



Mission Statement: To foster a safe, vibrant, and prosperous community that enhances the quality of life for all

**CITY OF SONORA
City Council Regular Meeting
Agenda
Monday, September 21, 2026
5:00 PM**

NOTICE IS HEREBY GIVEN that the Sonora City Council will have their regular meeting on September 21, 2026, at 5:00 PM in the City of Sonora Council Chambers located at 94 N. Washington Street Sonora, CA 95370.

This meeting is physically open to the Public and citizens who wish to provide public comment during the meeting will be invited to do so by the Mayor.

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

Public Access Audio and Video Live Streaming

The Public will not have access to give public comments via public access audio and video live streaming; they are available for audio and visual only; and can be accessed via our website at www.sonoraca.com.

Remote viewing of the meeting via live streaming is provided to members of the public as a courtesy. If the live streaming connection malfunctions for any reason and no Council Members are attending via teleconference, the City Council will continue the public meeting in Chambers without remote access.

CITY COUNCIL appreciates your interest and encourages participation. Regularly scheduled meetings are held on the 1st and 3rd Monday of each month.

The numerical order of the items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Council Members. All questions shall be directed to the Mayor who, at their discretion, will refer to Staff.

Mayor Ann Segerstrom

Vice Mayor Andy Merrill

Council Members Bess Levine, Stephen Opie, Mark Plummer

City Administrator Christopher Gorsky

City Attorney Douglas White

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CLOSED SESSION - 4:00 PM

- A. Conference with Legal Counsel - Existing Litigation - Government Code Section 54956.9(d)(1) - In the Matter of the Abatement at 277 N. Shepherd Street (Superior Court of Tuolumne County; Case No. CV68716)
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): 1 potential case
- C. Liability Claims - Pursuant to Gov. Code, § 54956.95: Two (2) Claims, Claimants: Hang; Deir; Agency Claimed Against: City of Sonora; Chris Gorsky, City Administrator.

- 1. **CALL TO ORDER**
- 2. **ROLL CALL**
- 3. **PUBLIC COMMENTS**
- 4. **ADJOURN INTO CLOSED SESSION**
- 5. **RECONVENE INTO OPEN SESSION**

OPEN SESSION - 5:00 PM

- 6. **REPORT OUT OF CLOSED SESSION**
- 7. **PLEDGE OF ALLEGIANCE**
- 8. **ROLL CALL**
- 9. **CITY CLERK'S REPORT ON AGENDA POSTING**
- 10. **APPROVAL OF THE AGENDA**
- 11. **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.

12. PRESENTATIONS

A. Receive the Ceremonial Swearing-In of the City's New Director of Administrative Services Elizabeth Peterson; Nicole McCutchen, Administrative Services Officer/City Clerk.

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B. Receive a Presentation of the Proposed Scope of Work from Visit Tuolumne County for Tourism Marketing Services Effective July 1, 2026, through June 30, 2027; Lisa Mayo, President and CEO; Myrka Cringle Marketing and Communications Manager, Visit Tuolumne County.

13. 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.

A. Consider Approval of the Meeting Minutes from September 8, 2026; Stacy Enos-Del Razo, Deputy City Clerk.

B. Consider Acceptance of Disbursements in the Amount of \$207,940.11 and \$203,903.98 for Payroll, Including Employee Salaries, Employer and Employee Taxes, Retirement Contributions, Miscellaneous Voluntary Employee Deductions, Holiday Pay, and Other Adjustments, Including Retro-Pay; Nicole McCutchen, Administrative Services Officer/City Clerk.

C. Consider Giving Direction to Staff to Submit a Notice of Exemption, Utilizing Class 1 and 11 Exemptions, with the Office of Planning and Research and the County Clerk as the Appropriate Level of Environmental Document for the City of Sonora Parking Lots Improvement Project; Tyler Summersett, Community Development Director.

D. Amendment No. 1 to the Tourism Marketing Agreement with Visit Tuolumne County, Removal of the \$150,000 Compensation Cap and Restoration of Compensation at 25% of Transient Occupancy Tax; Chris Gorsky, City Administrator

14. PUBLIC HEARINGS

A. Consider Adoption of the following:

City Council Resolution 09-21-2026-A to Approve the Formal Vacation of the Right-of-Way Area at the Intersection of Old Wards Ferry Road and Sanguinetti Road; and

City Council Resolution 09-21-2026-B to Approve an Agreement to Transfer the Land to the Adjacent Landowner and Subject to the Provisions Contained Therein; and

Introduce City Council Ordinance No. 917 to Rezone a Portion of the Area from Open Space to General Commercial.

Tyler Summersett, Community Development Director.

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15. COUNCIL MEMBER REPORTS

16. ADJOURNMENT

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CITY COUNCIL AGENDA REPORT

CITY HALL

CITY OF SONORA 94 N. WASHINGTON STREET, SONORA, CA 95370 P: (209) 532-4541

SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: September 21, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Nicole McCutchen, Administrative Services Officer/City Clerk

SUBJECT: Receive the Ceremonial Swearing-In of the City's New Director of Administrative Services, Elizabeth Peterson.

RECOMMENDATION:

Receive the Ceremonial Swearing-In of the City's New Director of Administrative Services Elizabeth Peterson.

BACKGROUND:

The City of Sonora recently completed the recruitment process for the key leadership position of Director of Administrative Services. This position plays an important role in overseeing the City's administrative and financial operations and supporting the City Council, City Administrator, and City departments in the effective delivery of municipal services.

Following completion of the recruitment and selection process, Elizabeth Peterson was selected to serve as the City's new Director of Administrative Services.

Mrs. Peterson has more than 10 years of local government experience with Tuolumne County, most recently serving as Deputy County Administrator. Her experience encompasses a broad range of administrative and management functions, including budgeting, personnel, purchasing, contracts, grants, organizational planning, and Board initiatives. She led the development of the County's approximately \$330 million annual budget and established a countywide Budget Team designed to strengthen collaboration and transparency in financial planning.

Her leadership experience also includes serving as the County's Office of Emergency Services Coordinator, overseeing personnel functions, serving as Department Head for the Library and Parks and Recreation departments, and managing complex countywide projects and initiatives. Additionally, Mrs. Peterson developed and oversaw the County's Forest Health Program, which grew into a regional effort exceeding \$100 million and involving partnerships among local, state, federal, tribal, and nonprofit organizations.

A lifelong Sonora resident, Mrs. Peterson, brings both extensive public-sector experience and a strong connection to the community. Her leadership philosophy emphasizes collaboration, open communication, employee engagement, and building effective teams.



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The City is pleased to welcome Elizabeth Peterson as Director of Administrative Services and looks forward to her leadership and contributions to the City organization and the Sonora community.

DISCUSSION / ANALYSIS:

California law requires all public officials to take the Oath of Allegiance before performing their duties. Government Code sections 36507 and 1360–1363 establish the obligation for public officers and employees to swear to support and defend the Constitution of the United States and the Constitution of the State of California.

In keeping with City tradition and in recognition of the importance of these leadership roles, staff recommend that the City Council conduct a formal swearing-in ceremony for both appointees during the Council meeting. The City Clerk will administer the Oath of Office. Family members and guests may participate in the pinning ceremony as appropriate. This ceremonial action provides an opportunity for the City Council and community to publicly welcome the new City Administrator and Fire Chief and acknowledge their commitment to serving the City of Sonora.

FISCAL IMPACT:

No Fiscal Impact to the General Fund

CORE COUNCIL PRIORITIES:

Staffing - Salary, Benefits, Training, and Retention



CITY COUNCIL AGENDA REPORT

CITY HALL

CITY OF SONORA 94 N. WASHINGTON STREET, SONORA, CA 95370 P: (209) 532-4541

SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: September 21, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Mayo President and CEO; Myrka Cringle Marketing and Communications Manager

SUBJECT: Receive a Presentation of the Proposed Scope of Work from Visit Tuolumne County for Tourism Marketing Services Effective July 1, 2026, through June 30, 2027.

RECOMMENDATION:

Receive a Presentation of the Proposed Scope of Work from Visit Tuolumne County for Tourism Marketing Services Effective July 1, 2026, through June 30, 2027.

