Very High Fire Hazard Severity Zone (VHFHSZ) which meet best practices for local fire planning (Public Resources Code § 4290.1). By qualifying for the List, a Local Agency demonstrates both compliance with the Board's requirements and dedication to fire planning that exceeds state minimum standards. The Department of Forestry and Fire Protection is required to prioritize local assistance grant funding applications from Local Agencies based on the List (Public Resources Code § 4124.7).

Please allow 60 days from the submission of this application form for a decision and response from Board staff.

Local Agency Information

Agency name: Click or tap here to enter text.

Agency type Choose an item.: If "Other" selected, describe here: Click or tap here to enter text.

Point of contact: Click or tap here to enter text.

Mailing address: Click or tap here to enter text.

Email address: Click or tap here to enter text.

Phone number: Click or tap here to enter text.

Fax number: Click or tap here to enter text.

Does the Local Agency meet the definition of a Low-Income Local Agency in 14 CCR 1268.00?

☐ Yes ☐ No

Local Agency location: Choose an item.

City and County Application

Applicants which are not cities and counties should skip this section and only complete the section titled "Non-City and County Application."

Eligibility Criteria

Applicants which are cities and counties must meet criteria (1)-(4) as specified below.

Requirements	Meets	N/A	Attached supporting evidence file name(s)
(1) Adoption of local ordinance designating Very High Fire Hazard Severity Zones (VHFHSZ) pursuant to	☐	☐	Click or tap here to enter text.

Requirements	Meets	N/A	Attached supporting evidence file name(s)
Government Code § 51179(a) and submission to the Board pursuant to 14 CCR § 1280.02. Include ordinance or, if previously submitted, date of submission to the Board.			
(2) Counties only: Submission of findings for all tentative and parcel maps approved for areas located in SRA or LRA VHFHSZ to the Board pursuant to 14 CCR § 1266.02. Provide a list of subdivisions submitted to the Board since January 1, 2013 or the last time the applicant submitted an application for the Fire Risk Reduction Community List, whichever is most recent.	☐	☐	Click or tap here to enter text.
(3) The safety element of the Local Agency's general plan has been submitted to the Board for review pursuant to Government Code § 65302.5(b) within the last eight years, and all recommendations have been adopted. Provide the adopted Safety Element and the year of submission for Board review.	☐	☐	Click or tap here to enter text.
(4) After July 1, 2022, a progress report on implementation of the most recent fire safety recommendations from the Board upon subdivision review in a Fire Safety Survey, pursuant to 14 CCR § 1267.01, for each community reviewed within the jurisdiction. Provide this progress report or the date this report was submitted to the Board.	☐	☐	Click or tap here to enter text.

Applicants which are cities and counties must meet at least two of criteria (5) - (10). Low-Income Local Agencies shall qualify if two or more of criteria (5) - (10) have not yet been met but are included in the safety element of the Local Agency's general plan as policy objectives.

Provide appropriate evidence demonstrating that each criterion the applicant meets has been satisfied.

Requirements	Meets	Attached supporting evidence file name(s)
(5) Adoption of one or more local regulations which exceed the minimum regulations adopted by the state in the Fire Safe Regulations (14 CCR §§ 1270.00-1276.04).	☐	Click or tap here to enter text.
(6) Adoption of one or more local defensible space ordinance, rule, or regulation which exceeds state minimum regulations in 14 CCR § 1299.03.	☐	Click or tap here to enter text.
(7) Adoption of a Wildland Urban Interface code stricter than Chapter 49, Part 9, of Title 24 of the California Code of Regulations.	☐	Click or tap here to enter text.
(8) Adoption of a zoning ordinance, special district, or special overlay zone that includes fire hazard mitigation requirements which exceed state minimum requirements. Such requirements may address safe zones or areas of refuge, structure density, ornamental vegetation, subdivision design, structure design features, or other fire safety features. The applicant shall cite which state minimum requirements the local requirements exceed.	☐	Click or tap here to enter text.
(9) Adoption of a comprehensive retrofit code or plan for existing homes.	☐	Click or tap here to enter text.
(10) Identification of wildfire as a high priority hazard in a Local or Multi-Jurisdictional Hazard Mitigation Plan (LHMP or MJHMP) updated within the last five years, or as a low- or medium priority hazard with the inclusion of one or more mitigation actions, and has adopted the	☐	Click or tap here to enter text.

Requirements	Meets	Attached supporting evidence file name(s)
LHMP or MJHMP into the general plan safety element.		

Local Agency Verification

Signature of Local Agency representative: _____

Printed name: Click or tap here to enter text.

Date: Click or tap to enter a date.

Board Evaluation

Does the applicant satisfy all four mandatory criteria (1)-(4)? Yes ☐ No ☐ Does the applicant satisfy at least two of optional criteria (5)-(10)? Yes ☐ No ☐

1. Choose an item.

2. Choose an item.

Applicant qualifies for placement on the Fire Risk Reduction Community List ☐

Effective date: July 1, Click or tap here to enter text.

Next application deadline: April 1, Click or tap here to enter text.

Applicant does not qualify for placement on the Fire Risk Reduction Community List ☐

If applicant does not qualify, specify reasons: Click or tap here to enter text.

Signature of Board staff evaluator: _____

Date: Click or tap to enter a date.

Non-City and County Application

Applicants which are cities and counties should skip this section and only complete the previous section titled "City and County Application."

Eligibility Criteria

Applicants which are not cities and counties must meet two or more of criteria (1) – (7) as specified below. Low Income Local Agencies shall qualify for the list if one or more of criteria (1) - (7) has been met, and one or more is included as an objective or expected outcome in that Agency's management or strategic plan or similar planning document (such as but not limited to a capital improvement plan, climate adaptation plan, or resiliency plan). Provide appropriate evidence demonstrating that each criterion the applicant meets has been satisfied.

Requirements	Meets	Attached supporting evidence file name(s)
(1) Identification of wildfire as a high priority hazard in a Local, Tribal or Multi-Jurisdictional Hazard Mitigation Plan updated within the last five years, or as a low- or medium priority hazard with the inclusion of one or more mitigation actions.	☐	Click or tap here to enter text.
(2) Adoption of a Community Wildfire Protection Plan; critical infrastructure protection plan; evacuation plan; Integrated Resource Management Plan including a Fire Management Plan; or similar plan addressing fire protection within the Local Agency's jurisdiction within the last five years.	☐	Click or tap here to enter text.
(3) Sponsorship, coordination of, or active engagement with a community disaster preparedness council or group, including but not limited to a Firewise USA community or a Fire Safe Council, with events or meetings at least quarterly.	☐	Click or tap here to enter text.
(4) Adoption of a plan within the last five years or implementation of an ongoing program to conduct a hazardous fuels reduction project or projects, including but not limited to California Vegetation Treatment Program (CalVTP) projects, Forest Management and Fuels Reduction Plans (FMRFP), Program Timberland Environmental Impact Reports (PTEIR), prescribed or cultural burns, and community fuels reduction work days.	☐	Click or tap here to enter text.
(5) Adoption of a plan within the last five years or implementation of an ongoing program to conduct public outreach and education about water conservation, wildfire prevention, vegetation management and fuels reduction, home hardening, evacuation preparedness, defensible space, Traditional Ecological	☐	Click or tap here to enter text.

Requirements	Meets	Attached supporting evidence file name(s)
Knowledge pertaining to fire, fire risk reduction, or similar topics.		
(6) Adoption of a special benefit assessment or tax measure or fee that addresses wildfire prevention.	☐	Click or tap here to enter text.
(7) Submission of substantial evidence demonstrating an equivalent means of local fire planning, if a Local Agency is unable to meet at least two of the criteria within (1)-(6) because the criteria are inapplicable to that agency.	☐	Click or tap here to enter text.

Local Agency Verification

Signature of Local Agency representative: _____

Printed name: Click or tap here to enter text.

Date: Click or tap to enter a date.

Board Evaluation

Does the applicant satisfy at least two of criteria (1)-(7)? Yes ☐ No ☐

1. Choose an item.

2. Choose an item.

Applicant qualifies for placement on the Fire Risk Reduction Community List ☐

Effective date: July 1, Click or tap here to enter text.

Next application deadline: April 1, Click or tap here to enter text.

Applicant does not qualify for placement on the Fire Risk Reduction Community List ☐

If applicant does not qualify, specify reasons: Click or tap here to enter text.

Signature of Board staff evaluator: _____

Date: Click or tap to enter a date.



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Chris Gorsky, Administrative Services Director

SUBJECT: Disbursements in the amount of \$158,942.78 for payroll

RECOMMENDATION

Approval of disbursements in the amount of \$158,942.78 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 a month, which was an expected amount.

This payroll is the 19th payroll of 26 for FY21-22, we would have expected to expend 73.08% of the budgeted amount. In total, we have expended 75.68% of the Salaries and Wages for the FY 21/22 budget.

FISCAL IMPACT

Disbursements are part of the approved FY21-22 Budget.



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Douglas L. White, City Attorney

SUBJECT: Ordinance No. 882 of the City Council of the City of Sonora Amending Title 7, Integrated Waste Management, of the Sonora Municipal Code to Regulate the Disposal of Recyclable and Organic Materials.

RECOMMENDATION

Waive reading, read by title only, and introduce for first reading Ordinance No. 882 of the City of Sonora Amending Title 7, Integrated Waste Management, of the Sonora Municipal Code to regulate the disposal of recyclable and organic materials.

DISCUSSION

In September 2016, Governor Brown signed into law Senate Bill 1383 ("SB 1383"), establishing methane emissions reduction targets in a state-wide effort to reduce emissions of short-lived climate pollutants (SLCP) in various sectors of California's economy. Methane emissions result from the decomposition of organic waste in landfills and are a source of greenhouse gas (GHG) emissions. SB 1383 directs the Department of Resources Recycling & Recovery ("CalRecycle") to adopt regulations and requirements to achieve state-wide goals. These goals include achieving a 75% reduction in statewide disposal of organic waste by 2025, and a recovery of 20% or more of currently disposed edible food, directing it toward human consumption.

To meet the state-wide goals of SB 1383, CalRecycle has established numerous organic waste disposal program requirements impacting municipal jurisdictions, generators, processors, and haulers of organic waste. In order to comply with SB 1383, the City of Sonora (the "City") must update its solid waste disposal regulations to set protocols and enforcement for self-hauling, requirements for waivers, an inspection and enforcement protocol for organic waste collection service and enforcement of edible food recovery program requirements.

On December 6, 2021, the City Council adopted a resolution seeking a Rural Exemption from some, but not all of, SB 1383 requirements. The Rural Exemption relieves the City from SB 1383's organic waste collection requirements. CalRecycle has accepted the City's request for the Rural Exemption, which is valid until December 31, 2026. The City must still comply with other provisions of SB 1383, including edible food recovery program requirements, and adoption of certain provisions of the Model Water Efficient Landscaping Ordinance.

Edible Food Recovery

SB1383 requires that jurisdictions educate edible food generators, increase access to edible food recovery organizations and services, monitor and enforce edible food generator compliance, and increase edible food recovery capacity. The City's role in edible food recovery is focused on education, coordination with the regional agency and the County of Tuolumne's (the "County") food recovery efforts,

support for County food recovery capacity reporting, as well as ongoing maintenance of an accurate list of commercial edible food generators.

Model Water Efficient Landscaping Ordinance

SB 1383 requires the City to adopt an ordinance requiring compliance with Sections 492.6(a)(3)(B) (C), (D), and (G) of the Model Water Efficient Landscape Ordinance.

Compliance Monitoring and Enforcement

SB 1383 requires the City to adopt enforcement mechanisms to ensure compliance with SB 1383 requirements applicable to the City.

The ordinance will update the City's solid waste disposal regulations to comply with SB 1383 requirements and conform to the provisions of the Rural Exemption (the "Ordinance"). The County has also obtained a Rural Exemption and the ordinance mirrors the County's regulations on the disposal of organic waste. Once the Rural Exemption expires in 2026, the City may qualify for a subsequent low population waiver. Jurisdictions with a total population of less than 7,500 and reported disposal of less than 5,000 tons of solid waste in 2014 are eligible for the low population waiver. If the City can obtain approval from CalRecycle, it will continue to be exempt from SB 1383's organic waste collection requirements.

ENVIRONMENTAL

The Ordinance is not a "project" under the California Environmental Quality Control Act.¹

OPTIONS

1. Introduce the Ordinance for first reading;
2. Continue the item for later consideration of the City Council with direction to City staff for additional analysis; or
3. Reject the proposed Ordinance.

FISCAL IMPACT

The exact fiscal impact is difficult to quantify. However, increased staff time will be devoted to the solid waste program for implementation of new programs, record keeping, outreach, inspections, and enforcement to stay in compliance with this new State mandate.

ATTACHMENTS

- Ordinance No. 882

¹ Pub. Resources Code, § 21065.

**THE CITY COUNCIL
OF THE CITY OF SONORA**

ORDINANCE NO. 882

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA AMENDING TITLE 7,
INTEGRATED WASTE MANAGEMENT, OF THE SONORA MUNICIPAL CODE TO
REGULATE THE DISPOSAL OF RECYCLABLE AND ORGANIC MATERIALS**

WHEREAS, State recycling law, Assembly Bill 939 of 1989, the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et seq., as amended, supplemented, superseded, and replaced from time to time), requires cities and counties to reduce, reuse, and recycle (including composting) Solid Waste generated in their jurisdictions to the maximum extent feasible before any incineration or landfill disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment; and

WHEREAS, State recycling law, Assembly Bill 341 of 2011 (approved by the Governor of the State of California on October 5, 2011), which amended Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, and added Sections 40004, 41734.5, and 41780.01 and Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and added and repealed Section 41780.02 of, the Public Resources Code, as amended, supplemented, superseded and replaced from time to time), places requirements on businesses and Multi-Family property owners that generate a specified threshold amount of Solid Waste to arrange for recycling services and requires jurisdictions to implement a Mandatory Commercial Recycling program; and

WHEREAS, State organics recycling law, Assembly Bill 1826 of 2014 (approved by the Governor of the State of California on September 28, 2014, which added Chapter 12.9 (commencing with Section 42649.8) to Part 3 of Division 30 of the Public Resources Code, relating to Solid Waste, as amended, supplemented, superseded, and replaced from time to time), requires businesses and Multi-Family property owners that generate a specified threshold amount of Solid Waste, Recycling, and Organic Waste per week to arrange for recycling services for that waste, requires jurisdictions to implement a recycling program to divert Organic Waste from businesses subject to the law, and requires jurisdictions to implement a Mandatory Commercial Organics Recycling program; and

WHEREAS, SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires CalRecycle to develop regulations to reduce organics in landfills as a source of methane. The regulations place requirements on multiple entities including jurisdictions, residential households, Commercial Businesses and business owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Organizations, and Food Recovery Services to support achievement of Statewide Organic Waste disposal reduction targets; and

WHEREAS, SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires jurisdictions to adopt and enforce an ordinance or enforceable mechanism to implement relevant provisions of SB 1383 Regulations.