BACKGROUND:

In May 2023, the City of Sonora entered into its first independent contract with Visit Tuolumne County (VTC) to support the dedicated marketing and branding of the City as a unique tourism destination within Tuolumne County. This partnership marked the City's initial investment in specialized tourism services focused exclusively on promoting Sonora's businesses, attractions, events, and community character to both regional and statewide audiences.

Since that time, VTC has implemented targeted strategies, including digital advertising, media placements, and content creation tailored to Sonora's distinct identity. The campaign efforts have aligned with key themes such as historic charm, accessibility, affordability, location, and wellness-based travel.

DISCUSSION / ANALYSIS:

For the 2026–2027 fiscal year, VTC will present a refined scope of work to continue momentum and maximize the City's visibility as a vibrant destination. The proposed services will further strengthen Sonora's position in the marketplace, with an emphasis on:

- Strategic digital ad placements and performance-driven campaigns.
- Participation in familiarization (FAM) tours that include Sonora lodging, dining, and attractions.
- Media and influencer outreach focused on Sonora-specific experiences.
- Content creation.
- Ongoing updates and optimization of the Sonora landing page on VisitTuolumne.com.
- Continued representation at consumer and trade shows.

This next phase of work is designed to leverage what was created through the original contract period and build



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on the strengths of Sonora's offerings, creating more opportunities for visitor engagement, economic growth, and local business support.

VTC will provide regular reporting to ensure alignment with City goals throughout the year.

FISCAL IMPACT:

There is no additional impact to the General Fund. Allocation as approved in the FY 2026-27 Budget.

ATTACHMENTS:

Scope for Work for the City of Sonora Fiscal Year 2026-2027.

CORE COUNCIL PRIORITIES:

Fiscal Responsibility and Stability, Economic Development/Growth and General Plan



SCOPE OF WORK FOR THE CITY OF SONORA

PRESENTED BY VISIT TUOLUMNE COUNTY
FISCAL YEAR 2026 - 2027

ADVERTISING

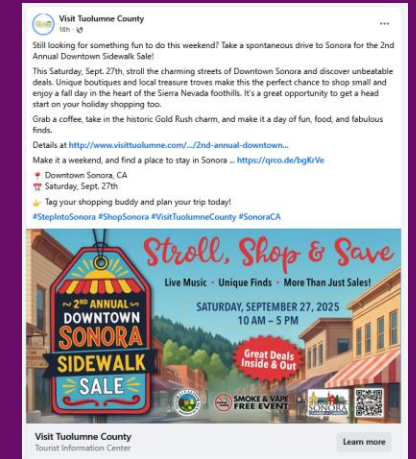
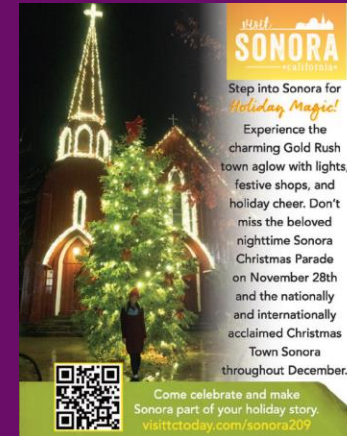
NEW: VISIT CALIFORNIA NEWSLETTER
SPONSORSHIP - \$3,000

PRINT ADS - \$7,500

DIGITAL ADS - \$8,600

SOCIAL MEDIA ADS - \$3,250

DIGITAL GATEWAY BILLBOARDS - \$3,360



FAMILIARIZATION TOURS

FAMILIARIZATION TOURS (TRADE OR MEDIA) - \$5,000

- Costs of hosting may include lodging, meals, activities, and costs associated with transportation.

FILM INDUSTRY FAMILIARIZATION TOURS (TRADE OR MEDIA) - \$800

- VTC will lead a film familiarization trip Sept. 25th - 28th, 2026, hosting six location scout managers from the film industry to showcase Tuolumne County and introduce them to potential filming locations, including Sonora.



PROGRAM CO-OPS



ADVERTISING AGENCY - \$49,000

- KHM is an award winning destination marketing agency specializing in travel and tourism. This cost represents account management, digital media management, and creative services.

DESTINATION VIDEO - \$5,000

- VTC is contracting KHM for a full production, two-day shoot resulting in a county – wide destination video, which includes Sonora.

VOYAGE SIGNAL - \$2,500

- Voyage Signal will provide VTC with data-driven, real – time, high valuable insights that connect website and media management directly to actual visitation, campaign impact, and booking conversions.

TUOLUMNE COUNTY TRAVEL GUIDE - \$7,000

- Every year, VTC creates and distributes the official Tuolumne County Travel Guide. This cost includes a portion of creation, printing, distribution, and postage.

PROGRAM CO-OPS

INTERNATIONAL MARKETS - \$4,800

- VTC will have international representation in the UK/Ireland and Mexico markets.

PUBLIC RELATIONS PLATFORM- \$2,500

- This cost includes the Muck Rack platform, that distributes media pitches and press releases. Included are the costs for media conferences.

VTC WEBSITE - \$4,500

- This cost represents account management, digital media management, and creative services.

MOBILE TRAIL HOSTING AND MAINTENANCE - \$3,000

- VTC hosts and maintains four mobile trails (digital passports) that help introduce visitors to destinations throughout the county, including the Sonora selfie trail.

SHARED MARKETING COSTS



TRAVEL CONSUMER AND TRADE SHOWS - \$4,000

- VTC participates in annual travel consumer and trade shows where the team is able to conduct meaningful one - on - one conversations to promote the county, including dedicated efforts to showcase the City of Sonora as a key destination.

DUES AND SUBSCRIPTIONS - \$1,155

- To leverage our partnerships and marketing reach, VTC belongs to several important industry associations, such as CalTravel, the U.S. Travel Association, and One West Tourism Alliance, among other national and regional organizations. Each association is relevant to the success and growth of VTC.

CREATIVE DESIGN- \$500

- VTC works with a graphic designer for creative services for ads that are placed in-house, logos for special campaigns, and designs for merchandise and promotional items.

EDUCATION/CONFERENCES - \$1,470

- To keep up with the industry and marketing trends VTC attends industry conferences. These conferences introduce the team to new products, ways of doing business, and of course the latest market research and tourism trends.

SHARED MARKETING COSTS



OFFICE EXPENSES - \$10,000

- These costs include rent, utilities, office expenses, and other costs associated with operating the VTC Visitors Center and staff offices, which are located in downtown Sonora.

PAYROLL - \$40,000

- This cost is associated with staff time that will be dedicated to the City of Sonora marketing projects and includes salary, benefits, and payroll services.



THANK YOU!



CITY COUNCIL AGENDA REPORT

CITY HALL

CITY OF SONORA 94 N. WASHINGTON STREET, SONORA, CA 95370 P: (209) 532-4541
SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: September 21, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Stacy Enos-Del Razo, Deputy City Clerk

SUBJECT: Meeting Minutes from September 8, 2026.

RECOMMENDATION:

Consider Approval of the Meeting Minutes from September 8, 2026.

DISCUSSION / ANALYSIS:

Staff Recommends the City Council Approve the Meeting Minutes from September 8, 2026.

FISCAL IMPACT:

No Fiscal Impact on the General fund.

ATTACHMENTS:

Meeting Minutes from September 8, 2026

CORE COUNCIL PRIORITIES:

Fiscal Responsibility and Stability, Infrastructure and Engineering, Public Safety and Disaster Preparedness, Economic Development/Growth and General Plan, Homelessness Issues, Staffing - Salary, Benefits, Training, and Retention



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**CITY OF SONORA
City Council Regular Meeting
Minutes
Tuesday, September 08, 2026
5:00 PM**

NOTICE IS HEREBY GIVEN that the Sonora City Council will have their regular meeting on September 8, 2026, at 5:00 PM in the City of Sonora Council Chambers located at 94 N. Washington Street Sonora, CA 95370.

This meeting is physically open to the Public and citizens who wish to provide public comment during the meeting will be invited to do so by the Mayor.

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Mayor Ann Segerstrom

Vice Mayor Andy Merrill

Council Members Bess Levine, Stephen Opie, Mark Plummer

City Administrator Christopher Gorsky

City Attorney Douglas White

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OPEN SESSION - 5:00 PM

PLEDGE OF ALLEGIANCE

Councilmember Bess Levine led the Pledge of Allegiance.