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

SECTION 1. AMENDMENT. Title 7, Integrated Waste Management, of the Sonora Municipal Code shall be repealed in its entirety and replaced with a new Title 7 that shall read as follows:

**Title 7
Integrated Waste Management**

**7.04
General Provisions**

7.04.010 Title And Citation

This title shall be known and may be cited as the "City of Sonora Integrated Waste Management Ordinance."

7.04.020 Findings

Between 1989 and 1994 the county of Tuolumne has experienced insufficient revenues to adequately fund solid waste management, increased costs to meet state and federal mandates for environmental compliance and waste diversion, and illegal storage and disposal of solid waste. The County also faces the prospect of having no landfill for its residents to dispose of their solid waste. The Sonora city council finds, in order to preserve the environment and protect the health and safety and quality of life of the residents of the city, there is a need to provide for a stable, regular, efficient and adequately funded solid waste management system. The city also finds that it is necessary to regulate certain solid waste management issues to provide adequate solid waste management and recycling services as mandated by federal and state law, and to insure that those services are provided at affordable rates to the ratepayers.

7.04.030 Purpose

Pursuant to Division 30 of the Public Resources Code (sections 40000 et seq.), this title is adopted to provide for an integrated solid waste management system which shall preserve the public health, safety, welfare, convenience and necessity and provide for a stable revenue source with which the city and authorized service provider(s) may furnish adequate management of solid waste.

7.04.040 Inspections and Investigations.

A. The city administrator, or his or her designee, are authorized to conduct any inspections, remote monitoring, or other investigations as reasonably necessary to further the goals of this title, subject to applicable laws. This may include inspections and investigations, at random or otherwise, of any collection container, collection vehicle load, or transfer, processing, or disposal facility to confirm compliance with this title, subject to applicable laws. This section does not allow entry in a private residential dwelling unit for inspection. For the purposes of inspecting commercial collection containers for compliance, the city administrator or his or her designee, may conduct container inspections for prohibited container contaminants using remote monitoring, and commercial businesses shall accommodate and cooperate with the remote monitoring.

B. A person subject to the requirements of this title shall provide or arrange for access during all inspections (with the exception of a private residential dwelling unit) and shall cooperate with the city administrator, or his or her designee, during such inspections and investigations. Such inspections and investigations may include confirmation of proper placement of materials in containers, inspection of edible food recovery activities, review of required records, or other verification or inspection to confirm compliance with any other requirement of this title. Failure to provide or arrange for: (i) access to the premises; (ii) installation and operation of remote monitoring equipment, if a remote monitoring program is adopted; or (iii) access to records for any inspection or investigation is a violation of this title and may result in penalties.

C. Any records obtained by the city administrator, or his or her designee, during inspections, investigations, remote monitoring and other reviews shall be subject to the requirements and applicable disclosure exemptions of the California Public Records Act as set forth in Government Code section 6250 et seq.

D. The City, contractor or designee shall accept written complaints from persons regarding an entity that may be potentially non-compliant with this title.

7.04.050 Enforcement; Penalties

A. Any person violating any of the provisions of this title shall be guilty of a misdemeanor and subject to a fine of up to one thousand dollars, imprisonment of up to six months or both. Each day a violation is committed or permitted to continue shall constitute a separate offense.

B. As an alternative to criminal enforcement, both the city and franchisee or permittee have the independent authority to civilly enforce any provision of this title. The city administrator may invoke these remedies, or any of them, whenever deemed appropriate.

C. A franchisee or permittee authorized to provide collection and transport of recyclables shall have authority to seek treble damages, to the same extent as a recycling agent, pursuant to California Public Resources Code section 41953.

D. A violation of any provisions of this title shall constitute grounds for issuance of a notice of violation. The city administrator, or his or her designee, may issue a notice of violation requiring compliance within sixty (60) days or sooner of issuance of the notice.

E. Absent compliance within the deadline set forth in the notice of violation, the city administrator his or her designee, shall commence an action to impose penalties, via an administrative citation and fine, pursuant to the City's standard procedures or the standard procedures of its designated enforcement agency.

Other remedies allowed by law may be used, including civil action or prosecution as a misdemeanor or infraction. The City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations, and fines. The City may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of City staff and resources

D. Authority for the enforcement of this title shall be vested in the city administrator.

7.04.060 Appeals To The Council

A decision of the city administrator, expressly made subject to review under this section, shall be set for a hearing only upon a written request made to the city clerk, by an aggrieved person, not more than fifteen calendar days following the date of the decision being reviewed. The city clerk

shall set the matter for hearing not more than sixty days following receipt of the written request and shall give written notice of the time, date and place of hearing to the appellant, applicant, permittee or franchisee as applicable and the city administrator. The entire matter shall be reviewed by the council relying solely upon evidence presented at the hearing. At the hearing the appellant shall have the burden of proof, unless provided otherwise. The council shall issue its decision within fifteen days after the close of the hearing on the appeal. The council may uphold, conditionally uphold, or revise the decision of the city administrator and shall return the matter to the city administrator for action in conformance with the council's decision.

7.08 Definitions

7.08.010 General Rules For Interpretation

Unless the context otherwise requires, the following definitions set out in this chapter shall be used in the interpretation and construction of this title.

7.08.020 Act

"Act" means the California Integrated Waste Management Act of 1989 (commencing with Section 40000 of the Public Resources Code), as amended, including but not limited to, the Jobs and Recycling Act of 2011 (AB 341), SB 1016 (Chapter 343, Statutes of 2008 [Wiggins, SB 1016]), the Mandatory Commercial Organics Recycling Act of 2014 (AB 1826), and the Short-Lived Climate Pollutants Bill of 2016 (SB 1383), and as implemented by the regulations of CalRecycle.

7.08.030 Buy-Back Recycling Center

"Buy-back recycling center" means a facility that pays a fee for the delivery and transfer of ownership to the facility of source separated materials, for the purpose of recycling or composting.

7.08.040 CCR

"CCR" means the California Code of Regulations. CCR references in this title are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).

7.08.050 City Administrator

"City administrator" means the city administrator of the City of Sonora, or his or her designee, which may include city employees.

7.08.060 Collection

"Collection" means to take physical possession of solid waste at, and remove from, the place of generation for transport to a solid waste facility or other recovery activity.

7.08.070 Collection Area

"Collection area" means all those portions of the incorporated area in the city.

7.08.080 Commercial Business or Commercial

"Commercial business" or "Commercial" means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multi-family dwelling, or as otherwise defined in 14 (CCR) Section 18982, subdivision (a)(6).

A multi-family dwelling that consists of fewer than five (5) or more dwelling units is not "Commercial", for the purposes of this title.

7.08.090 Commercial Customer

"Commercial customer" means any person who has established a commercial service account with a franchisee or permittee.

7.08.100 Commercial Edible Food Generator

Commercial edible food generator" means a tier one or a tier two commercial edible food generator as defined in 14 CCR section 18982, subdivisions (a)(73) and (a)(74). Food recovery organizations and food recovery services are not commercial edible food generators.

7.08.110 Commercial Solid Waste

"Commercial solid waste" means municipal solid waste originating from stores, business offices, commercial warehouses, hospitals, schools, health care facilities, military installations, correctional institutions, nonprofit organizations, campgrounds, government offices or complexes of apartments, condominiums, townhomes or mobilehome parks which complex or park contains five or more units.

7.08.120 Commercial Service

"Commercial service" means commercial solid waste collection service or recyclables collection service provided by a franchisee or a permittee under this title to a commercial customer.

7.08.130 Community Composting

"Community composting" means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR section 17855, subdivision (a)(4); or, as otherwise defined by 14 CCR section 18982, subdivision (a)(8).

7.08.140 Composting

"Composting" means the process of controlled biological decomposition of organic waste.

7.08.150 Construction and Demolitions Debris or C&D

"Construction and demolition debris" or "C&D" means used or discarded materials resulting from construction, renovation, remodeling, repair, demolition, excavation or construction clean-up operations on any pavement or structure.

7.08.160 Container or Collection Container

"Container" or "collection container" means, for the purpose of this title, any bin, box or cart used for the purpose of holding solid waste for collection.

7.08.170 Customer

"Customer" means any person requesting services and paying rates regulated by this title.

7.08.180 Curb Service

"Curb service" means collection of waste containers placed by the residential customer adjacent to a street.

7.08.190 Debris Box

"Debris box" means any ten (10) to forty (40) cubic yard container, or any compactor provided by a solid waste generator, placed in the public right-of-way, on city property, private property, or elsewhere in the service area, which is procured by a solid waste generator for their use in the collection of their solid waste. Debris boxes are serviced by means of lifting the entire container, including all contents, onto a designated collection vehicle.

7.08.200 Disposal

"Disposal" means the management of solid waste through transformation at a permitted solid waste facility or through landfill disposal.

7.08.210 Drop-Off Recycling Center

"Drop-off recycling center" means a location or facility which accepts delivery or transfer of ownership of source separated materials for the purpose of recycling or composting, without a monetary transaction.

7.08.220 Dwelling Unit

"Dwelling unit" means one (1) or more rooms with internal access between all rooms, which provide complete independent living facilities for at least one (1) family, including provisions for living, sleeping, eating, cooking, bathing, and sanitary facilities.

7.08.230 Edible Food

"Edible food" means food intended for human consumption, or as otherwise defined in 14 CCR section 18982, subdivision (a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR section 18982, subdivision (a)(18), "Edible Food" is not solid waste if it is recovered and not discarded. Nothing in this title or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of edible food that does not meet the food safety requirements of the California Retail Food Code.

7.08.240 Enforcement Action

"Enforcement Action" means an action of the city to address non-compliance with this ordinance including, but not limited to, issuing administrative notices, citations, fines, penalties, or using other remedies.

7.08.250 Enforcement Agency

"Enforcement Agency" means an entity with the authority to enforce part or all of this title as specified herein. Employees and agents of an Enforcement Agency may carry out inspections and enforcement activities pursuant to this title. Nothing in this title authorizing an entity to enforce its terms shall require that entity to undertake such enforcement except as agreed to by that entity and the City. The City is an enforcement agency for all Sections of this title. The City may choose to additionally delegate enforcement responsibility for certain sections, to other public entities, including the County of Tuolumne.

7.08.260 Exempt Waste

“Exempt waste” means biohazardous or biomedical waste, hazardous waste, medical waste, regulated radioactive waste, waste that is volatile, corrosive, or infectious, waste treatment or processing sludge, contaminated soil and dirt, contaminated concrete, contaminated asphalt, automobiles, automobile parts, boats, boat parts, boat trailers, internal combustion engines, lead-acid batteries, any matter or materials which are not acceptable for disposal at a solid waste landfill as defined in AB 939 and subsequent legislation, and those wastes under the control of the Nuclear Regulatory Commission.

7.08.270 Food Recovery Organization

“Food recovery organization” means an entity that engages in the collection or receipt of edible food from commercial edible food generators and distributes that edible food to the public for food recovery either directly or through other entities or as otherwise defined in 14 CCR section 18982, subdivision (a)(25), including, but not limited to: A food bank as defined in Section 113783 of the Health and Safety Code; A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and, A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

7.08.280 Food Recovery Service

“Food recovery service” means a person or entity that collects and transports edible food from a commercial edible food generator to a food recovery organization or other entities for food recovery, or as otherwise defined in 14 CCR section 18982, subdivision (a)(26). A food recovery service is not a commercial edible food generator for the purposes of this Title and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR section 18982, subdivision (a)(7).

7.08.290 Food Waste

“Food waste” means food scraps and trimmings and other putrescible waste that result from food production, preparation, cooking, storage, consumption or handling. Food Waste includes but is not limited to meat, fish and dairy waste, fruit and vegetable waste and grain waste. Food waste does not include exempt waste.

7.08.300 Franchise

"Franchise" means the authority and obligation to provide services specified in a valid franchise agreement entered into under this title.

7.08.310 Franchisee

"Franchisee" means a person who operates under a franchise agreement with this city entered into pursuant to this title.

7.08.320 Garbage

“Garbage” means all non-recyclable packaging and other waste attributed to normal activities of a service unit. Garbage must be generated by and at the service unit wherein the garbage is collected. Garbage does not include recyclable materials, organic materials, debris from construction and demolition, large items, e-waste, universal waste, hazardous waste, household hazardous waste or exempt waste.

7.08.330 Generators

“Generators,” for the purpose of this title, means a person or entity, including commercial generators and residential generators, that is responsible for the initial creation of organic
{CW112035.4}

materials, or as otherwise defined as “organic waste generator” in 14 CCR section 18982, subdivision (a)(48).

7.08.340 Gross Receipts

"Gross receipts" means all gross operating revenues received from the collection and transport of solid waste or recyclables within the city.

7.08.350 Hauler

“Hauler” means a person who collects material from a generator and delivers it to a reporting entity, end user, or a destination outside of the state. “Hauler” includes public contract haulers, private contract haulers, food waste self-haulers, and self-haulers. A person who transports material from a reporting entity to another person is a transporter, not a hauler.

7.08.360 Hazardous Waste

"Hazardous waste" means the same as described in section 25117 of the California Health and Safety Code which at this time provides:

A. "Hazardous waste" means either of the following:

1. A waste, or combination of wastes, which because of its quantity, concentration or physical, chemical or infectious characteristics may either:
 - a. Cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness;
 - b. Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed.
2. A waste which meets any of the criteria for the identification of a hazardous waste adopted pursuant to section 25141 of the Health and Safety Code.

B. "Hazardous waste" includes, but is not limited to, RCRA hazardous waste.

C. Unless expressly provided otherwise, the term "hazardous waste" shall be understood to also include extremely hazardous waste and acutely hazardous waste as defined in sections 25115 and 25110.02 of the Health and Safety Code.

7.08.370 Industrial Solid Waste

"Industrial solid waste" means solid waste:

- A. As a by-product of the business of processing or manufacturing agricultural, animal or other products or materials;
- B. As a by-product of the business of building construction or demolition; or
- C. As ash from industrial boilers, furnaces and incinerators.

7.08.380 Inspection

“Inspection” means a site visit where a jurisdiction or its designee or designated entity, reviews records, containers, and an entity’s collection, handling, recycling, or disposal of solid waste or

edible food handling to determine if the entity is complying with requirements set forth in this title, or as otherwise defined in 14 CCR section 18982, subdivision (a)(35).

7.08.390 Landfill

"Landfill" means a disposal site as defined by section 40122 of the Public Resources Code.

7.08.400 Local Enforcement Agency Or LEA

"Local enforcement agency" or "LEA" means the county agency designated pursuant to Article 1, Chapter 2, Part 4 (commencing with section 43200) of the Public Resources Code as responsible for enforcement of state solid waste management minimum standards in the city.

7.08.410 Municipal Solid Waste Or MSW

"Municipal solid waste" or "MSW" means all solid waste generated at residences, commercial establishments, and institutions, including construction and demolition debris.

7.08.420 Notice of Violation

"Notice of Violation (NOV)" means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties.

7.08.430 Organic Material or Organic Waste

"Organic material" or "organic waste" means solid wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food waste, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR section 18982, subdivision (a)(46).

7.08.440 Other Service

"Other service" means collection of solid waste at any location mutually agreed to by the customer and franchisee or permittee, other than curb, yard and commercial service.

7.08.450 Person

"Person" means any person or persons, firm, association, corporation or other entity acting as principal, agent or officer, servant or employee, for themselves or for any other person, firm or corporation.

7.08.460 Permit

"Permit" means the authority granted under this title for the activities described in Section 7.12.060.

7.08.470 Permittee

"Permittee" means a person holding a valid permit pursuant to this title.

7.08.480 Premises

"Premises" includes a tract or parcel of land with or without habitable buildings or appurtenant structures. (14 CCR section 17225.50) For purposes of this title the word premises includes residential and commercial uses of the land, whether owned, leased, rented or subrented, including every dwelling house, dwelling unit, apartment house or multiple-dwelling building, trailer

or mobile home park, store, restaurant, rooming house, hotel, motel, office building, department store, manufacturing, processing or assembling shop or plant, warehouse and every other place or premises where any person resides, or any business is carried on or conducted within the city.

7.08.490 Prohibited Container Contaminants

"Prohibited container contaminants" means (1) discarded materials placed in the designated recyclables container that are not identified as acceptable source separated recyclables for the City's designated recyclables collection container; (2) discarded materials placed in the designated organic materials collection container that are not identified as acceptable source separated organic materials for the City's designated organic materials collection container; and (3) discarded materials placed in the garbage container that are acceptable source separated recyclables and/or source separated organic materials to be placed in City's designated organic materials collection container and/or designated recyclables collection container, and (4) exempt waste placed in any container.

7.08.500 Recyclable (source separated) materials

Recyclable (source separated) materials" means any material designated to be separated from the waste stream for purposes of recycling. (adapted from Pub. Resources Code, § 41951). This designation shall be made by the city and the authorized collector based on good public practice, ability to receive an acceptable economic return, and feasibility of separating the material from the waste stream at the point of collection. Recyclable materials are currently limited to paper, glass, cardboard, plastics, ferrous metal, and aluminum.

7.08.510 Recycle/Recycling

"Recycle/recycling" means the process of collecting, sorting, cleansing, treating or reconstituting materials that would otherwise be solid waste, and returning them to the economic mainstream in the form of raw material for new, reused or reconstituted products which meet the quality standards necessary to be used in the marketplace. "Recycling" does not include transformation, as defined in section 40201 of the Public Resource Code.

7.08.520 Recyclables

"Recyclables" means those materials that are normally part of the solid waste stream which have market value and can be segregated from other waste materials and recycled and/or composted.

7.08.530 Recycling Container

"Recycling container" means a container which is provided by, or acceptable to, the service providing franchisee or permittee for the sole purpose of containing recyclables that are source separated from the nonrecyclable portion of solid waste.

7.08.540 Residential

"Residential" means, for the purposes of this title, any premise consisting of between one (1) and four (4) dwelling units, and onsite domestic uses accessory to these dwelling units. A multi-family dwelling that consists of fewer than five (5) dwelling units is "Residential", for the purposes of this title.

7.08.550 Residential Customer

"Residential customer" means any person who has established a residential service account with a franchisee or permittee.

7.08.560 Residential Service

"Residential service" means municipal solid waste collection service or recyclables collection service for single-family residences, two-family residences (duplexes), three-family residences (triplexes), four-family residences (quadraplexes), mobile homes, trailers or other residential units as provided by a franchisee or permittee under this title to a residential customer.

7.08.570 Segregated From Other Waste Materials

"Segregated from other waste materials" means any of the following:

- A. The placement of recyclable materials in separate containers;
- B. The binding of recyclable material separately from the other waste material;
- C. The physical separation of recyclable material from other waste material.

7.08.580 Self Haul

"Self-haul" means a person who hauls solid waste, organic waste or recovered material they have generated to another person. Self-hauler also includes a person who back-hauls waste, or as otherwise defined in 14 CCR section 18982, subdivision (a)(66). "Back-haul" means generating and transporting organic materials to a destination owned and operated by the generator using the generator's own employees and equipment, or as otherwise defined in 14 CCR section 189881, subdivision (a)(66)(A).

7.08.590 Solid Waste

"Solid waste" has the same meaning as defined in Public Resources Code section 40191, which defines solid waste as all putrescible and non putrescible solid and semisolid wastes, including garbage, recyclable materials, organic materials, demolition and construction wastes, bulky waste, discarded home and industrial appliances, manure, vegetable or animal solid or semisolid wastes, and other discarded solid and semisolid wastes with the exception that Solid Waste does not include any of the following wastes: (1) Hazardous waste, as defined in the Public Resources Code section 40141, (2) Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code) and (3) Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in Public Resources Code section 40195.1. Medical waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the Public Resources Code. Recyclable materials and organic materials are a part of solid waste.

7.08.600 Solid Waste Collection Service

"Solid waste collection service" means collection of solid waste originating in the City, by a persons, firms or corporations, and doing so under a contract or franchise agreement with the City.

7.08.610 Solid Waste Facility

"Solid waste facility" or "facility" means a solid waste transfer or processing station including material recovery facilities, a recycling facility, a composting facility, a gasification facility, a

transformation facility, an engineered municipal solid waste conversion facility, and a disposal facility. Solid waste facility additionally includes a solid waste operation that may be carried out pursuant to an enforcement agency notification, as provided in regulations adopted by CalRecycle, or otherwise set forth in the Act.

7.08.620 Solid Waste Manager Or City Administrator

"Solid waste manager" or "city administrator" means the city official or employee authorized by the council to provide specified administrative responsibility under this title.

7.08.630 Source Separate

"Source separate" means the process of removing recyclable materials and organic materials from solid waste at the place of generation, prior to collection, and placing such materials into separate containers designated for recyclable materials and organic materials, or as otherwise defined in 14 CCR section 17402.5, subdivision (b)(4).

7.08.640 Solid Waste Transfer Or Processing

"Solid waste transfer or processing" means receiving solid wastes, temporarily storing, separating, converting or otherwise processing the materials in the solid wastes, or transferring the solid wastes directly from smaller to larger vehicles for transport. "Solid waste transfer or processing" does not include any of the following:

- A. Where the principal function is to receive, store, separate, convert or otherwise process in accordance with state minimum standards, manure.
- B. Where the principal function is to receive, store, convert or otherwise process wastes which have already been separated for reuse and are not intended for disposal.

7.08.650 Tier One Commercial Edible Food Generator.

"Tier one commercial edible food generator" means a commercial edible food generator that is one of the following as defined in 14 CCR section 18982, subdivision (a):

- A. Supermarkets. with gross annual sales of \$2,000,000 or more
- B. Grocery store with a total facility size equal to or greater than 10,000 square feet.
- C. Food service provider, which means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.
- D. Wholesale food vendor, which means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.
- E. Food distributor, which means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

7.08.660 Tier Two Commercial Edible Food Generator

"Tier two commercial edible food generator" means a commercial edible food generator that is one of the following as defined in 14 CCR section 18982, subdivision (a):

A. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.

B. Hotel with an on-site food facility and 200 or more rooms.

C. Health facility with an on-site food facility and 100 or more beds.

D. Large venue, which means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.

E. Large event, which means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.

F. A state agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.

G. A local education agency facility with an on-site food facility. Local education agency means a school district, charter school, or county office of education that is not subject to the control of City or county regulations related to Solid Waste, or as otherwise defined in 14 CCR section 18982, subdivision (a)(40).

7.08.670 Waste Container

"Waste container" means a container that conforms to specifications as otherwise provided in this code, in which solid waste is deposited. This does not include a recycling container in which recyclables are placed.

7.08.680 Yard Service

"Yard service" means collection of waste containers placed at a location mutually agreed to by the residential customer and franchisee or permittee which is not more than one hundred feet from a street.

7.12 Necessary Franchises And Permits

7.12.010 Collection Area Assignment

The council declares that the incorporated area of the city is the assigned collection area. The established collection area, once known as permit collection area, shall now be known as collection area. The boundaries of the collection area are the established city limits.

7.12.020 Franchise Or Permit; Required

Unless exempt as provided in Section 7.12.050, no person shall, in the incorporated area of the city, engage in any of the following activities:

- A. Collection or transportation of solid waste in a collection area without a franchise or permit;
- B Collection or transportation of industrial solid waste inside a collection area without a permit;
- C. Collection or transportation of municipal solid waste inside the collection area without a franchise;
- D. Collection or transportation of recyclables without a permit.

7.12.030 Franchise; Right And Obligation Of Franchisee In Collection Area

A. Except for activities authorized by permit issued pursuant to Section 7.12.060 or exempt pursuant to Section 7.12.050:

1. Within its collection area, a franchisee shall have the exclusive right and obligation to collect or transport all solid waste and recyclables generated within that area and for which service is requested by a customer, and the right to collect source separated recyclables placed by any person who is not a customer for collection by the franchisee. A franchisee, upon request of an applicant for a permit may waive its exclusive right hereunder, and the franchisee's obligation to provide the permitted service is deferred upon issuance of such permit; provided, however, the obligation is deferred only so long as a valid, unsuspended permit is outstanding and the permittee is actually providing the service.
2. As long as there is in force a franchise agreement for the collection of solid waste in the collection area, no further applications for franchises in that area will be accepted by the city; provided, however, applications will be accepted for a collection area if the existing franchise is suspended, or within one hundred eighty days prior to the expiration of the franchise agreement unless the franchisee has exercised any automatic renewal procedure contained within the franchise agreement, and further provided if an application is received, any competing applications must be submitted within forty-five days thereafter.

B. A franchisee providing solid waste collection service to generators within the city shall meet the following requirements and standards for collection of organic materials.

1. Through written notice to the City annually identify the facilities to which they will transport organic materials including facilities for source separated recyclable materials and source separated organic materials.
2. Transport source separated recyclable materials to a facility that recycles those materials and transport source separated organic materials to a facility, operation, activity,

or property that recovers organic materials as defined in 14 CCR, Division 7, Chapter 12, Article 2.

3. Obtain approval from the City to haul organic materials, unless it is transporting source separated organic materials to a community composting site or lawfully transporting construction and demolition debris in a manner that complies with 14 CCR section 18989.1.

7.12.050 Exemptions

A. Persons hauling solid wastes or recyclables from their residences, or solid wastes or recyclables produced in the course of their own business (including building contractors), or persons performing occasional hauling for others without compensation in excess of that which may be generated by such recyclable materials, shall not be required to obtain a franchise or permit but are required to use equipment and methods meeting the standards set forth in this title and other applicable codes, for collection and transport of such materials and are required to deliver solid wastes only to facilities identified and authorized by city.

B Persons collecting and transporting source separated recyclables for charitable purposes shall not be required to obtain a franchise or permit, but are required to use equipment and methods meeting the standards set forth in this title and other applicable codes, for collection and transport of such materials. However, the types and amounts of recyclables delivered to and from the city shall be reported by franchise operator annually.

C. Nothing in this title shall inhibit, regulate or restrict any drop-off or buy-back recycling center from activities, including output from those centers, permitted by Public Resources Code section 40000 et seq., as amended, and the "California Beverage Container Recycling and Litter Reduction Act of 1986."

D. A franchise that provides solid waste collection services shall not be required to obtain a permit to collect recyclables within their collection areas.

7.12.060 Permit; Issuance

A. The city administrator is authorized to issue permits as described in Section 7.12.020 pursuant to the procedure described in Section 7.12.020.

With respect to a permit under subsection A of Section 7.12.020, the city administrator is authorized to issue a permit to a person for providing collection and transportation of solid wastes for special circumstances, if the franchisee waives its exclusive right to the activity for which the permit is sought and a permit application is submitted pursuant to Chapter 7.20. The waiver must be in writing to the city administrator, with a copy to the council, and must describe the service being waived and whether the waiver is limited to any particular person or persons.

7.16 Franchise Requirements

7.16.010 Franchise; Application Contents

A. Applications for a new franchise or modification of an existing franchise shall be made to the city administrator which shall include all the following information:

1. Name and description of the applicant;
2. Permanent home and business address and full local address of applicant;
3. Facts showing that the applicant is able to render efficient service;
4. Such other applicable facts or information as needed by the city administrator.

B. The city administrator may, at his/her option, require photographing and fingerprinting of the persons making application.

C. If an application is received for a new franchise, any competing applications must be submitted within forty-five days thereafter.