ROLL CALL

PRESENT

Mayor Ann Segerstrom

Vice Mayor Andy Merrill

Councilmember Bess Levine

Councilmember Stephen Opie

Councilmember Mark Plummer

CITY CLERK'S REPORT ON AGENDA POSTING

The Agenda was posted on Friday, September 4, 2026, at 12:32 pm.

APPROVAL OF THE AGENDA

Motion made by Councilmember Mark Plummer, Seconded by Vice Mayor Andy Merrill. Voting Yea: Mayor Ann Segerstrom, Vice Mayor Andy Merrill, Councilmember Bess Levine, Councilmember Stephen Opie, Councilmember Mark Plummer

PUBLIC COMMENT (NON-AGENDA ITEMS)

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Mayor Ann Segerstrom made comments.

District 1 Supervisor Mike Holland addressed the Council.

Councilmembers made comments.

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.

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1. Consider Approval of the Meeting Minutes from August 17, 2026; Stacy Enos-Del Razo, Deputy City Clerk.
2. Consider Acceptance of an Informational Report for August 2026 Accounts Payable Payment Register and Void Report; Chris Gorsky, City Administrator
3. Consider Approval of the Memorandum of Agreement Between the City of Sonora and the Twain Harte Community Services District, the Mi-Wuk Sugar Pine Fire Protection District, the Tuolumne County Fire Department, and the Tuolumne Band of Me-Wuk Indians Pertaining to Assistance Under the California Fire and Rescue Mutual Aid System for the Dove Fire, and Authorize the City Administrator to Execute the Agreement; Brittan Gregory, Fire Chief.
4. Consider Authorization for the Mayor to Sign a Letter in Support of the Tuolumne County Veteran's Service Office Glory Garden project; Chris Gorsky, City Administrator.

A member of the public addressed the Council.

Brittan Gregory Fire Chief made comments and thanked the Fire Protection Districts.

Motion made by Councilmember Bess Levine, Seconded by Councilmember Stephen Opie. Voting Yea: Mayor Ann Segerstrom, Vice Mayor Andy Merrill, Councilmember Bess Levine, Councilmember Stephen Opie, Councilmember Mark Plummer

NEW BUSINESS

5. Consider Acceptance of the Appeal Filed for the Planning Commission Decision on August 20, 2026, and Schedule the Appeal Hearing for October 19, 2026. Giving Staff Sufficient Time to Publish the Public Notice and Prepare the Appeal Hearing Documents; Tyler Summersett, Community Development Director.

Tyler Summersett Community Development Director reviewed the Appeal filed for the Planning Commission decision on August 20, 2026, and recommended scheduling the Appeal Hearing for October 19, 2026.

Councilmembers discussed and asked questions.

Intermittent Audio and Video disruptions occurred during public comment.

Motion made by Councilmember Stephen Opie, Seconded by Councilmember Mark Plummer. Voting Yea: Vice Mayor Andy Merrill, Councilmember Bess Levine, Councilmember Stephen Opie, Councilmember Mark Plummer
Voting Abstaining: Mayor Ann Segerstrom

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6. Consider Approval and Award the FY 25/26 Parking Lots Improvement Project Construction Contract to Taylor Backhoe Service, Inc. (TBS) Based on the Lowest Responsive Base Bid for Construction in the Amount of \$703,221.71; and

Consider Approval of Task Order 26-08 Contract Amendment #2 to Dewberry Engineers Inc. for Associated Construction Management, Engineering Support, and Inspection Costs in the Amount of \$149,344.76; and

Consider Approval of the Bid Alternative to Include Solar Street Lighting in the Project in the Amount of \$105,000; and

Consider Authorization for City Administrator to Approve Construction Change Orders up to a Combined Total of 15% of the Construction Contract.

Items 1-4 will be Presented by Carlye Buchholz, City Engineer.

Tyler Summersett Community Development Director addressed the Council on Item B, Items 1-4; **Carlye Buchholz City Engineer** was available, but due to intermittent Audio and Video disruptions she was unable address the Council.

Councilmembers asked questions and discussed.

Carlye Buchholz City Engineer was available to answer any additional questions.

No public comment.

Motion made by Councilmember Mark Plummer, Seconded by Vice Mayor Andy Merrill. Voting Yea: Mayor Ann Segerstrom, Vice Mayor Andy Merrill, Councilmember Bess Levine, Councilmember Stephen Opie, Councilmember Mark Plummer

7. Consider Approval of a Contract with Bear Electric for Traffic Signal Maintenance within the City of Sonora; Tyler Summersett, Community Development Director.

Tyler Summersett Community Development Director reviewed the contract with Bear Electric for traffic signal maintenance. Intermittent Audio and Video disruptions occurred during his review.

Councilmembers asked questions and discussed.

Kevin Starks asked a question, Tyler Summersett Community Development Director responded.

A member of the public addressed the Council, Tyler Summersett Community Development Director responded.

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Motion made by Vice Mayor Andy Merrill, Seconded by Councilmember Bess Levine. Voting Yea: Mayor Ann Segerstrom, Vice Mayor Andy Merrill, Councilmember Bess Levine, Councilmember Stephen Opie, Councilmember Mark Plummer

COUNCIL MEMBER REPORTS

Councilmember Stephen Opie attended the Integrated Regional Water Management JPA and and Water Advisory Committee (IRWM).

Councilmember Bess Levine had nothing to report.

Vice Mayor Andy Merrill attended the Tuolumne County Board of Supervisors meeting.

Councilmember Mark Plummer had nothing to report.

Mayor Ann Segerstrom attended the Chamber Mixer; Central Sierra Economic Development District Board meeting; Camp Justice Fund Raiser; and the Remote Access Network (RAN) System Board meeting.

ADJOURNMENT

Adjourned at 5:50 pm.

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CITY COUNCIL AGENDA REPORT

CITY HALL

CITY OF SONORA 94 N. WASHINGTON STREET, SONORA, CA 95370 P: (209) 532-4541
SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: September 21, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Nicole McCutchen, Administrative Services Officer

SUBJECT: Disbursements in the Amount of \$207,940.11 and \$203,903.98 for Payroll

RECOMMENDATION:

Consider Acceptance of Disbursements in the Amount of \$207,940.11 and \$203,903.98 for Payroll, Including Employee Salaries, Employer and Employee Taxes, Retirement Contributions, Miscellaneous Voluntary Employee Deductions, Holiday Pay, and Other Adjustments, Including Retro-Pay.

DISCUSSION / ANALYSIS:

The August payroll included Hiring Bonus Incentives Pay for some Police Officers.

These were the 1st and 2nd payrolls of 26 for FY 2026/27; In total, we have expended 8.43% of the Salaries and Wages for the FY26-27 budget, we are on budget.

FISCAL IMPACT:

Disbursements are part of the approved FY2026/27 Budgets.

CORE COUNCIL PRIORITIES:

Fiscal Responsibility and Stability, Staffing - Salary, Benefits, Training, and Retention



CITY COUNCIL AGENDA REPORT

CITY HALL

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SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: September 21, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Tyler Summersett, Community Development Director

SUBJECT: Submit a Notice of Exemption (NOE) for the City of Sonora Parking Lots Improvement Project, Utilizing Class 1 (Existing Facilities) and Class 11 (Accessory Structures) Exemptions

RECOMMENDATION:

Consider Giving Direction to Staff to Submit a Notice of Exemption, Utilizing Class 1 and 11 Exemptions, with the Office of Planning and Research and the County Clerk as the Appropriate Level of Environmental Document for the City of Sonora Parking Lots Improvement Project.

BACKGROUND:

The City of Sonora's Capital Improvement Program (CIP) identifies priority projects City-wide that are intended for improvement/investment. The parking lots at Lyons and Stewart and Stewart and Church are in the CIP and have been prioritized for funding. In August the City advertised an invitation to bid on re-constructing both lots. At the September 8, 2026 City Council meeting a contract with Taylor Backhoe Service was approved. This project requires submittal of an environmental document to the State Clearinghouse consistent with the California Environmental Quality Act guidelines.

DISCUSSION / ANALYSIS:

The parking lots improvement project qualifies for two (2) exemptions, both listed below:

Class 1, Section 15301 Existing Facilities

Reasons why project is exempt: Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, involving negligible or no expansion of existing or former use.

Class 11, Section 15311 Accessory Structures

Class 11 consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including, but not limited to (b) small parking lots.

The exemptions exist for projects such as the City's parking lot projects and help expedite delivery of projects in areas that have already been significantly disturbed and where no change of use is proposed. Staff will submit the attached Notice of Exemption to CEQA.net for posting.



CITY COUNCIL AGENDA REPORT

CITY HALL

CITY OF SONORA 94 N. WASHINGTON STREET, SONORA, CA 95370 P: (209) 532-4541
SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

FISCAL IMPACT:

Filing a Notice of Exemption can be done electronically and is expected to cost less than \$200.

ATTACHMENTS:

Notice of Exemption

CORE COUNCIL PRIORITIES:

Fiscal Responsibility and Stability, Infrastructure and Engineering, Public Safety and Disaster Preparedness, Economic Development/Growth and General Plan, Homelessness Issues

City of Sonora, CDD

Tyler Summersett, Community Development Director

94 N. Washington St

Address

Sonora, CA 95370

City, State, Zip

Notice of Exemption



To: Tuolumne County Clerk/Recorder
2 S Green St
Sonora, CA 95370-4618

Applicant/Project Title: City of Sonora – Reconstruct Two City of Sonora Parking Lots
94 N. Washington Street
Sonora, CA 95370 (209) 968-9329

Project Location: The project sites are located at Stewart and Lyons & Stewart and Church Streets, Sonora, CA 95370.

Project Description: Parking Lot #1 – Stewart Street and Church Streets consists of 12 standard parking stalls, 2 compact parking stalls, and 1 ADA compliant parking stall (15 total), including regrading, reconstruction, sidewalk along perimeter, reconstruction of adjacent Church Street and planter box for future landscaping.

Parking Lot #2 – Stewart Street and Church Streets consists of 44 standard parking stalls, 2 compact parking stalls, and 2 ADA compliant parking stalls (48 total), including regrading, reconstruction, sidewalk, Bradford Street reconstruction and street crossing and ADA improvements.

Class 1, Section 15301 Existing Facilities

Reasons why project is exempt: Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, involving negligible or no expansion of existing or former use.

Class 11, Section 15311 Accessory Structures

Class 11 consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including, but not limited to (b) small parking lots.

This is to advise that the City of Sonora City Council, as the lead agency in accordance with CEQA, adopted Class 1 and Class II, Categorical Exemptions, on **September 21, 2026**, for the above-described project.

Lead Agency Contact Person: Tyler Summersett
Community Development Director
City of Sonora

Telephone Number: (209) 532-3508 X2

Signature (Public Agency): _____ Date: _____

Date received for filing at OPR: _____

FILE # _____ **FILE NAME** _____
AUTHORIZED SIGNATURE _____

RECEIPT # _____
FEE STATUS _____



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SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: September 21, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Chris Gorsky, City Administrator

SUBJECT: Amendment No. 1 to the Tourism Marketing Agreement with Visit Tuolumne County, Removal of the \$150,000 Compensation Cap and Restoration of Compensation at 25% of Transient Occupancy Tax.

RECOMMENDATION:

Staff recommend that the City Council:

1. Approve Amendment No. 1 to the Tourism Marketing Agreement between the City of Sonora and Visit Tuolumne County, removing the \$150,000 annual compensation cap and restoring Consultant compensation at twenty-five percent (25%) of Transient Occupancy Tax (TOT), effective July 1, 2026; and
2. Authorize the City Administrator to execute Amendment No. 1

BACKGROUND:

On July 3, 2023, the City entered into a Tourism Marketing Agreement (the "Agreement") with Visit Tuolumne County (VTC), the County's designated destination marketing organization, to provide tourism marketing and promotion services for the City of Sonora. The Agreement runs from July 1, 2023 through June 30, 2028. Under Section 2, the Scope of Services is treated as an annual professional services engagement and is mutually evaluated and defined each year by June 1.

Section 4 of the Agreement sets VTC's compensation at "25% of the TOT, or \$150,000," and provides that in no event shall compensation exceed \$150,000 without additional written authorization and an amendment to the Scope of Services.

In practice, the \$150,000 figure operates as a ceiling on VTC's compensation: it equals 25% of \$600,000 in annual TOT, so whenever the City's TOT exceeds that level, VTC's share is held flat at \$150,000 rather than tracking the percentage the Agreement was built around.

The City's TOT is generated by overnight visitors, and VTC's marketing program is intended to grow that revenue. The percentage-based structure was the original basis of the partnership: it ties VTC's funding directly to the visitor activity its work is meant to produce, and it scales the City's investment with the City's receipts.



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SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DISCUSSION / ANALYSIS:

Staff recommends amending the Agreement to remove the fixed \$150,000 cap and return to a straight 25% of TOT for the remainder of the term, for three reasons.

- **The FY 2026-27 Scope of Services exceeds the cap.** The annual Scope of Services developed with VTC for the current fiscal year exceeds \$150,000. Under the Agreement as written, the City cannot compensate VTC for that scope without a written authorization and amendment in any event. Restoring the percentage formula resolves this for the current year and avoids the need to return to Council each year the scope and the cap diverge.
- **The cap penalizes VTC in strong revenue years.** When visitor activity is strong and TOT rises, the cap holds VTC's funding flat even though VTC's marketing effort is a contributor to that growth. The City does not wish to penalize its marketing partner in the years its program performs best. Removing the cap restores the incentive alignment that the 25% formula was intended to create.
- **The cost to the City is expected to be minimal.** The City's TOT has been reasonably flat in recent years, and 25% of TOT has remained at or near the \$150,000 level. The amendment therefore changes the outcome only in years when TOT grows, in which case the additional payment to VTC is funded by the additional TOT received.

FISCAL IMPACT:

Under the amendment, VTC's compensation will equal 25% of the TOT received by the City rather than the lesser of that amount or \$150,000. Because TOT has been reasonably flat, staff expects the near-term impact on the General Fund to be minimal. In any year in which TOT exceeds \$600,000, the amount payable to VTC will exceed \$150,000 by 25% of the TOT above that threshold; that additional cost is offset dollar-for-dollar by the additional TOT received, with the remaining 75% retained by the City. In a year in which TOT falls below \$600,000, the City's obligation will be less than \$150,000.

ATTACHMENTS:

- Amendment #1 to the Tourism and Marketing Agreement.

CORE COUNCIL PRIORITIES:

Fiscal Responsibility and Stability, Infrastructure and Engineering, Public Safety and Disaster Preparedness, Economic Development/Growth and General Plan, Homelessness Issues, Staffing - Salary, Benefits, Training, and Retention



City of Sonora

94 N. Washington Street
Sonora, CA 95370
(209) 532-4541
sonoraca.com

Amendment No. 1 to Tourism Marketing Agreement

This Amendment No. 1 ("Amendment") to the Tourism Marketing Agreement is made and entered into as of the 21 day of September, 2026, by and between the **CITY OF SONORA**, a municipal corporation ("City"), and **Visit Tuolumne County** ("Consultant"). City and Consultant are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

RECITALS:

- A. City and Consultant entered into that certain Tourism Marketing Agreement dated as of July 3, 2023 (the "Agreement"), under which Consultant provides tourism marketing services to the City for a term commencing July 1, 2023 and continuing until June 30, 2028.
- B. Section 4 of the Agreement provides that compensation to be paid to Consultant shall be 25% of the TOT, or \$150,000, and that in no event shall Consultant's compensation exceed \$150,000 without additional written authorization and amendments to the Scope of Services from the City.
- C. The Parties desire to amend the Agreement to remove the \$150,000 limitation on Consultant's compensation and to provide that Consultant's compensation shall be twenty-five percent (25%) of the TOT, without a fixed dollar cap or minimum, and to conform the method of payment accordingly.
- D. Section 17 of the Agreement provides that the Agreement may be modified or amended only by a written document executed by both Consultant and City.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AMENDMENT

1. Amendment of Section 4 (Compensation). Section 4 of the Agreement is hereby deleted in its entirety and replaced with the following:

4. Compensation. Compensation to be paid to Consultant shall be twenty-five percent (25%) of the TOT. Reconciliation and payments will occur quarterly.
2. Amendment of Section 5 (Method of Payment). Section 5 of the Agreement is hereby deleted in its entirety and replaced with the following:

5. Method of Payment. The Consultant shall provide quarterly progress reports by September 30, December 31, March 31, and June 30. City will provide twenty-five

percent (25%) of the quarterly TOT payment by October 31, January 31, April 30, and July 31.”