7.16.020 Franchise; Operating Plan

Upon application for a franchise as provided for in this title, each applicant shall provide to the city administrator a franchise operating plan. An application for modification shall include only revisions to appropriate sections of the plan.

7.16.030 Franchise; Operating Plan Contents

The components of the operating plan, as specified in other parts of this title, may include any or all of the following:

A detailed description of the manner in which the proposed service will be conducted, including an estimate of the various numbers of units of measure which describe the size and effect of the proposed service. Units of measure may include the number of households serviced by collection, number of users seeking service at a proposed facility, number of yards and density or tonnage of solid waste or recyclables as input and output for a proposed service. The detailed description must also contain the applicant's proposed arrangements for disposal of all solid waste collected or transported either to him/her or by him/her, or as a result of processing or handling, including solid wastes resulting from the collection and transport of recyclables, at an approved disposal site or his/her arrangements for other authorized disposal;

B.A complete description of all trucks and equipment that the applicant owns or has under its control which it proposes to use for providing services under the requested franchise and the address or location and the zoning designations of the parcel or parcels where the trucks and operating equipment will be kept. This description of trucks and equipment must be augmented by evidence showing that the applicant owns or has under his control, in good mechanical condition, sufficient trucks and equipment to adequately conduct the business being proposed. The evidence may be provided in a manner such as an inventory of trucks and equipment which lists the year, make and model, license number, VIN or serial number, registered owner and working condition;

C. A detailed cost projection for operating the applicable service, the profit margin estimated for that service and the cost and revenue basis for the profit margin. The plan shall be based on the projected services to all customers, at the current or anticipated service levels, on a monthly or annual basis. The cost and revenue estimates shall be based entirely on the services for which the application is made, and shall not include cost or revenues from any other services, except cost allocations for assets or labor shared with any other service or business may be included using generally accepted accounting principles. The revenue estimate shall include the proposed rates which will be applicable to all customers of the proposed service;

D. A description of the recordkeeping systems to be used by the applicant to account for the types and quantities of materials to be included in the proposed service recorded separately from the types and quantities of materials included in other services which are not a part of the application;

E. If the applicant is proposing or is obligated to provide residential or commercial recyclables collection services, the following shall additionally pertain to the plan:

1. For residential services the plan must include a description of the means for source separation and collection and the estimated quantities to be collected annually of, at a minimum, the following recyclables:

- a. Newspaper,
- b. Cardboard,
- c. Aluminum cans and containers,
- d. Other metal containers including tin/steel cans,
- e. Glass, and
- f. Plastic.

2. For commercial services the plan must include a description of the proposed means for source separation and collection and the estimated quantities to be collected annually, at minimum, of the following recyclables:

- a. Newspaper,
- b. Cardboard,
- c. Office paper,
- d. Construction and demolition debris and wood wastes.

3. For commercial or residential recyclables collection services, a description of any and all actions to be taken in the event markets for each recyclables designated for collection become unavailable;

F. Identification of the collection area or modification of the collection area in which the applicant is requesting to operate. Such identification shall be in the form of a map depicting existing and proposed boundaries, accompanied by a written description;

G. Presentation of all facts which the applicant believes will show that the public health, safety, welfare, convenience and necessity require the authorization of the requested activity;

H. Any additional components required by the city administrator.

7.16.040 Franchise; Evaluation And Approval; Hearing

A. Upon receipt of a completed application, including a franchise operating plan, the city administrator shall determine if the application and plan and proposed service conform to the requirements of this title. The city administrator shall determine whether the applicant has the necessary equipment and facilities to adequately provide the service applied for and if the applicant meets all the other requirements of this title. The city administrator shall forward the application and plan to the LEA for review and comment. Upon completion of the investigation, the city administrator shall recommend to the council that the application and plan be approved or denied for the requested franchise. If the recommendation is to approve the application or modification, a proposed franchise agreement also will be forwarded to the council for consideration during the public hearing provided for in subsection B of this section.

If the council overturns the recommendation of denial, it may approve, or approve with modifications, the application and plan and return the matter to the city administrator for negotiation of a proposed franchise agreement which will include the modifications determined by the council. A franchise shall be approved by the council only if it determines the public health, safety, welfare, convenience and necessity so require.

B. The council shall hold a public hearing, after having given notice as provided in Government Code sections 66016 and 66018. Following the hearing the council may establish charges if it will further the purposes of this title.

7.16.050 Franchise; Contents Of Agreement

A franchise shall contain at least the following components:

- A. An identification of the collection area, if any, covered by the agreement;
- B. A description of the rights granted and the obligations assumed under the agreement;
- C. A requirement that the franchisee comply with the terms of the approved franchise operating plan;
- D. Adequate insurance to protect the city's interests;
- E. Adequate security to protect the city against financial losses if there is any failure or deficiency in performance by the franchisee;
- F. Provisions for the term of the agreement, renewal and termination;
- G. Hold harmless and indemnification provisions;
- H. A prohibition against assignment or transfer without the consent of the council;
- I. Provisions directing the delivery of waste by collection franchises;

J. Provisions allowing disposers and arrangers to select a disposal site, but if a less expensive (total cost) alternative exists, a customer rate reduction will be implemented unless consent for use of the more expensive site is granted;

K. Franchise fees;

L. Customer rates;

M. Liquidated damages and other remedies for fee delinquencies and performance deficiencies;

N. Dispute resolution and remedies;

O. Provisions requiring operations to be consistent with the source reduction and recycling element;

P. Provisions for buy-out.

7.16.060 Franchise; Recordkeeping, Inspection And Reporting

A. The franchise operator shall maintain detailed books and records of all receipts and expenditures received or incurred in the operation of such business, including all fees collected for services rendered. The records shall include cost accounting components using generally accepted accounting principles reflecting the cost allocation of any assets or labor shared with services or businesses other than the service authorized by the franchise. Upon reasonable notice during normal business hours, the city, its officers and employees, authorized by the city administrator, shall be entitled to inspect, audit and copy such books and records including books and records of any business or service which shares assets or labor with the franchise operator. Items requested by franchisee to be considered confidential are subject to the public records act as it may be amended.

B. The franchise operator providing recyclables collection services shall submit the annual recycling report described in Section 7.20.070. In addition, the report shall contain the following:

1. An estimate of the percentage of services (%P) participating in the recycling collection program and the basis for the estimate, defined as shown:

$$\%P = (\text{Services participating} / \text{total services}) \times 100;$$

2. An estimate of the total percentage (%T) of the waste stream being diverted through the recycling collection program and the basis for the estimate, defined as shown:

$$\%T = (\text{Recyclables collected} / \text{total wastes collected}) \times 100;$$

3. A summarized accounting of operational costs incurred in the performance of collection, processing and marketing of recyclables including the cost of recycling containers, collection methods, etc.;

4. A summarized accounting of revenues received from the sale of recyclables;

5. Statement of net operating profits or losses (Net) from the recycling operations, defined as follows:

Net = Revenue from sales - operational costs.

7.16.070 Franchise; Annual Financial Report

A. A franchisee, at its expense, shall annually provide the city administrator, at his/her option, with a copy of a reviewed financial statement or an unqualified audit within one hundred twenty days after the close of its fiscal year. The reviewed financial statement or unqualified audit shall be prepared by a certified public accountant or licensed public accountant. The accountant shall be independent of the franchisee and shall have no financial interest whatsoever in the business of the franchisee. The city finance director or designee shall specify the form and detail of either the annual reviewed financial statement or unqualified audit. In the event of failure to provide any such report, the administrator may employ a qualified accountant to prepare the report and the franchisee, in such case, shall be liable for and pay the costs and expenses incurred.

B. The city administrator shall review the financial information and if it appears a rate modification may be in the public interest, a recommendation may be forwarded to the city pursuant to Chapter 7.28. Additionally, the city administrator may recommend any modification to the franchise agreement as provided therein.

7.16.080 Franchise; Notification Of Enforcement

A. If the franchisee is found to in violation of any of the provisions of this title, the city administrator shall notify the franchisee of such violation in writing. The franchisee shall respond in writing to the city administrator within five working days of receipt of the complaint and shall address the complaint to the satisfaction of the administrator. The city administrator may, from time to time, extend to the franchisee additional time necessary to rectify the complaint. This remedy shall be in addition to any other enforcement provisions contained in the franchise agreement or this title.

B. Upon written notification by the city administrator that its obligation to provide services under Section 7.12.030(A) is no longer deferred, the franchisee shall, within seven days, commence providing the service.

7.16.090 Franchise; Fee

The franchisee shall pay an annual fee on or before July 1st of each year in an amount set forth by city resolution. In addition to the annual fee, the franchisee shall pay a franchise fee as provided in the franchise agreement. The franchise fee may be reviewed and modified by the council from time to time upon recommendation of the city administrator after a public hearing thereon pursuant to Section 7.16.040(B).

7.16.100 Franchise; Transfer

A franchise is considered to be in the nature of personal services contract on behalf of the citizens of the city, and cannot be transferred or assigned without the written consent of the council.

7.20 Permit Requirements

7.20.010 Permit; Application Contents

Applications for a new permit or modification of an existing permit shall be in the same manner as provided in Section 7.16.010. Applications for permits within the collection area will only be considered after the city administrator receives the waiver as per Section 7.12.060(A).

7.24 Solid Waste Collection Regulations

7.24.010 Collection Requirements

Franchisee and permittees shall conform with the approved franchise or permit operating plan, including the following conditions:

A. Except as provided in subsection B of this section, the franchisee and permittee providing MSW collection shall provide not less than one regular weekly collection of solid wastes to all residential customers and, unless otherwise ordered by the health officer (LEA), not less than one regular weekly collection of solid wastes to all commercial customers.

B. Recyclables which have been source separated and properly stored or contained may be collected less frequently than weekly, as agreed to by the franchisee or permittee and the residential or commercial customers.

C. No franchisee or permittee shall collect solid wastes or recyclables within the residential areas earlier than six a.m. nor later than seven p.m. or on Sundays, except in emergencies or with the approval of the city administrator, which may be given under unusual circumstances and subject to appropriate conditions on a temporary or permanent basis.

D. At a minimum, MAW collection services provided by franchisee shall be as follows:

1. Curb service;
2. Yard service;
3. Commercial service; and
4. Other service.

E. Any service for the collection or transportation of solid wastes within a collection area must have a rate established pursuant to Chapter 7.28.

7.24.020 Collection Equipment Standards

All equipment used for the collection or transportation of solid wastes or recyclables, including wet or liquid-producing materials or materials composed of fine particles, by any person, shall be nonabsorbent, leak-resistant, durable, easily cleaned and designed for safe handling, and constructed to prevent loss of wastes or recyclables from the equipment during collection and transportation. All solid waste collections shall be made as quietly as possible and noise abatement shall be a consideration of vehicle and equipment inspections and approval. All equipment shall be maintained in good condition and cleaned in a frequency and in a manner so as to prevent the propagation or attraction of flies, rodents or other vectors and the creation of nuisances.

7.24.030 Vehicle Identification

All equipment shall be clean, sanitary and clearly marked on each side with the truck number, name and telephone number of the franchisee or permittee.

7.24.050 Privacy Act

Other than as necessary to accomplish authorized load checking, franchisees and permittee collecting MSW or recyclable from residential or commercial customers shall not invade the privacy of the disposer by exploring the discarded material. Neither shall the franchisee or permittee harass or embarrass the disposer by publicly displaying items found by the franchisee or permittee in the disposer's discarded material.

7.24.090 Maintenance Of Storage Containers

Where the franchisee furnishes reusable storage containers for solid wastes or recyclables, the franchisee is responsible for maintaining the containers in good condition, ordinary wear and tear excepted, unless the containers were furnished under other terms, conditions or agreements in which event the person so obligated shall provide the required maintenance.

7.24.100 Headquarters And Telephone Listing Requirements

Franchisee shall maintain a fixed headquarters and telephone listed in the franchisee's or permittee's business name. The franchisee shall, during usual business hours of each day, except weekends and holidays, have a competent adult person available to answer inquiries and receive complaints from the public. The telephone shall be on an exchange so as to be toll free to residents of the area served by the franchisee, and shall be listed in the telephone book of the area served. The franchisee shall notify the city administrator in writing within seven days after any change in business name, address or telephone number.

7.24.110 Customer Complaints

The franchisee shall establish a process for receiving and acting upon customer complaints. The franchisee or permittee shall inform customers of the procedure for filing a complaint and shall provide forms for such purpose. The franchisee shall maintain, at their headquarters, a record of all customer complaints filed, including the date and time of complaint; the name, address, telephone number and nature of such complaint; date of action and disposition of the complaint so that they will be available for review by the city administrator and/or health officer at all reasonable times. All inquiries and complaints shall be promptly answered and dealt with to the satisfaction of the city administrator and/or health officer.

7.24.120 Firm Name And Telephone Number Required On All Commercial Containers

Every franchisee shall place and maintain on the outside of all owned commercial containers of one cubic yard capacity or larger, in legible letters and numerals, not less than two inches in height, the franchisee's or permittee's firm name and telephone number. Every franchisee shall at all times keep such containers and lids in good repair, painted so as to be uniform in appearance and maintained in a clean and sanitary condition.

7.24.130 Service To Be Provided When Requested

Unless deferred pursuant to Section 7.12.030(A), a franchisee shall provide solid waste collection and transport service to any customer located within the collection area if such service is requested. Upon request of any person seeking services within a collection area, the franchisee shall promptly submit an application for modification pursuant to Chapter 7.16 to establish a new service and rate.

7.24.140 Denial Of Service For Failure To Pay Bill Or Noncompliance

A. The franchisee may deny service to any customer by reason of the failure of the customer to pay his/her charges as authorized by this title. After giving fifteen days' written notice to the customer to comply, the franchisee shall notify the customer, in writing, of any service refusal with written notification to the customer, the LEA and the city administrator.

B. A franchisee may deny collection of some solid waste or recyclable if:

1. The solid waste contains hazardous wastes;
2. The solid waste deposited in containers or the placement of the containers does not comply with specifications as otherwise provided in the code;
3. The waste containers are loaded in excess of the approved weight as provided in specifications otherwise provided in the code;
4. The recyclable contains solid waste or other nonrecyclable material;
5. The recyclables are not deposited in recycling container, or the placement of the container does not comply with specifications as otherwise provided in the code;
6. The recycling or waste containers are not loaded properly, or are not placed for safe handling and pickup;
7. The solid waste is not properly containerized as provided in specifications otherwise provided in the code;
8. Any material placed for collection is not acceptable at a facility to which the material is destined.

C. In such cases where the franchisee denies collection of solid waste or recyclable, the franchisee must leave a note, card, label or tag in a conspicuous location that describes the reasons the container could not be collected.

7.24.150 Billing; Required Information; Method Of Collection

- A. The franchisee shall send out a detailed notice on all solid waste collection rates to all customers within the applicable collection areas at least once each year.
- B. The franchisee shall send out a detailed notice on all proposed rate changes made pursuant to Chapter 7.28 to all customers within the applicable collection areas.
- C. The residential and commercial solid waste charges established by resolution of the council shall be billed and collected by the franchisee.

7.24.160 Collection by Franchisee

- A. It is mandatory for every person in the City to subscribe to the solid waste collection service provided by the franchisee.
- B. All solid waste, except as otherwise provided, shall be placed within collection containers provided by the franchisee. A mandatory obligation is imposed on every person in the City to source separate all recyclable material and organic materials from the garbage generated on the premise. Generators shall place source separated organic materials, including food waste, in the franchisee provided organic materials collection

container; place source separated recyclable materials in the contractor provided recyclable material collection container; and place garbage in the contractor provided approved garbage collection container. Generators shall not place prohibited container contaminants into the garbage collection container, organic materials collection container or recyclable material collection container.

C. Generators shall arrange for a size, quantity and collection frequency of collection containers to adequately store all solid waste generated in connection with the residence or business between the times designated for collection service. The City shall have the right to review the number and size of such collection containers to evaluate the adequacy of capacity provided for each type of collection service and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this title.

D. Nothing in this title shall prohibit a generator from self-hauling solid waste as described in Section 7.24.200.

E. Generators may manage their organic materials by preventing or source reducing their organic materials, managing organic materials on site, and/or using a community composting site pursuant to 14 CCR section 18984.9, subdivision (c), to the extent permitted by other applicable laws.

F. Generators shall provide or arrange for access during all inspections and investigations (with the exception of a private residential dwelling unit) and cooperate with the City contractor during such inspections and investigations as described in Section 7.04.040.

7.24.170 Residential Generator Requirements.

Each residential generator shall subscribe to a level of solid waste collection service with the franchisee that is sufficient to handle the volume garbage, recyclable material, and organic materials generated or accumulated on the premises and comply with requirements of those collection services.

7.24.180 Commercial Generator Requirements.

Commercial generators shall comply with the following requirements.

A. Each commercial generator, including all multi-family dwellings that consist of five dwelling units or more, large events and large venues shall be responsible for compliance with the requirements of this Section.

B. Each commercial generator shall subscribe to a level of service with an authorized collector that is sufficient to handle the volume of garbage, recyclable materials and organic materials generated or accumulated on the premises. Additionally, each commercial generator shall ensure the proper separation of solid waste, as established by the authorized collector, by placing each type of material in designated collection containers, and ensure that employees, contractors, volunteers, customers, visitors, and other persons on-site conduct proper source separation of solid waste.

C. Supply and allow access to adequate number, size, and location of collection containers with sufficient labels or colors, conforming with requirements of this section, for employees, contractors, tenants, and customers, consistent with the solid waste collection service.

D. Annually provide information to employees, contractors, tenants, and customers about organic materials recovery requirements and about proper sorting of solid waste.

E. Provide educational information before, or within, fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep source separated organic materials and source separated recyclable materials separate from garbage (when applicable) and the location of collection containers and the rules governing their use at each property.

F. Accommodate and cooperate with the authorized collector's monitoring program for inspection of the contents of containers for prohibited container contaminants, to evaluate generator's compliance.

G. If a commercial generator self-hauls, the commercial generator shall meet the self-haul requirements in Section 7.24.200.

Commercial generators, excluding multi-family dwellings consisting of five or more dwelling units, shall comply with the following requirements.

H. Excluding multi-family dwellings consisting of five or more dwelling units, provide containers for the collection of source separated organic materials and source separated recyclable materials in all indoor and outdoor areas where garbage collection containers are provided for customers, for materials generated onsite. Such containers do not need to be provided in restrooms. If a commercial generator does not generate any of the materials that would be collected in one type of collection container, then it is not required to provide that type of collection container in all areas where garbage collection containers are provided for customers. Pursuant to 14 CCR section 18984.9, subdivision (b), the collection containers shall have either:

1. A body or lid that is gray or black for collection of garbage, blue for collection of recyclable materials, and green for collection of organic materials. A commercial generator is not required to replace functional collection containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those collection containers, or prior to January 1, 2036, whichever comes first.

2. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.

I. Excluding multi-family dwellings consisting of five or more dwelling units, to the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a container not designated for those materials per the solid waste collection service.

J. Excluding multi-family dwellings consisting of five or more dwelling units, Periodically inspect collection containers for prohibited container contaminants and inform employees if containers are contaminated and of the requirements to keep prohibited container contaminants out of such containers pursuant to 14 CCR section 18984.9, subdivision (b)(3).

K. Commercial generators that are commercial edible food generators, as defined in Chapter 7.08, shall comply with food recovery requirements, pursuant to Section 7.24.220.

7.24.190 Waiver for Collection Services.

A. Pursuant to 14 CCR section 18984.11, the city may grant waivers to commercial businesses. The city administrator may either approve or deny the following waiver requests.

1. De Minimis Waivers: The city administrator may waive a commercial business' obligation to comply with some or all the mandatory collection service requirements of Section 7.24.180 for organic materials collection service if the commercial business' meets the following requirements:

a. Submit an application specifying the type of waiver requested and provide documentation as described below.

b. Provide documentation that either:

i. The commercial business receives two or more cubic yards of weekly solid waste collection service (as measured in conformance with subsection iii) and disposed organic materials comprises less than 20 gallons per week of the business' total weekly solid waste volume; or

ii. The commercial business receives less than two cubic yards of weekly solid waste collection service (as measured in conformance with subsection iii) and disposed organic materials comprises less than 10 gallons per week of the business' total weekly solid waste volume.

iii. For the purposes of subsections (i) and (ii) above, weekly solid waste collection shall be the sum of weekly garbage container volume, recyclable material container volume and organic materials container volume, measured in cubic yards.

c. Notify the City within thirty (30) days if circumstances change such that volume of commercial business' disposed organic materials placed in collection containers exceeds threshold required for waiver, in which case waiver will be rescinded.

d. Provide written verification of eligibility for de minimis waiver every five years if the City has approved de minimis waiver.

2. Physical Space Waivers: The City may waive a commercial business' obligations to comply with some or all of the recyclable materials and/or organic materials collection service requirements if the City has evidence from its own staff, a hauler, licensed

architect, or licensed engineer demonstrating that the premises lacks adequate space for the collection containers required for compliance with collection service requirements. A commercial business or property owner may request a physical space waiver through the following process:

- a. Submit an application form specifying the type(s) of collection services for which they are requesting a waiver from mandatory collection service.
- b. Provide documentation that the premises lacks adequate space for the recyclable materials collection containers and/or organic materials collection containers including documentation from its authorized collector, licensed architect, or licensed engineer.
- c. Provide written verification to the City that it is still eligible for physical space waiver every five years if the City has approved application for a physical space waiver.

7.24.200 Self-haul requirements.

A. Self-Haulers shall haul their source separated recyclable materials and organic materials to a facility that recovers those materials; and haul their source separated organic materials to a solid waste facility, operation, activity, or property that processes or recovers source separated organic materials.

B. Self-haulers that are commercial businesses shall keep a record of the amount of organic materials delivered to each solid waste facility, operation, activity, or property that processes or recovers organic materials. Receipts and records shall be subject to inspection by request of the city administrator. The records shall include the following information:

1. Delivery receipts and weight tickets from the entity accepting the waste. If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the self-hauler's vehicle in a manner that allows it to determine the weight of materials received, the self-hauler is not required to record the weight of material but shall keep a record of the entities that received the organic materials.
2. The amount of material in cubic yards or tons transported by the generator to each entity.

7.24.210 Solid waste facility and community compost requirements.

A. Owners of facilities, operations, and activities that recover organic materials, including, but not limited to, compost facilities, in-vessel digestion facilities, and publicly owned treatment works shall, upon the City's request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the City shall respond within 60 days.

B. Community composting operators, upon the City's request, shall provide information to the City to support organic materials capacity planning, including, but not limited to, an estimate of the amount of organic materials anticipated to be handled at the Community Composting operation. Entities contacted by the City shall respond within 60 days.

7.24.220 Commercial Edible Food Generator Requirements.

A. Tier one commercial edible food generators must comply with the requirements of this section commencing on January 1, 2022, and tier two commercial food generators must comply commencing January 1, 2024, pursuant to 14 CCR section 18991.3.

B. Large venue or large event operators not providing food services, but allowing for food to be provided by others, shall require food facilities operating at the large venue or large event to comply with the requirements of this section, commencing January 1, 2024.

C. Commercial edible food generators shall comply with the following requirements:

1. Arrange to recover the maximum amount of edible food that would otherwise be disposed.

2. Contract with or enter into a written agreement with food recovery organizations or food recovery services for: (a) the collection of edible food for food recovery; or (b) acceptance of the edible food that the commercial edible food generator self-hauls to the food recovery organization for food recovery.

3. Shall not intentionally spoil edible food that is capable of being recovered by a food recovery organization or a food recovery service.

4. Allow the City's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR section 18991.4.

5. Keep records that include the following information, or as otherwise specified in 14 CCR section 18991.4:

- a. A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR section 18991.3, subdivision (b).

- b. A copy of all contracts or written agreements established under 14 CCR section 18991.3, subdivision (b).

- c. A record of the following information for each of those food recovery services or food recovery organizations:

- i. The name, address and contact information of the food recovery service or food recovery organization.

- ii. The types of food that will be collected by or self-hauled to the food recovery service or food recovery organization.

- iii. The established frequency that food will be collected or self-hauled.

- iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a food recovery service or food recovery organization for food recovery.

D. Nothing in this title shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education

Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

7.24.230 Food recovery organization and food recovery service requirements.

A. Food recovery services collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR section 18991.3, subdivision (b), shall maintain the following records, or as otherwise specified by 14 CCR section 18991.5, subdivision (a)(1):

1. The name, address, and contact information for each commercial edible food generator from which the service collects edible food.
2. The quantity in pounds of edible food collected from each commercial edible food generator per month.
3. The quantity in pounds of edible food transported to each food recovery organization per month.
4. The name, address, and contact information for each food recovery organization that the food recovery service transports edible food to for food recovery.

B. Food recovery organizations collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR section 18991.3, subdivision (b), shall maintain the following records, or as otherwise specified by 14 CCR section 18991.5, subdivision (a)(2):

1. The name, address, and contact information for each commercial edible food generator from which the organization receives edible food.
2. The quantity in pounds of edible food received from each commercial edible food generator per month.
3. The name, address, and contact information for each food recovery service that the organization receives edible food from for food recovery.

C. Food recovery organizations and food recovery services that have their primary address physically located in the City and contract with or have written agreements with one or more commercial edible food generators pursuant to 14 CCR section 18991.3, subdivision (b) shall annually report to the City it is located in the total pounds of edible food recovered in the previous calendar year from the tier one and tier two commercial edible food generators they have established a contract or written agreement with pursuant to 14 CCR section 18991.3, subdivision (b) no later than April 1 of each year.

D. In order to support edible food recovery capacity planning assessments or other studies conducted by the county, city, special district that provides solid waste collection services, or its designated entity, food recovery services and food recovery organizations operating in the City shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, food recovery capacity that could be accessed by the City and its commercial edible food generators. A food recovery service or food recovery organization contacted by the City shall respond to such request for information within 60 days unless a shorter timeframe is otherwise specified by the City.

7.28 Customer Rates

7.28.010 Franchise; Charges To Customers

The franchise operator may charge rates for services that do not exceed those approved by the council pursuant to Chapter 7.16, or as modified pursuant to Section 7.28.020.

7.28.020 Franchise And Permits; Rate Modification

Rates may be modified as provided below:

A. If any charges are modified by the council for solid waste services necessarily used by a franchisee in providing services, the city administrator may approve, in writing, an appropriate rate modification. If the proposed modification will result in an increase, each franchisee must make application in writing to the council and include updated information as provided by Section 7.16.030(C). The city administrator shall (within thirty days of receipt of all information necessary to evaluate the request) refer the matter to the council for consideration after a hearing pursuant to Section 7.16.040(B).

B. Any franchisee may petition the council for, or the council on its own motion may initiate, a modification of the rates. A petition may not be submitted more than twice in the first year of the franchise, or the first year in which charges are established for services provided under a permit, and once per year during subsequent years, unless the modification request is based on waste disposal costs over which the franchisee or permittee has no control and that were or will be incurred as a result of some action of a public entity. The council shall hold a hearing pursuant to Section 7.16.040(B). After considering all of the evidence at the hearing, the council may modify the rates.

SECTION 2. SEVERABILITY. If any section, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least within fifteen (15) days after its passage or a summary of the Ordinance is published in a newspaper of general circulation at least five (5) days prior to adoption and again at least within fifteen (15) days after its passage.

SECTION 4. CERTIFICATION OF COUNCIL ADOPTION AND APPROVAL. This Ordinance was introduced at a regular meeting of the City Council held on the 21st of March, 2022, and passed and adopted as Ordinance No. 882 at a regular meeting of City Council held on the 4th of April, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

APPROVED:

ATTEST:

Jackie Smith
Deputy City Clerk of the City of Sonora

APPROVED AS TO FORM:

Douglas L. White
City Attorney of the City of Sonora

Matt Hawkins
Mayor of the City of Sonora



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Turu VanderWiel, Chief of Police

SUBJECT: An Ordinance of the City Council of the City of Sonora to Adopt a Military Equipment Use Policy

RECOMMENDATION

Waive reading, read by title only, and introduce for first reading Ordinance No. 883 for the Sonora Police Department's policy on military equipment use as required by Assembly Bill 481.