3. Removal of Dollar Limitation. Any reference in the Agreement, in Exhibit A thereto, or in any annual Scope of Services established pursuant to Section 2 of the Agreement to a \$150,000 limitation on Consultant’s compensation, or to a \$37,500 minimum quarterly payment, is hereby deleted and shall be of no further force or effect. Nothing in this Amendment alters the Parties’ obligation under Section 2 of the Agreement to mutually evaluate and define the Scope of Services each year by June 1st, nor the City’s rights under Section 6 (Extra Work) of the Agreement.
4. Effective Date. This Amendment shall be effective as of July 1, 2026 (the “Effective Date”), and shall apply to all TOT for the fiscal year commencing July 1, 2026 and for the remainder of the term of the Agreement. Compensation for services performed prior to the Effective Date shall remain governed by the Agreement as it existed prior to this Amendment.
5. Remaining Terms Unaffected. Except as expressly modified by this Amendment, all terms, conditions, and provisions of the Agreement, including Exhibit A, remain unchanged and in full force and effect, and are hereby ratified and confirmed by the Parties. In the event of any conflict between the terms of this Amendment and the terms of the Agreement, the terms of this Amendment shall control.
6. Defined Terms. Capitalized terms used but not defined in this Amendment shall have the meanings given to them in the Agreement. From and after the Effective Date, all references to the “Agreement” shall mean the Agreement as amended by this Amendment.
7. Authority. Each Party warrants that the individuals who have signed this Amendment have the legal power, right, and authority to make this Amendment and to bind each respective Party.
8. Counterparts. This Amendment may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the Parties when at least one copy hereof shall have been signed by both Parties hereto.

IN WITNESS WHEREOF, the Parties have caused this Amendment No. 1 to be executed on the date first written above.

CITY OF SONORA:

VISIT TUOLUMNE COUNTY:

By: _____

By: _____

Chris Gorsky,
Title: City Administrator

Lisa Mayo,
Title: President & CEO

ATTEST:

City Clerk



CITY COUNCIL AGENDA REPORT

CITY HALL

CITY OF SONORA 94 N. WASHINGTON STREET, SONORA, CA 95370 P: (209) 532-4541

SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: September 21, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Tyler Summersett, Community Development Director
Josh Varinsky, City Attorney's Office

SUBJECT: Right-of-Way Vacation near Old Wards Ferry Road and Sanguinetti Road; Agreement for Land Transfer, Maintenance, and Use Restrictions; and Zoning Actions Relating to Future Development of Parcel 1 Consistent with Rezoning to General Commercial (C).

RECOMMENDATION:

Consider Adoption of the following:

- (a) City Council Resolution 09-21-2026-A to Approve the Formal Vacation of the Right-of-Way Area at the Intersection of Old Wards Ferry Road and Sanguinetti Road; and
- (b) City Council Resolution 09-21-2026-B to Approve an Agreement to Transfer the Land to the Adjacent Landowner and Subject to the Provisions Contained Therein; and
- (c) Introduce City Council Ordinance No. 917 to Rezone a Portion of the Area from Open Space to General Commercial.

BACKGROUND:

Vacations are processed in accordance with the California Streets and Highways Code. This item has been considered by the Planning Commission and determined to be consistent with the adopted General Plan, and further recommended approval of the associated actions.

The subject property is at the northeast corner of Sanguinetti and Old Wards Ferry roads. As shown in the site depictions, the property is depicted as two parcels for discussion purposes and the proposed land conveyance. One parcel is approximately 13,418 square feet south of the Sierra Railroad (referred to herein as "Parcel 1"), and the other parcel is approximately 5,868 square feet north of the Sierra Railroad (referred to herein as "Parcel 2").

Based on staff's review of title and planning records, it appears that the City originally acquired portions of these parcels when this area was annexed into the City, and subsequently by deed for right-of-way purposes. With development of Lowe's, this intersection was realigned to its current condition, when Old Wards Ferry Road was shifted west to align with Greenley Road. A portion of the property remains within the right-of-way of Old Wards Ferry Road.



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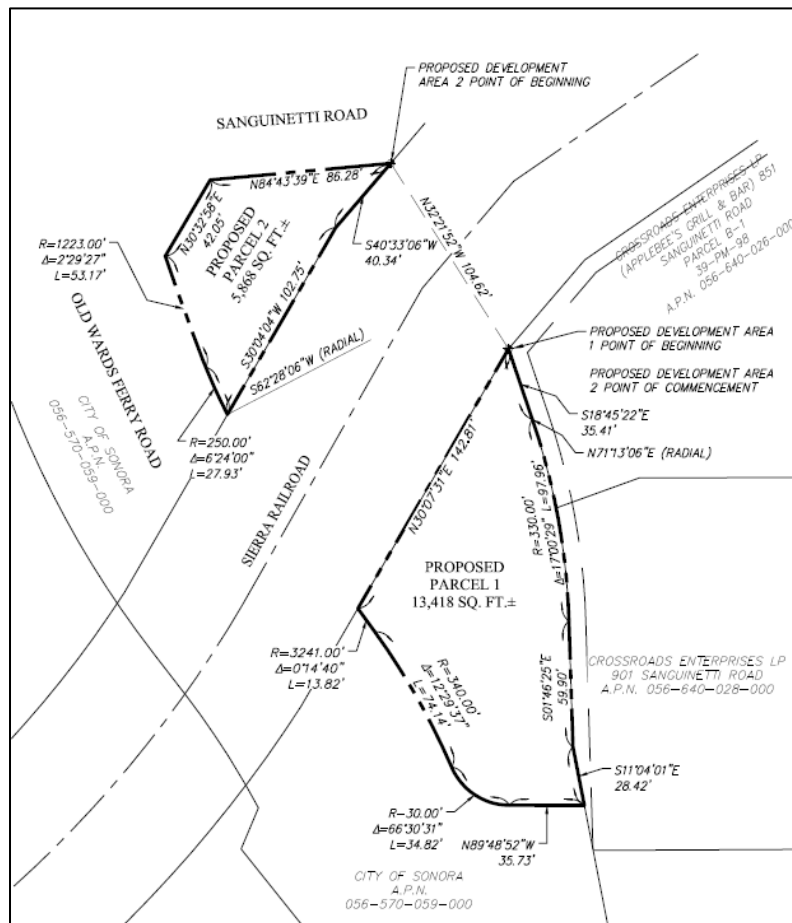




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DISCUSSION / ANALYSIS:

Staff has reviewed the Circulation Element of the General Plan and the City's Capital Improvement Plans to determine if the area is excess right-of-way. Based on staff's review, this area appears to have been annexed to the City around 1989. A portion of the property subject to the vacation was also dedicated to the City by parcel map in 2004. However, with development of the Lowes, Old Wards Ferry Road was shifted to the west to align with Greenley Road. Therefore, title to the property remains with the City and requires formal abandonment before the City can convey the property.

Upon review of applicable General Plan goals, policies, and objectives, vacating this segment of right-of-way would not conflict with following:



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- 2.A.1 Maintain existing streets and highways in the City and regional transportation system to meet projected needs and planned functions.
- 2.A.4 Safeguard lands identified for future transportation corridors and facilities to ensure their future use.
- 2.C Reduce impacts on the City's roadways and provide a wide variety of alternative methods of transportation for the City's residents and visitors of all income levels.
- 2.C.1 Encourage the maintenance and expansion of public transportation opportunities for the citizens of the City of Sonora and Tuolumne County.

The vacation of this right-of-way will have no negative impact on the City's transportation system and will also relieve the City of maintenance and liability burdens. Accordingly, the right-of-way vacation can be deemed unnecessary for public use and will not impede the City's ability to meet its 2020 General Plan goals, policies, and programs.

In connection with the right-of-way vacation, also for consideration is an agreement with the landowner for conveyance of the property. The agreement is explained further in the following section.