DISCUSSION

The Sonora Police Department seeks the City Council's adoption of the attached Military Equipment Use Policy to allow the department to continue using the vital equipment specified therein.

On September 30, 2021, Governor Newsom signed into law Assembly Bill 481 (AB 481) relating to the use of military equipment by law enforcement agencies. AB 481, codified in California Government Code sections 7070 through 7075, requires that any law enforcement agency seeking to use existing or new military equipment to create a military equipment use policy, presenting the policy for governing body approval by ordinance, and produce annual reports pertaining to the policy and use of military equipment. A Military Equipment Use Policy must include:

1. A description of the military equipment, the quantity sought, its capabilities, and expected lifespan.
2. The purposes and authorized uses of the military equipment.
3. The fiscal impact of acquiring and maintaining each type of military equipment.
4. The legal and procedural rules that govern the use of the military equipment.
5. The training required to use the military equipment.
6. The compliance mechanisms to enforce the Military Equipment Use Policy.
7. The procedure for the public to register complaints or submit questions about the military equipment.

The proposed ordinance seeks to approve the Sonora Police Department's Military Equipment Use Policy, which outlines each item identified in Government Code section 7070 that the City currently owns or uses. The identified equipment includes:

1. Unmanned, remotely piloted, air or ground vehicles, such as drones.
2. Armored vehicles.
3. Humvees.
4. Battering rams.
5. Firearms and ammunition of .50 caliber or greater, not including shotguns and shotgun ammunition.
6. Flashbangs and other explosive breaching tools.
7. Rubber bullets and other associated specialty impact munitions.

The proposed policy has been made publicly available on the department's website. Each calendar year, an annual military equipment report will be submitted to City Council for as long as military equipment is maintained by the department. Future acquisitions of any item deemed "military equipment" will require a further public meeting, policy updates, and City Council approval.

Items identified as military equipment by AB 481 are resources used in overall best practices for law enforcement agencies throughout the country. For example, the 1997 North Hollywood Bank of America shooting exemplified the need for more effective options for law enforcement, such as patrol rifles and armored rescue vehicles. In addition, military equipment items are field-tested tools used to enhance the safety of communities and the officers that serve them.

FISCAL IMPACT

No budget adjustment would be required. Annual maintenance costs to support this equipment have already been budgeted.

ATTACHMENTS

- Ordinance No. 883

**THE CITY COUNCIL
OF THE CITY OF SONORA**

ORDINANCE NO. 883

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA
AMENDING TITLE 9, PUBLIC PEACE, MORALS AND WELFARE, OF THE SONORA
MUNICIPAL CODE TO ADD CHAPTER 9.70, ADOPTING A MILITARY EQUIPMENT USE
POLICY**

WHEREAS, On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies; and

WHEREAS, Assembly Bill 481, codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body by an ordinance adopting a military equipment use policy at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term "Military Equipment" is defined in California Government Code section 7070; and

WHEREAS, The Sonora Police Department currently has items in its inventory deemed to be Military Equipment under the provisions of Assembly Bill 481, and California Government Code 7070 through 7075; and

WHEREAS, The Sonora Police Department has established a Military Equipment Use Policy that meets the requirements set forth in Assembly Bill 481; and

WHEREAS, The Military Equipment identified in the Sonora Police Department's Military Equipment Use Policy is necessary because there are no reasonable alternatives that can achieve the same objectives for officer and civilian safety; and

WHEREAS, The Sonora Police Department's Military Equipment Use Policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

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

SECTION 1. AMENDMENT. Title 9, Public Peace, Morals and Welfare, of the Sonora Municipal Code shall be amended to add Chapter 9.70, Military Equipment Use Policy Adoption, that shall read as follows:

Chapter 9.70

MILITARY EQUIPMENT USE POLICY ADOPTION

Sections:

9.70.010

Findings.

9.70.020

Determinations.

9.70.010

Findings.

{CW112060.4}

Ordinance No. 883 – Military Equipment Use Policy Ordinance

- 1 -

- A. On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies.
- B. Assembly Bill 481, codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a military equipment use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term military equipment is defined in California Government Code section 7070.
- C. Assembly Bill 481 allows the governing body of a city to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it makes the determinations established in California Government Code Section 7070, subdivision (d)(1).
- D. The proposed military equipment use policy is found within Sonora Police Department Policy and Procedural manual.
- E. Sonora Police Department Policy was published on the Sonora Police Department's internet website on February 17, 2022. In addition, the Sonora Police Department, Military Equipment Use Policy was presented to City Council on March 21, 2022.
- F. The Sonora Police Department, Military Equipment Use Policy, meets the requirements of California Government Code section 7070, subdivision (d).

9.70.020 Determinations.

Based on the findings above, in addition to the information provided to the City Council at the public meeting, the City Council determines as follows:

- 1. The military equipment identified in the Sonora Police Department, Military Equipment Use Policy, is necessary because there are no reasonable alternatives that can achieve the same objectives of officer and civilian safety.
- 2. Sonora Police Department, Military Equipment Use Policy, will safeguard the public's welfare, safety, civil rights, and civil liberties.
- 3. The military equipment identified in the Sonora Police Department, Military Equipment Use Policy, is reasonably cost-effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- 4. Sonora Police Department, Military Equipment Use Policy, is approved and adopted.

SECTION 2. SEVERABILITY. If any section, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least within fifteen (15) days after its passage or a summary

{CW112060.4}

Ordinance No. 883 – Military Equipment Use Policy Ordinance

of the Ordinance is published in a newspaper of general circulation at least five (5) days prior to adoption and again at least within fifteen (15) days after its passage.

SECTION 4. CERTIFICATION OF COUNCIL ADOPTION AND APPROVAL. This Ordinance was introduced at a regular meeting of the City Council held on the 21st day of March, 2022, and passed and adopted as Ordinance No. 883 at a regular meeting of City Council held on the 4th day of April, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

APPROVED:

ATTEST:

Matt Hawkins
Mayor of the City of Sonora

Jackie Smith
Deputy City Clerk of the City of Sonora

APPROVED AS TO FORM:

Douglas L. White
City Attorney of the City of Sonora

Published: The Union Democrat, Sonora
 March 18, 2022



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Gerald Fuccillo, City Engineer
Prepared by Jackie Smith

SUBJECT: Linoberg Street Closure between Washington Street to Stewart Street

RECOMMENDATION

Approval of the continued closure of Linoberg Street between Washington Street and Stewart Street to vehicular traffic indefinitely with the following conditions:

1. That public pedestrian access be maintained along Linoberg Street between Washington Street and Stewart Street.
2. That the area of the subject street be used as a public space, with events usage and private usage subject to a Special Event Permit and/or an Encroachment Permit issued by the City of Sonora.
3. That all improvements and usage of the street recognize the need for equipment access to maintain, repair or replace water, sewer, storm drain and other utilities on the closed street.

BACKGROUND

The subject section of Linoberg Street has been closed to vehicular traffic since December of 2019 as a part of a Sonora Vision project, based upon City Council action of February 2019 for a one year period. The closure was extended in February 2020 for another year. The street has remained closed throughout 2021 to the present time and has been used for Special Events as well outdoor dining during the COVID-19 indoor restrictions. Regardless of any changes to COVID-19 restrictions, the recommendation is to continue the closure of the street to vehicular use so that the uses of the street area can continue, along with some necessary provisions for the maintenance of utilities within the street area.

Linoberg Street is an original Townsite Street shown on the 1872 Townsite Map. It has long been a public street with the City in ownership of the fee title under it. The subject section of the street contains a 10" TUD sewer line which serves the Greenley Basin, a TUD 6" steel water line, fire hydrant, as well as a City storm drain in this narrow street. There are also some overhead electrical service lines in the street area.

The third condition above is necessary in order to preserve access to the above noted utilities for future maintenance, repair or replacement of the utilities, especially the older steel water line. There should be no facilities or uses approved which would permanently obstruct access to the above noted utilities, or which could not easily be moved aside.

FISCAL IMPACT

No fiscal impact to the General Fund.



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Rachelle Kellogg, Community Development Director

SUBJECT: 2021 Sonora General Plan Annual Report

RECOMMENDATION

Approval of the 2021 Sonora General Plan Annual Report.

DISCUSSION

Pursuant to the requirements under Government Code Section 65400 and the State Housing Element Law, the Community Development Department has prepared the General Plan Progress Report (APR) and Annual Housing Element Progress Report for the City of Sonora's General Plan 2021. State law requires that the report be presented to and accepted by the City Council at a regular meeting. State law also requires that it be submitted to the Governor's Office of Planning and Research and to the State Department of Housing and Community Development (HCD) on or before April 1st.

The purpose of the APR is to identify any changes to the General Plan and how land use decisions occurring during 2021 relate back to the implementation of the General Plan and, specifically, how they relate to the Plan's adopted goals, policies, and implementation programs. The Annual Housing Element Progress Report identifies new housing units and the City's progress towards meeting its Regional Housing Needs Allocation (RHNA) numbers. The report also provides the status of the Implementation Programs included within the Housing Element.

FISCAL IMPACT

No fiscal impact to the General Fund.

ATTACHMENTS

- 2021 General Plan Annual Report

City of Sonora

Sonora General Plan

2021 General Plan Annual Report

General Plan 2021: Adopted by the City Council on May 30, 2007

General Plan amendments in 2021:

None

General Plan in compliance with state (OPR) general plan guidelines? Yes

Background:

Pursuant to Government Code Section 65400(a)(2), a General Plan Annual Progress Report (APR) must be accepted by the City Council and additionally submitted to the Governor's Office of Planning and Research State Clearinghouse (OPR), on or before April 1st, of each year reporting on the preceding calendar year. In addition, the Annual Housing Element Progress Report (Attachment A) must be submitted to the California Department of Housing and Community Development and also to OPR prior to April 1st.

There is not a standardized format for the General Plan APR but there is one for the Housing Element Progress Report. The purpose of the APR is to inform the Sonora City Council regarding activities related to the implementation of the Sonora General Plan 2020. Per State Clearinghouse Guidelines, the APR should describe land use decisions related to adopted goals, policies and implementation measures of the General Plan 2020 and should provide enough information to identify necessary course adjustments or modifications to the General Plan and means to improve local implementation.

The following provides a summary of projects implemented in 2021 relevant to the Sonora General Plan 2020:

1) Use Permits.

a. The Sonora Planning Commission approved the following Use Permits:

- 1) Approved February 8, 2021 – 131 S Washington Street, Microbrewery, and minor building frontage changes**
- 2) Approved March 8, 2021 – 1243 Mono Way, amendment to a use permit for a cannabis dispensary allowing the sale of medicinal and recreational cannabis**
- 3) Approved April 12, 2021 – 1201 Mono Way, cannabis dispensary allowing the sales of medicinal and adult-use cannabis**
- 4) Approved April 12, 2021 – 10 Calaveras Street, cannabis dispensary allowing the sales of medicinal and adult-use cannabis**
- 5) Approved December 13, 2021 – 290 S Stewart Street, emergency shelter to house up to 15 individuals within existing structure after renovation**

Project related General Plan Goals, Policies and/or Implementation Programs:

Goal 1.A - Provide a well-organized and orderly development pattern that maintains and enhances the City of Sonora's social, economic, cultural, environmental, and aesthetic

resources while managing growth so that adequate facilities and services can be provided in pace with development.

Goal 1.B - Balance the social, environmental, economic, cultural, and aesthetic elements of the City of Sonora to provide a quality living environment and to maintain the city as a distinct community with a buffer between the unincorporated County.

~ 1.B.1 – Minimize conflicts between adjacent land uses.

Goal 1.C – Maintain and enhance the character and diversity of the City's historic neighborhoods and downtown.

~ 1.C.1 – Encourage the retention, rehabilitation and restoration of historic structures.

~ 1.C.2 -- Preserve the contextual setting of the City's historic neighborhoods and historic districts.

Goal 1.E - Maintain and enhance the present and future needs of the City and county residents and visitors while maintaining and enhancing the City's economic base and conserving the City's social, economic, cultural, environmental, and aesthetic resources.

2) Design Review.

a. The Sonora Planning Commission approved the following Design Review Permits:

- 1) Approved February 8, 2021 – 131 S Washington Street, exterior façade improvements**
- 2) Approved February 8, 2021 – 180 Stockton Street, construction of an 8,075 square foot mixed use building**
- 3) Approved April 12, 2021 – 304 Stockton Street, replacement of fixed windows with sliding glass doors on the second floor**
- 4) Approved August 9, 2021 – 15 Pesce Way, 720 square foot storage room addition and new trash enclosure for existing Arco AM/PM.**
- 5) Approved September 13, 2021 – 123 S Washington Street, installation of a large roll-up storefront window**
- 6) Approved December 13, 2021 – 644 S Washington Street, installation of new metal lumber storage racking**

Project related General Plan Goals, Policies and/or Implementation Programs:

Goal 1.B - Balance the social, environmental, economic, cultural, and aesthetic elements of the City of Sonora to provide a quality living environment and to maintain the city as a distinct community with a buffer between the unincorporated County.

~ 1.B.2 - Encourage development which complements and blends in with its surroundings.

~ 1.B.3 -- Consider aesthetics when reviewing development proposals.

Goal 1.C -- Maintain and enhance the character and diversity of the City's historic neighborhoods and downtown.

~ 1.C.1 -- Encourage the retention, rehabilitation and restoration of historic structures.

- ~ 1.C.2 -- Preserve the contextual setting of the City's historic neighborhoods and historic districts.

3) Site Plans.

- a. The Sonora Planning Commission approved the following Site Plans:
 1. Approved February 8, 2021 – 180 Stockton Street, construction of an 8,075 square foot mixed use building
 2. Approved August 9, 2021 – 15 Pesce Way, construction of a 720 square foot storage room addition and new trash enclosure for Arco AM/PM
 3. Approved September 13, 2021 – 852 Mono Way, revised site plan for a 360 square foot office/storage building

Goal 1.A - Provide a well-organized and orderly development pattern that maintains and enhances the City of Sonora's social, economic, cultural, environmental, and aesthetic resources while managing growth so that adequate facilities and services can be provided in pace with development.

- ~ 1.A.2 -- Make efficient use of land and promote a functional development pattern with varied and compatible land uses.
- ~ 1.A.3 -- Ensure that the extent of development shall be related to the property's environmental constraints.

Goal 1.B - Balance the social, environmental, economic, cultural, and aesthetic elements of the City of Sonora to provide a quality living environment and to maintain the city as a distinct community with a buffer between the unincorporated County.

- ~ 1.B.1 -- Minimize conflicts between adjacent land uses.
- ~ 1.B.2 -- Encourage development which complements and blends in with its surroundings.
- ~ 1.B.3 -- Consider aesthetics when reviewing development proposals.

Goal 1.E - Maintain and enhance the present and future needs of the City and county residents and visitors while maintaining and enhancing the City's economic base and conserving the City's social, economic, cultural, environmental, and aesthetic resources.

4) Transient Use Permits

- a. City Council adopted Ordinance No. 880 on August 16, 2021, amending Chapter 17.64, Transient Use Permit, of the Sonora Municipal Code, relating to transient use of residential property

Project related General Plan Goals, Policies and/or Implementation Programs:

Goal 1.A - Provide a well-organized and orderly development pattern that maintains and enhances the City of Sonora's social, economic, cultural, environmental, and aesthetic resources while managing growth so that adequate facilities and services can be provided in pace with development.

- ~ 1.A.2 -- Make efficient use of land and promote a functional development pattern with varied and compatible land uses.

Goal 1.B - Balance the social, environmental, economic, cultural, and aesthetic elements of the City of Sonora to provide a quality living environment and to maintain the city as a distinct community with a buffer between the unincorporated County.

~ 1.B.1 - Minimize conflicts between adjacent land uses.

Goal 1.E -- Maintain and enhance the present and future needs of the City and county residents and visitors while maintaining and enhancing the City's economic base and conserving the City's social, economic, cultural, environmental, and aesthetic resources.

5) Development Agreements

- a. Approved April 12, 2021 – 1243 Mono Way, development agreement to sell medicinal and adult-use cannabis**
- b. Approved April 12, 2021 – 10 Calaveras Street, development agreement to sell medicinal and adult-use cannabis**

Project related General Plan Goals, Policies and/or Implementation Programs:

Goal 1.A - Provide a well-organized and orderly development pattern that maintains and enhances the City of Sonora's social, economic, cultural, environmental, and aesthetic resources while managing growth so that adequate facilities and services can be provided in pace with development.

~ 1.A.2 -- Make efficient use of land and promote a functional development pattern with varied and compatible land uses.

Goal 1.B - Balance the social, environmental, economic, cultural, and aesthetic elements of the City of Sonora to provide a quality living environment and to maintain the city as a distinct community with a buffer between the unincorporated County.

~ 1.B.1 -- Minimize conflicts between adjacent land uses.

Goal 1.E -- Maintain and enhance the present and future needs of the City and county residents and visitors while maintaining and enhancing the City's economic base and conserving the City's social, economic, cultural, environmental, and aesthetic resources

~ 1.E.5 -- Encourage a mixture of uses and activities that will maintain the vitality of the downtown area.

Goal 10.A – Maintain and enhance the City's economic vitality while conserving the City's social, cultural, environmental, and aesthetic resources.

~ 10.A.1 - Encourage a mixture of uses and activities that will maintain the vitality of the downtown area.

The following ordinances were adopted in 2021:

- No. 880 Transient Use Permits

Housing Element:

In 2019, the City's Housing Element 2019 – 2024 was prepared by City staff, reviewed by State Department of Housing and Community Development (HCD), and adopted by the City Council on December 16, 2019. The City's 2019 – 2024 Housing Element was found in full compliance with State Housing Element Law on May 6, 2020 by HCD. The State Department of Housing and Community Development 2020 Annual Element Progress Report – Housing Element Implementation Report is attached hereto.

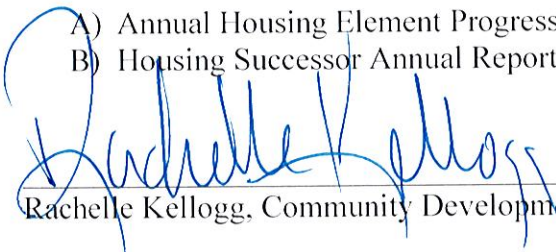
Identified Needs:

- a. Update and review Title 17, Zoning Ordinance, to ensure compliance with State law.
- b. Update and review various Municipal Code sections and bring up to present day standards.
- c. Update and review the Sonora General Plan to bring it into compliance with State law.
- d. Identify inconsistencies between the General Plan Land Use Designation Map and Zoning Map for all residential properties and recommend adjustments as needed.

Attachments:

A) Annual Housing Element Progress Report

B) Housing Successor Annual Report



Rachelle Kellogg, Community Development Director

March 21, 2022

Date

ATTACHMENT A

Annual Housing Element Progress Report

Jurisdiction	Sonora	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/31/2019 - 08/31/2024

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	2
Moderate	Deed Restricted	0
	Non-Deed Restricted	2
Above Moderate		7
Total Units		11

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	0	0	0
SFD	8	8	0
2 to 4	0	0	0
5+	0	0	0
ADU	1	1	0
MH	2	2	0
Total	11	11	0

Housing Applications Summary	
Total Housing Applications Submitted:	2
Number of Proposed Units in All Applications Received:	6
Total Housing Units Approved:	6
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits

Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

Jurisdiction	Sonora	
Reporting Year	2021	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	08/31/2019 - 08/31/2024

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B Regional Housing Needs Allocation Progress Permitted Units Issued by Affordability											
		1	2					3	4		
Income Level		RHNA Allocation by Income Level	2019	2020	2021	2022	2023	2024		Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	34	-	-	-	-	-	-	-	-	34
	Non-Deed Restricted		-	-	-	-	-	-	-	-	
	Deed Restricted	26	-	-	-	-	-	-	-	2	24
Low	Deed Restricted		-	-	2	-	-	-	-	-	
	Non-Deed Restricted		-	-	-	-	-	-	-	-	
Moderate	Deed Restricted	24	-	-	-	-	-	-	-	3	21
	Non-Deed Restricted		-	-	2	-	-	-	-	-	
Above Moderate		61	1	2	7	-	-	-	-	10	51
Total RHNA		145	2	2	11	-	-	-	-	15	130

Note: units serving extremely low-income households are included in the very low-income permitted units totals and must be reported as very low-income units.
Please note: For the last year of the 5th cycle, Table B will include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will include units that were permitted since the start of the planning period.
Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Reporting Year		Sonora 2021 (Jan. 1 - Dec. 31)	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
3.A.1	Encourage the establishment of small, affordable housing units distributed throughout the City	Ongoing	Staff continues to meet with citizens to assist them with adding ADU units or housing units in coordination with commercial development. Approved mixed use project this year.
3.A.2	Modify parking requirements to establish housing opportunities near the City's commercial centers.	Draft Ordinance by June 30, 2021	Changed target date of implementation to June 2022. ADU ordinance being drafted presently which evaluates parking requirements.
3.A.4	Continue to pursue grant funding supporting the provision of affordable housing.	Annually	Will be applying for funding as staffing allows. CDBG funds are being utilized for the shelter project.
3.A.5	Facilitate the exchange/consolidation of the regions housing assistance information.	12/21/2021	Information resources on housing available online and through links provided on the City's website.
3.A.6	Continue to provide the City Employee Down Payment Assistance Program	Ongoing	Program still in place.
3.B.1	Continue to provide flexible standards for on and off-site improvements for the construction of extremely low-to-moderate income housing	Ongoing	Implemented in the shelter project as well as discussions on future projects.
3.B.2	Continue to waive or reduce certain fees for extremely low, very low and low income housing projects	Ongoing	No applications for projects
3.B.3	Maintain and promote the City's density bonus program	Ongoing	In place and in compliance with state regulations.
3.B.4	Encourage the establishment of single-room occupancy housing.	Ongoing	ADU ordinance being drafted which will support single room units and expedited construction of such.
3.B.5	Pursue development standards and design guidelines for multi-family residential projects	Prior to 2023	The City plans to utilized grant funding to develop guidelines and standards in 2022.
3.C.1	Continue to apply the State Historic Building Code for qualified buildings.	Ongoing	Several projects have been assisted with this over the past year.

3.C.2	Continue to pursue projects promoting neighborhood improvements in conjunction with housing rehabilitation.	Ongoing	The shelter project takes a blighted and substandard property and rehabilitates it to improve the neighborhood.
3.C.3	Continue to monitor the status of at-risk units, and inform agencies able to pursue purchase and support acquisition efforts.	Ongoing	City is currently assisting and working with potential buyers.
3.C.4	Continue to coordinate with the Amador-Tuolumne Community Action Agency to promote energy conservation for housing rehabilitation projects.	Ongoing	Program still in place.
3.C.5	Continue to enforce state energy efficiency standards for residential buildings.	Ongoing	Enforcement in place
3.C.6	Support the reduction of contamination hazards in older buildings.	Ongoing	Working with applicants whose projects require the removal of hazardous materials.
3.C.7	Climate/Green/Energy Programs	Ongoing	Programs in place
3.C.8	Flood hazards and flood management analysis	Ongoing	In place
3.D.1	Support senior housing	Ongoing	No applications for projects
3.D.2	Maintain an emergency shelter	Ongoing	In place
3.D.3	Maintain a transitional shelter	Ongoing	In place
3.D.4	Maintain a homeless shelter	Ongoing	In place, entitled an additional homeless shelter this year.
3.D.5	Facilitate the provision of transitional shelters or housing, supportive housing, emergency and homeless shelter	Ordinance by June 2020	Ordinance adopted April 20, 2020
3.D.6	Fair Housing Act	Ongoing	In place
3.D.7	Provide information for renters	Ongoing	In place
3.D.8	Facilitate cooperative City/County efforts to achieve housing goals	Ongoing	Currently meet with County staff twice per year.
3.D.9	Facilitate the provision of farm worker housing	Draft Ordinance by December 2021. Adopted by December 2022	Not completed
3.D.10	Water and wastewater services priorities for target income groups	Ongoing	TUD completed several projects within the City that have been benefited TIG households.
3.D.12	Plan and develop supportive housing facilities	Ongoing	City staff continues to assist the County and other agencies with supportive housing projects located within the City.
3.D.13	Low-barrier navigation centers and supportive housing	Ongoing	No projects identified over this period.
3.D.14	SB35 Steaming process	Review & evaluate zoning code by 12/31/2020	In process
3.D.15	Reasonable accommodations procedures	Ongoing	In place
3.D.16	Definition of family	Adopt Ordinance by December 2020	In process

ATTACHMENT B

Housing Successor Annual Report

**CITY OF SONORA
HOUSING SUCCESSOR ANNUAL REPORT
FOR THE
LOW AND MODERATE INCOME HOUSING ASSET FUND
FISCAL YEAR 2021**

This Housing Successor Annual Report (Report) regarding the Low and Moderate Income Housing Asset Fund (LMIHAF) has been prepared pursuant to California Health and Safety Code Section 34176.1(f). This Report sets forth certain details of the City of Sonora (Housing Successor) activities during Fiscal Year 2020/21 (Fiscal Year). The purpose of this Report is to provide the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under Part 1.85, Division 24 of the California Health and Safety Code, in particular sections 34176 and 34176.1 (Dissolution Law).

Beginning Balance:	\$ 384,002.60
Amount Deposited into LMIHAF:	\$ 252,591.23
Expenditures from LMIHAF:	
1) Monitoring & Administration Expenditures	\$ 1,027.10
2) Rental Housing Property Maintenance	\$ 1,217.12
3) Capital Acquisition – 290 S. Stewart St.	<u>\$ 148,837.36</u>
Total	\$ 151,081.58
Ending Balance of LMIHAF:	\$ 485,512.25
Statutory Value of Assets Owned by Housing Successor:	\$1,800,611.64
Transfers to any other housing successor agency:	None
Housing projects receiving tax revenue pursuant to the ROPS :	None
Status of Compliance with Section 33334.16 : (Real Property acquired for development)	N/A
Description of Outstanding Obligations under Section 33413: (Replacement of units destroyed or removed by Redevelopment Agency/ Outstanding Inclusionary/Production Housing Obligations)	None
Description of expenditures for housing development(s) by income restriction, for five-year period, with the time period beginning January 1, 2014.	None

The percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, Sonora Redevelopment Agency, and City of Sonora, for the period of January 1, 2004 to January 1, 2014, in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the Housing Successor, Sonora Redevelopment Agency and City of Sonora within the same time period. **None**

Excess Surplus: **The LMIHAF does not have Excess Surplus**

Excess Surplus is defined in Section 34176.1(d) as an unencumbered amount in the account that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the account during the Housing Successor's preceding four Fiscal Years, whichever is greater.

The following provides the Excess Surplus test for the preceding four Fiscal Years:

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Beginning Balance	75,098.21	39,804.96	18,371.00	27,900.85	96,462.11	132,161.25	204,445.26	176,730.41	384,002.60
Add: Deposits	12,842.44	13,208.16	18,520.81	74,247.90	48,372.25	91,685.63	20,986.46	274,325.09	252,591.23
(Less) Expenditures	48,135.69	34,642.12	8,990.96	5,686.64	12,673.11	19,401.62	48,701.31	67,052.90	151,081.58
Ending Balance	39,804.96	18,371.00	27,900.85	96,462.11	132,161.25	204,445.26	176,730.41	384,002.60	485,512.25

Provide an inventory of homeownership units assisted by the Sonora Redevelopment Agency subject to covenants & restrictions pursuant to subdivision (f) of Section HSC Section 33334.3. **None**



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Turu VanderWiel, Chief of Police

SUBJECT: Sonora Police Department Monthly Report

RECOMMENDATION

Receive the Sonora Police Department Monthly Report for February 2022.

DISCUSSION

The attached summarizes activities for February 2022.