COVENANT AND AGREEMENT REGARDING PROPERTY TRANSFER, IMPROVEMENTS, AND USE RESTRICTIONS

As the City is the owner of the land, the City may convey the land pursuant to an agreement. The owner of the neighboring shopping center originally expressed interest in acquiring Parcel 1 for future development of another retail or commercial establishment south of the Applebee's. Continued discussions with the applicant resulted in the proposed transfer of both Parcel 1 and Parcel 2, subject to the following provisions:

1. City agrees to convey the right of way as described herein.
2. Parcel 1 is proposed to be rezoned to General Commercial, to allow for future development of this parcel. Any area of Parcel 1 not used for development shall remain landscaping, and the applicant will be required to maintain the landscaping in neat, clean, and good condition.
3. Parcel 2 will remain as open space and is not proposed for rezoning. Parcel 2 is subject to a covenant that runs with the property, so that Parcel 2 will always be used for landscaping to enhance the appearance of the intersection. Parcel 2 will be subject to upgrade and redevelopment, with conceptual plans approved by the Community Development Director. A sign will also be allowed on Parcel 2 consistent with guidelines provided in the Sonora Municipal Code. The work on Parcel 2 would occur at the time of future development of Parcel 1. The intent of the Parcel 2 provision is to enhance and beautify the intersection, similar to the right-of-way frontage across the street at Sanguinetti Road and Greenley Road. Design guidelines are further included to govern the scope and character of the landscaping improvements. In addition, the City will retain a non-exclusive easement over this parcel for a beautification improvement,



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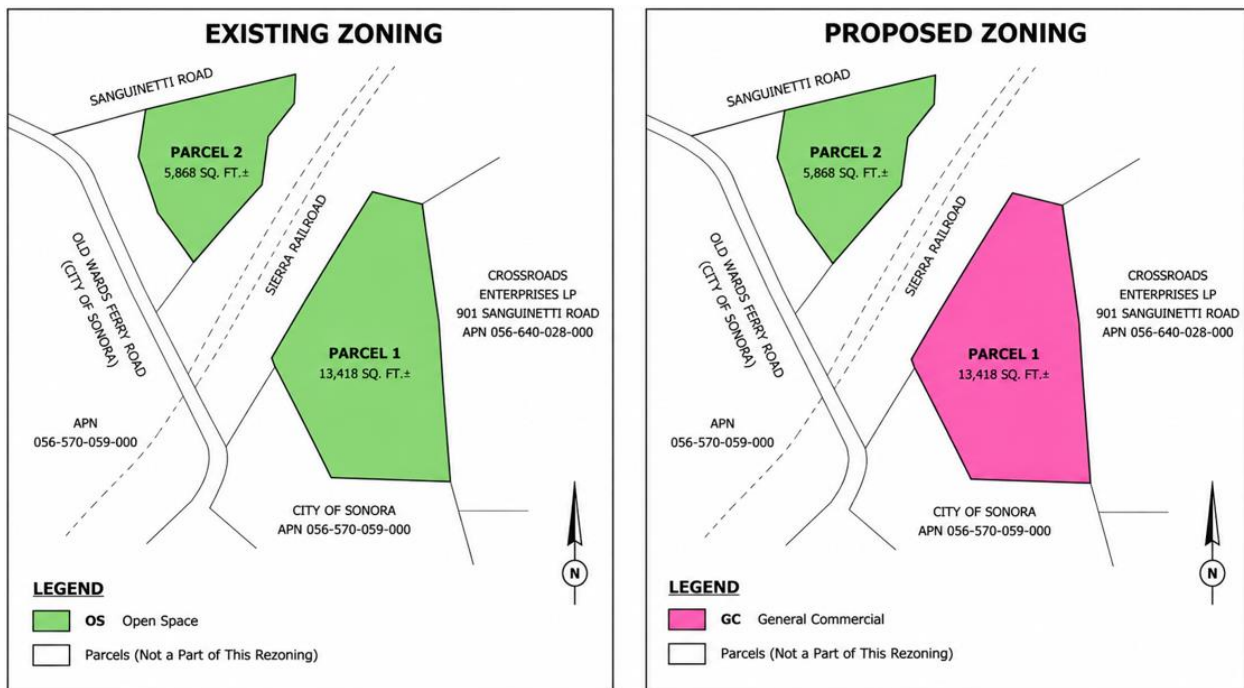
SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

such as a statue, monument, or public art installation. There are no specific plans for this particular improvement item yet, but the City retains the right to incorporate this feature in the future.

As this property is currently designated as Open Space and maintained by the City, City staff believes that the proposed transfer will further advance development of the shopping area, result in better utilization of Parcel 1, and relieve the City of the maintenance burden of the subject parcels. The owner/operator of the shopping center intends to invest substantially in upgrading the landscaping areas, and will also assume the maintenance burden over the area. In the agreement, the City also retains the ability to ensure maintenance is conducted to the City's satisfaction, by doing the maintenance at the applicant's cost if the circumstances so require.

REZONING

The third component of the proposed action is rezoning of Parcel 1 from Open Space to General Commercial, as shown below.



The General Commercial zoning district provides the following (Sonora Municipal Code, § 17.26.010):

The CG zone is established in order to:



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A. Provide the land necessary for wholesale, bulk storage, industrial services, processing, packing and other heavy commercial activities to serve the community, and provide employment and income for its residents;

B. Provide for the development of heavy commercial service facilities, concentrated in well planned areas properly located in relation to utilities, access, topography, and residential uses;

C. Create conditions conducive to a convenient and desirable working environment, control the objectionable or dangerous effects of certain uses necessary in the community but detrimental to other areas, and protect the areas designated under this zone against the encroachment of uses which could be better located in areas less suited for heavy commercial activities.

The applicant has not proposed any site development or design review application at this time. Any future development of the site would require site plan or design review by the Planning Commission, as applicable. The proposed planning action at this time is only the rezoning of Parcel 1 to allow for future development under the General Commercial designation. Parcel 2 will remain zoned as open space and be subject to the provisions of the agreement with the applicant.

CEQA DETERMINATION:

The proposed actions include vacation of former City right-of-way, approval of an agreement to transfer the land subject to maintenance and use restrictions, and rezoning of a ~13,418 square foot parcel from Open Space to General Commercial. The rezoning is for a small parcel which is part of the Crossroads shopping center, surrounded by parking, commercial, and retail establishments. No physical development of the property has been formally proposed at this time, and any such future site plan or design review would be subject to CEQA at that time. City staff has determined that the proposed approvals are exempt from environmental review under the California Environmental Quality Act (CEQA), subject to the following exemptions:

1. CEQA Guidelines § 15312 (Surplus Government Property Sales). This exemption consists of sales of surplus government property except for parcels of land located in an area of statewide, regional, or areawide concern identified in Section 15206(b)(4). The property is not located in any one of these special areas of concern involving natural resources of sensitive habitat. This exemption applies to the City's transfer of the property to the applicant subject to the attached agreement. The agreement does not provide any direct compensation, but the applicant will assume the maintenance burden and upgrade/redesign the parcel adjacent to the intersection frontage.
2. CEQA Guidelines § 15301 (Existing Facilities). This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The only contemplated and authorized development at this time is the improvement and maintenance of landscaping at the property. The land transfer is subject to the applicant assuming maintenance over the existing landscaping and upgrading the landscaping at the site. This type of minimal activity meets the criteria of the exemption, as no new construction is being



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approved with the exception of continued landscaping maintenance and future landscaping upgrades at the site.

3. CEQA Guidelines § 15304 (Minor Alterations to Land). This exemption consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Examples include but are not limited to new gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistant landscaping. The landscaping activity and maintenance contemplated by the proposed agreement is within the authorized scope of this exemption.
4. CEQA Guidelines § 15061(b)(3) (Commonsense Exemption). This exemption provides that CEQA does not apply to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed actions involve transferring title to the applicant of excess right-of-way, and rezoning a 13,418 square foot parcel from Open Space to General Commercial. The subject area is directly adjacent to the Crossroads shopping center, which is zoned for light industrial and commercial activity. The shopping area contains parking, landscaping, and many big-box, medium, and small retail shops. The proposed rezoning would allow the applicant to develop an additional structure/establishment within the existing shopping center area. No additional ingress or egress is proposed, and future access would occur within the existing shopping center area. At the time of any future development application for a site plan, design review, or use permit, City staff will conduct the required CEQA review at that time. Without knowing the exact layout or type of establishment, environmental review at this stage would not allow for meaningful evaluation. The proposed rezoning would occur on a small parcel and be consistent with the zoning of the adjacent shopping center. In addition, the applicant will be required to upgrade the existing landscaping. Redesigning and upgrading the landscaping at the site will enhance the appearance of the intersection and the shopping center, and is more likely to produce environmental benefits as opposed to causing adverse environmental impacts. For these reasons, the commonsense exemption is also appropriate for the proposed actions at this time.

FISCAL IMPACT:

The fiscal impact on this item is anticipated to be two fold. First, a cost savings is expected as the City Public Works department will no longer have maintenance/landscape responsibilities and cleanup of transient activities in this area. Second, the development of a new commercial pad is expected to generate sales tax revenues for the City where previously there were none. Actual revenues will be dependent on the business that occupies this space. More information on potential revenues will be a future discussion when the property owner proposes a use at this location.



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SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

ATTACHMENTS:

1. City Council Resolution No. 09-21-2026-A (Vacation of Right-of-Way at Old Wards Ferry and Sanguinetti Road)
EXHIBIT A: Legal Description of Right-of-Way Area
2. City Council Resolution No. 09-21-2026-B (Approval of Covenant And Agreement Regarding Property Transfer, Improvements, And Use Restrictions)
EXHIBIT A: Covenant And Agreement Regarding Property Transfer, Improvements, And Use Restrictions
3. City Council Ordinance No. 917 (Rezoning of Portion of APN 056-570-059 from Open Space to General Commercial)
4. Planning Commission Resolution No. 08-24-26-A
5. Comment Letters (2)

CORE COUNCIL PRIORITIES:

Fiscal Responsibility and Stability, Infrastructure and Engineering, Economic Development/Growth and General Plan, Homelessness Issues

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

City of Sonora
City Hall
94 N. Washington Street
Sonora, CA 95370
Attn: City Clerk

No recording fee per Gov. Code §§ 6103, 27383

RESOLUTION NO. 09-21-26-A

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA
APPROVING THE VACATION OF EXCESS RIGHT-OF-WAY
AT SOUTHEAST INTERSECTION OF SANGUINETTI ROAD AND OLD WARDS
FERRY ROAD**

WHEREAS, the City of Sonora owns and controls the area of right-of-way near the intersection of Sanguinetti Road and Old Wards Ferry Road, divided by the Sierra Railroad, described as a portion of APN 056-570-059, and as further described and depicted in **Exhibit A** attached hereto (the "Property"); and

WHEREAS, the Property is composed of two parcels, Parcel 1 of approximately 13,418 square feet south of the Sierra Railroad, and Parcel 2 of approximately 5,868 square feet north of the Sierra Railroad. This subject Property is at the northwest corner of the Walmart shopping center area; and

WHEREAS, the Property is not used for roadway purposes and is currently developed with landscaping and for drainage purposes; and

WHEREAS, a portion of the Property is excess right-of-way which is within the right-of-way of Old Wards Ferry Road. This intersection was realigned at the time of development of the Lowe's and Walmart shopping center; and

WHEREAS, the Property is approximately 19,286 square feet (~0.44 acres); and

WHEREAS, the neighboring landowner of the Walmart shopping center ("Applicant") has expressed interest in acquiring a portion of the Property for future development; and

WHEREAS, the City desires to transfer the Property to the Applicant, pursuant to an agreement between the City and the Applicant; and

WHEREAS, under the proposed agreement, Parcel 1 may be used for future development consistent with the neighboring shopping center, with any remainder area used for landscaping, and Parcel 2 would be restricted for landscaping to enhance the intersection of Old Wards Ferry Road and Sanguinetti Road; and

WHEREAS, in conjunction with this Resolution, the City Council further considered and approved the following actions:

- (a) Introduction of an ordinance to rezone Parcel 1 from “Open Space” to “Commercial,” to allow future development of Parcel 1 consistent with the neighboring shopping center; and
- (b) Adoption of a Resolution to memorialize the change in General Plan designation for Parcel 2 from Heavy Commercial to Park/Recreation/Resource/Open Space; and
- (c) Adoption of a resolution to approve an agreement with the Applicant setting forth the provisions for the transfer of Parcel 1 and Parcel 2 to the Applicant, including but not limited to, the future uses and restrictions for development of subject parcels; and

WHEREAS, on August 24, 2026, the Sonora Planning Commission evaluated the proposed vacation, the associated agreement, the proposed rezoning of Parcel 1, and the proposed General Plan amendment for Parcel 2, for conformance with the City’s General Plan and forwarded its recommendation to the City Council; and

WHEREAS, notice of this public hearing has been provided in accordance with the California Streets & Highways Code and the California Government Code ; and

WHEREAS, City staff recommends that the City Council make the following findings for the proposed vacation:

- 1. The Property is excess right-of-way and is not necessary for present or prospective public use or traffic needs in the area.
- 2. Vacation of the Property conforms to the City’s General Plan, as described in Planning Commission Resolution No. _____. The findings of Planning Commission Resolution No. _____ are hereby incorporated by this reference.

WHEREAS, the proposed vacation is subject to the terms and conditions agreed to between the City and the Applicant, approved by the City Council in conjunction with this Resolution; and

WHEREAS, the roadway vacation is a component of the overall project approved by the City Council, which involves vacation of excess right-of-way, transfer of the Property to the adjacent landowner, and rezoning of Parcel 1 from Open Space to Commercial, and a corresponding General Plan Amendment for vertical consistency and the existing use. No physical development of the Property has been formally proposed at this time, and any such future site plan or design review would be subject to CEQA at that time. Accordingly, the proposed actions have been determined to be exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines § 15061(b)(3) (Commonsense

Exemption), CEQA Guidelines § 15312 (Surplus Government Property Sales), CEQA Guidelines § 15304 (Minor Alterations to Land), and CEQA Guidelines § 15301 (Existing Facilities); and

WHEREAS, the purpose of this Resolution is to formally vacate the Property described in **Exhibit A**, reserve the required public utility easements, and authorize recording of this Resolution in the official records of Tuolumne County.

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

1. The City Council hereby finds that the above recitals are true and correct and are made part of this Resolution.
2. The Property is hereby deemed excess and not required for current or future public use or traffic needs in the area.
3. The City Council hereby approves vacation of the Property described in **Exhibit A**.
4. The vacation described herein is conditioned upon and does not eliminate, extinguish, or waive any easements, rights-of-way, and appurtenant rights presently existing within the Property for the benefit of any public utilities, governmental agencies, and/or private utility holders, including but not limited to easements for water, sewer, storm drainage, gas, electric, telecommunications, cable, fiber, and other public or utility services. The City hereby expressly reserves unto itself and to all utility providers and governmental agencies all easements and rights necessary for the operation, maintenance, repair, replacement, relocation (as necessary), and inspection of the facilities located in or serving the Property, and such easements shall remain in full force and effect following the vacation. Any and all utilities currently located in the Property shall be allowed continued access to the facilities for the purposes described above, including reasonable ingress and egress over, under, and through the Property.