	Feb 2022	Jan 2022	Feb 2021
Total Incidents	1,124	1,387	1,411
Calls for Service	537	717	538
Officer Initiated	587	670	873
Total Arrests	59	58	43
Felony Arrests	8	7	17
Misd. Arrests	51	51	26
Total Reports	122	146	110
Parking Citations	16	36	9
Moving Citations	22	32	5
Domestic Violence	1	4	2
Larcenies	13	23	14
Collision Incidents	25	21	21
Collision Invest.	11	9	12

	Feb 2022	Jan 2022	Jan 2021
Homeless Activity	94	128	-----
Animal Calls	22	31	24
Public Intox. / UID	12	8	2
DUI Arrests	5	5	1
Total Phone Calls / 911 Calls	1,655/156	1,870/227	1,768/139
Average Per Day	59	60	63
Vehicle Releases	4	6	2

*Homeless Activity is a new category for reporting. As tracking requires additional manual inputs, the actual number of associated incidents will typically be higher than the reported number.

FISCAL IMPACT

No fiscal impact on the General Fund

ATTACHMENTS

- Crimes by Area Report
- Area 1 Report
- Area 2 Report

AREA 1**Violent Crimes:**

- 1 Felony Rape of Unconscious Victim
- 1 Felony Battery with Serious Bodily Injury
- 1 Felony Sex Assault w/ Force by Foreign Object (also Felony Battery w/ Serious Bodily Injury)
- 1 Misdemeanor Sexual Battery
- 1 Misdemeanor Domestic Violence

Burglaries / Other Larceny:

- 2 Business Burglaries (Shoplifting).
- 1 Church Burglary
- 1 Business Burglary
- 2 Stolen Vehicles (1 Recovered by TCSO)
- 3 Petty Thefts (Shoplifting)
- 1 Petty Theft of Fuel from a Vehicle
- 1 Petty Thefts from Businesses

AREA 2**Violent Crimes:**

- 1 Misdemeanor Battery on School Grounds
- 1 Misdemeanor Willful Cruelty/Endangering a Child

Burglaries / Other Larceny:

- 1 Stolen Vehicles (Recovered by Sonora CHP)
- 1 Petty Theft of a Vehicle Part

02/01/2022 - 02/28/2022

Area 1 Monthly Report February 2022

Neighborhood Watch:

ELKS HILL:

- No updated activity.

SONORA KNOWLES:

- No updated activity.

Cases For discussion:

22-176– On February 5, 2021, Joe I. Hernandez, 59, of Modesto, was arrested for battery. Officers were called to the Opera House for a large fight involving a wedding party. During the abatement of hostilities between wedding parties, Hernandez struck another male in front of officers and was subsequently arrested. During a follow-up investigation by the primary officer, it was determined that Hernandez also committed an act of felony battery against an adult female, which initially went unreported.

22-249- On February 23, 2022, Adam D. Knight, 53, of Sonora, was arrested for battery, sexual battery, possession of paraphernalia, and possession of a controlled substance. Officers responded to a local business for a report of unwanted advances and touching by Knight. During the course of the investigation, the victim alleged that Knight touched both her buttocks and thigh. It was also determined that Knight was on probation with a search clause, and one was conducted, discovering drug paraphernalia and suspected narcotics.

Field Training Program:

- Three CSO's are expected to finish training in early March.

Contract/Reserve Officers:

- Reserve Officers Duffy and Frasier completed several shifts in February.

Dispatch:

- We have an open full-time and open part-time Dispatcher position.

Volunteers:

- Community Service Volunteers had limited participation in the month of February.

Respectfully Submitted

Sgt. Scott Mallon

Area 2 Monthly Report FEBRUARY 2022

Neighborhood Watch:

MYERS HILL:

- No updated activity.

N. STEWART:

- No updated activity.

HIGHLANDS VIEW:

- Inactive.

Cases for discussion:

22-256- On 2/25/2022, Collin King, 24 of Sonora was arrested for DUI and his passenger Forest Harris, 27 of Murphys was arrested for felony drug sales. An officer stopped a vehicle for a vehicle infraction which led to identifying the driver. King had been drinking at a downtown bar and was on his way driving home. After field sobriety tests, King was arrested for DUI. Harris was also discovered to possess a large quantity of a controlled substance on his person and in his belongings which included packaging material and a scale. Harris was eventually arrested for felony drug sales and the vehicle was towed from the scene.

22-238- On 2/20/2022, Scott Barron, 62 transient of Sonora, was arrested for public intoxication and felony possession of a concealed fixed blade knife. Officers were dispatched regarding a male found to be highly intoxicated and obstructing a sidewalk downtown. The male was found to be unable to care for himself in public while considering his high level of intoxication. Prior to transport to the jail, Barron was discovered to possess a concealed fixed blade knife which was readily accessible.

Recruitments:

- 1 Full-time Dispatcher
- 1 Part-time Relief Dispatcher

Training:

- One Officer completed Field Training Officer Update training.
- One Command Staff completed a California Public Records Act course.
- One Command Staff attended an Annual Legislative Training Symposium.
- Two Officers attended De-escalation, Intervention, and Force Mitigation training.
- A Community Service Officer attended Property and Evidence Management course.

Range:

- None

Respectfully Submitted,

Sgt. Chris Johnson



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Aimee New, Fire Chief

SUBJECT: Sonora Fire Department Monthly Report

RECOMMENDATION

Receive the Sonora Fire Department Monthly Report for February 2022

DISCUSSION

Below summarized the activities for February 2022.

Emergency Incidents

1. Sonora City Fire units responded to 148 calls for service in February.
2. Sonora City units responded to emergency calls for service as follows:

111 - Building Fire	2
113 - Cooking fire, confined to container	1
117 - Commercial Compactor fire, confined to rubbish	1
118 - Trash or rubbish fire, contained	2
131 - Passenger vehicle fire	2
141 - Forest, woods or wildland fire	1
150 - Outside rubbish fire, other	1
160 - Special outside fire, other	1
311 - Medical assist, assist EMS crew	25
321 - EMS call, excluding vehicle accident with injury	59
322 - Motor vehicle accident with injuries	1
324 - Motor vehicle accident with no injuries.	3
500 - Service call, other	1

510 - Person in distress, other	4
520 - Water problem, other	1
551 - Assist police or other governmental agency	2
553 - Public service	14
554 - Assist invalid	5
561 - Unauthorized burning	2
611 - Dispatched & cancelled enroute	9
622 - No incident found on arrival at dispatch address	3
631 - Authorized controlled burning	0
651 - Smoke scare, odor of smoke	2
700 - False alarm or false call, other	2
730 - System malfunction, other	1
740 - Unintentional transmission of alarm, other	1
743 - Smoke detector activation, no fire - unintentional	2
Total	148
3. Monthly dollar loss, resulting from fire:	0
4. The average response time during the month:	5:59 Minutes
5. Automatic or mutual aid given:	46

Washington Fire update: Working with CalOES to start the debris removal phase 1 in March.

FISCAL IMPACT

No fiscal impact to the General Fund.



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Mike Lagomarsino, Public Works Supervisor

SUBJECT: Sonora Public Works Department Monthly Report

RECOMMENDATION

Receive the Sonora Public Works Department Report for February 2022.

DISCUSSION

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

Events

- Placed banners above Washington Street for upcoming events.

Streets

- Made repairs to sidewalk hand railings on Barretta St. and Mono Way.
- Loaded and hauled four pay piles from different locations in the City.
- Removed large tree rounds left from downed tree on Lyons Street.
- Removed debris from rockslide on sidewalk on Stockton Street.
- Sanded for ice on City Streets and sidewalks following storm.
- Removed large bolder out of street following big rig accident on Pesce Way.
- Straightened and repaired several City street signs.
- Spent several days removing leaf piles on City streets.
- Spent several days potholing City streets.
- Continued annual weed abatement spray program on several roadside locations, Cemeteries, parks, and Landscapes throughout the City.
- Located and returned numerous abandoned shopping carts throughout the City.

Facilities

- Installed evidence security cage in the Police Department parking garage.
- Repaired lighting in server room at the Police Department.
- Hang mirror in office for City Historian.
- Picked up surplus office furniture for City Hall and Police Department.
- Made repairs to irrigation system and repaired front door at the Center for Non-Violence building on Stockton Road.
- Cleaned and inspected exterior security cameras at the Police Department.

Parks/Landscapes/Parking Lots

- Blew and removed leaves from several City parking lots and parks.
- Made repairs to drinking fountain at Woods Creek Rotary Park.
- Graffiti removal at Woods Creek Rotary Park.

- Weed wacked in several Landscape locations on Old Wards Ferry Rd, Sanguinetti Rd, and Mono Way.

Storm Drains

- Cleaned out numerous storm drain ditches throughout the City.

Cemeteries

- Prepared required monthly reports, installed headstones, checked messages daily, and returned phone calls.
- Filled several sunken plots at Mountain Shadow Cemetery.
- Weed wacked around all headstones in the lawn areas at Mountain Shadow Cemetery.
- Made several repairs to irrigation system and added new irrigation lines at Mountain Shadow Cemetery.

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

No fiscal impact to the General Fund



CITY COUNCIL AGENDA REPORT

MEETING DATE: March 21, 2022

TO: City Council Members

FROM: Rachelle Kellogg, Community Development Director

SUBJECT: Community Development Department Monthly Report

RECOMMENDATION

Receive the Community Development Department Monthly Report for February 2022.

DISCUSSION

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

ORDINANCE UPDATES – Staff has completed the comprehensive update of the City's Sign Ordinance and it is currently under review by the City Attorney's office. Staff anticipates having the final draft available to the public by the end of March to provide ample opportunity for their review before the April 11th Planning Commission Meeting where it will be a discussion item. Following this meeting, staff will review suggested revisions and make final changes before presenting it to the City Council for consideration. Staff has also completed the draft Accessory Dwelling Unit (ADU) Ordinance to bring it into compliance with State mandates. This draft has also been submitted to the City Attorney's office for review. Once completed, the draft will be submitted to the State Department of Housing and Community Development (HCD) for their input and approval before consideration by the Planning Commission.

OPERA HALL – Since March of 2020 the Sonora Opera Hall has basically sat empty as events were cancelled due to Covid. Very few events occurred in 2021 as those that tried to schedule events eventually cancelled due to its resurgence. Now that things are opening back up, bookings have increased and hopefully things will return to pre-Covid levels over the next few months.

FARMERS MARKET – The opening day for the Sonora Certified Farmers Market is Saturday, May 14th. Staff has updated vendor applications and the Market's rules and regulations for the 2022 season. These have been provided to all of the Market's vendors. Applications are due back to the City by April 22nd in order to secure a spot at the Market. Staff is also finalizing permits and other documentation required to start the Market.

ANNUAL GENERAL PLAN & HOUSING ELEMENT PROGRESS REPORT – Staff completed the City's Annual General Plan and Housing Element Progress Report. It includes information related to implementation of the General Plan's programs as well as progress towards meeting the City's Regional Housing Needs Allocation (RHNA). The State requires that this report be presented to the City Council for their acceptance and then submitted to the Governor's Office of Planning and Research and State Department of Housing and Community Development (HCD) by April 1st. HCD will review the submitted report to assure that mandated requirements have been met.

ATTACHMENTS

- February 2022 Monthly Report

MONTH OF FEBRUARY, 2022	COMMUNITY DEVELOPMENT DEPARTMENT ACTIVITY REPORT		CITY OF SONORA 94 N. WASHINGTON ST. SONORA, CA 95370		Item 16.
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 __11__		
Sonora Plaza 1 LLC	736 Mono Way	Tenant Imp. and remodel of interior of Pinocchio's	\$25,000	\$670.56
Nadereh & Hannah Mirrashed	679 Twilight Ct.	Install a 14.430 KW roof mount solar PV system	\$43,300	\$601.08
Christopher & Corinna Loh	459 Alpine Lane	Renew permit to finish deck	\$100.00	\$112.00
Diem Le Crocitto	493 S. Washington St.	Install a 7.2 KW roof mount solar PV system & new main	\$29,320	\$70.67
Jacqueline Amador	278 Lyons Street	Install a 8.8 KW roof mount solar PV system	\$56,689	\$344.00
Jacqueline Amador	278 Lyons Street	Install energy battery bank for solar system	\$21,000	\$360.25
John Engvall TR	173 Bourbon Street	Add battery to roof mount solar PV system	\$5,000	\$164.44
Stephanie Irvin	231 Hospital Road	Install a 6.39 KW roof mount solar PV system	\$20,000	\$300.00
Cassandra & James Wilson	266 Woodside Dr.	Install a 8.14 KW roof mount solar PV system	\$24,500	\$300.00
Doug & Jennifer Edwards	1365 Shaws Flat Road	Install a 10.8 KW solar PV system w/19.2 KW battery storage	\$45,000	\$618.25
Resource Dev't. Center	184 Fairview Lane	Re-route portion of water service	\$17,850	\$350.15

DEMOLITIONS				TOTAL UNITS __1__	Item 16.
NAME	LOCATION	TYPE	VALUATION	FEE	
Mary Curtain	540 S. Shepherd St.	Demo existing residence due to hazardous conditions	\$30,000	\$201.00	
SUBTOTAL __12__					
MISCELLANEOUS REPAIRS					
NUMBER OF PERMITS	VALUATION \$		FEE		
4	\$37,130		\$806.82		

TOTAL NUMBER OF PERMITS ISSUED	16
TOTAL VALUATION	\$354,889
SUB TOTAL OF PERMIT FEES COLLECTED	\$ 4,899.22
TOTAL FIRE DEPARTMENT FEES COLLECTED	\$ 120.00
TOTAL TRAFFIC FEES COLLECTED	\$ 0
TOTAL PUBLIC SAFETY FEES COLLECTED	\$ 0
TOTAL PARKS & RECREATION FEES COLLECTED	\$ 0
TOTAL FEES COLLECTED	\$ 5,019.22

FISCAL YEAR TO DATE

TOTAL NUMBER OF PERMITS ISSUED	101
TOTAL VALUATION	\$4,328,404
TOTAL FIRE DEPARTMENT FEES COLLECTED	\$3,461.25
TOTAL PUBLIC SAFETY FEES COLLECTED	\$0
TOTAL PARKS & RECREATION FEES COLLECTED	\$0
TOTAL TRAFFIC MITIGATION FEES COLLECTED	\$7,960.00
TOTAL PERMIT FEES COLLECTED	\$61,805.24