PASSED AND ADOPTED as a resolution by the Sonora City Council on this _____ day of _____ 2026, by the following vote:

Members of the City Council:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Signed and dated: _____, 2026

SIGNED:

Ann Segerstrom
Mayor of the City of Sonora

ATTEST:

Nicole McCutchen
City Clerk of the City of Sonora

EXHIBIT A

Legal Description of Property

EXHIBIT A
LEGAL DESCRIPTION
Proposed Parcel 1

All that real property in Section 6, Township 1 North, Range 15 East, Mount Diablo Meridian, in the City of Sonora, State of California, more particularly described as follows:

BEGINNING at the most westerly corner of Parcel "B-1" as shown on that certain map recorded October 30, 2000 in Book 39 of Parcel Maps, at Pages 98-99, Tuolumne County Records; thence along the west line of Parcel "B-1 and "A-1 of said parcel map the following 4 courses: 1) South 18°45'22" East, a distance of 35.41 feet to a point on a non-tangent curve concave to the west and having a radius of 330.00 feet, to which a radial line bears North 71°13'06" East; 2) thence southeasterly along said curve through a central angle of 17°00'29", a distance of 97.96 feet; thence 3) South 01°46'25" East, a distance of 59.90 feet; thence 4) South 11°04'01" East, a distance of 28.42 feet; thence North 89°48'52" West, a distance of 35.73 feet to the point on a tangent curve concave to the northeast and having a radius of 30.00 feet; thence northwesterly along said curve through a central angle of 66°30'31", a distance of 34.82 feet to the point of reverse with a curve concave to the southwest and having a radius of 340.00 feet; thence northwesterly along said curve through a central angle of 12°29'37", a distance of 74.14 feet to the point on a compound curve concave to the southwest and having a radius of 3241.00 feet; thence northwesterly along said curve through a central angle of 0°14'40", a distance of 13.82 feet; thence North 30°07'31" East, a distance of 142.81 feet to the **POINT OF BEGINNING**.

CONTAINING 13,418 square feet, more or less.

SUBJECT TO all rights-of-way and easements of record.

This description was created by me or under my direction in conformance with the Professional Land Surveyors' Act.

Rodrick H. Hawkins, P.L.S. 9489
 July 18, 2025

EXHIBIT A
LEGAL DESCRIPTION
Proposed Parcel 2

All that real property in Section 6, Township 1 North, Range 15 East, Mount Diablo Meridian, in the City of Sonora, State of California, more particularly described as follows:

COMMENCING at the most westerly corner of Parcel "B-1" as shown on that certain map recorded October 30, 2000 in Book 39 of Parcel Maps, at Pages 98-99, Tuolumne County Records; thence North $32^{\circ}21'52''$ West, a distance of 104.62 feet to the **POINT OF BEGINNING**; thence South $40^{\circ}33'06''$ West, a distance of 40.34 feet; thence South $30^{\circ}04'04''$ West, distance of 102.75 feet to a point on a curve concave to the northeast and having a radius of 250.00 feet, to which a radial line bears South $62^{\circ}28'06''$ West; thence northwesterly along said curve through a central angle of $6^{\circ}24'00''$, a distance of 27.93 feet to the point of compound curve concave to the northeast and having a radius of 1223.00 feet; thence northwesterly along said curve through a central angle of $2^{\circ}29'27''$, a distance of 53.17 feet; thence North $30^{\circ}32'58''$ East, a distance of 42.05 feet; thence North $84^{\circ}43'39''$ East, a distance of 86.28 feet to the **POINT OF BEGINNING**.

CONTAINING 5,868 square feet, more or less.

SUBJECT TO all rights-of-way and easements of record.

This description was created by me or under my direction in conformance with the Professional Land Surveyors' Act.

Rodrick H. Hawkins, P.L.S. 9489
July 18, 2025



EXHIBIT "B"

PROPOSED PARCELS 1 & 2

A.P.N. 056-570-059-000 (PORTION)
OLD WARDS FERRY ROAD, SONORA, CA

BY: RCS
CHK: RHH
DATE: 07/18/25
SCALE: 1"=50'
JOB #: 3727.00

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

City of Sonora
City Hall
94 N. Washington Street
Sonora, CA 95370
Attn: City Clerk

No recording fee per Gov. Code §§ 6103, 27383

RESOLUTION NO. 09-21-26-B

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA
APPROVING A COVENANT AND AGREEMENT REGARDING PROPERTY
TRANSFER, IMPROVEMENTS, AND USE RESTRICTIONS WITH THE ADJACENT
LANDOWNER, IN CONNECTION WITH THE VACATION OF EXCESS RIGHT-OF-
WAY AT THE INTERSECTION OF OLD WARDS FERRY ROAD AND SANGUINETTI
ROAD**

WHEREAS, the City of Sonora owns and controls the area of right-of-way near the intersection of Sanguinetti Road and Old Wards Ferry Road, divided by the Sierra Railroad, described as a portion of APN 056-570-059, and as further described and depicted in **Exhibit A** attached hereto (the "Property"); and

WHEREAS, the Property is composed of two parcels, Parcel 1 of approximately 13,418 square feet south of the Sierra Railroad, and Parcel 2 of approximately 5,868 square feet north of the Sierra Railroad. This subject Property is at the northwest corner of the Walmart shopping center area; and

WHEREAS, the Property is not used for roadway purposes and is currently developed with landscaping and for drainage purposes; and

WHEREAS, a portion of the Property is excess right-of-way which is within the right-of-way of Old Wards Ferry Road. This intersection was realigned at the time of development of the Lowe's and Walmart shopping center; and

WHEREAS, the Property is approximately 19,286 square feet (~0.44 acres); and

WHEREAS, the neighboring landowner of the Walmart shopping center ("Applicant") has expressed interest in acquiring a portion of the Property for future development; and

WHEREAS, pursuant to Streets and Highways Code § 8355, if the legislative body determines that property previously subject to a street, highway, or public service easement, title to which is owned by the public entity, is no longer needed by the public, the legislative body may sell or exchange the property in the manner, and upon the terms and conditions, approved by the legislative body; and

WHEREAS, the City desires to transfer the Property to the Applicant, pursuant to the Covenant and Agreement Regarding Property Transfer, Improvements, and Use Restrictions between the City and the Applicant attached hereto as **Exhibit A** ("Agreement"); and

WHEREAS, under the proposed Agreement, Parcel 1 may be used for future development consistent with the applicable zoning, with any remainder area used for landscaping, and Parcel 2 would be restricted for landscaping to enhance the intersection of Old Wards Ferry Road and Sanguinetti Road; and

WHEREAS, in conjunction with this Resolution, the City Council further considered and approved the following actions:

- (a) Adoption of a resolution to formally vacate the City's interest in the Property and recording of the vacation in the official records of Tuolumne County; and
- (b) Introduction of an ordinance to rezone Parcel 1 from "Open Space" to "Commercial," to allow future development of Parcel 1 consistent with the applicable zoning for the neighboring shopping center; and
- (c) A resolution to memorialize the change in General Plan designation for Parcel 2 from Heavy Commercial to Park/Recreation/Resource/Open Space; and

WHEREAS, on August 24, 2026, the Sonora Planning Commission evaluated the proposed vacation, the associated Agreement, and the proposed rezoning of Parcel 1, and the proposed General Plan Amendment for Parcel 2, for conformance with the City's General Plan and forwarded its recommendation to the City Council; and

WHEREAS, notice of this public hearing has been provided in accordance with the California Streets & Highways Code and the California Government Code; and

WHEREAS, the City Council hereby finds that the Agreement is in the public interest, health, and welfare, by advancing economic development, community benefits and services, and relieving the City from ongoing maintenance and costs associated with the Property. Future development of Parcel 1 has the potential to provide new commercial or retail services, and increase revenues from property tax and sales tax benefits. The Agreement is of overall fiscal benefit to the City and the public. Enhancing the visual appearance and overall quality of Parcel 2 is of further benefit to the City and the appearance of a major intersection in the southwest corner of City limits; and

WHEREAS, the Agreement is a component of the overall project approved by the City Council, which involves vacation of excess right-of-way, transfer of the Property to the adjacent landowner pursuant to the Agreement, rezoning of Parcel 1 from Open Space to Commercial, and a corresponding General Plan Amendment for vertical consistency and the existing use. No physical development of the Property has been formally proposed at this time, and any such future site plan or design review would be subject to CEQA at that time. Accordingly, the proposed actions have been determined to be exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines § 15061(b)(3) (Commonsense Exemption), CEQA Guidelines § 15312 (Surplus Government Property Sales), CEQA Guidelines § 15304 (Minor Alterations to Land), and CEQA Guidelines § 15301 (Existing Facilities).

WHEREAS, the purpose of this Resolution is to approve and authorize execution of the Agreement attached hereto as **Exhibit A**.

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

1. The City Council hereby finds that the above recitals are true and correct and are made part of this Resolution.
2. The City Manager is hereby authorized to execute the Vacation Agreement attached hereto as **Exhibit A**, and take all acts necessary and incidental to carry out the terms of the Vacation Agreement.

PASSED AND ADOPTED as a resolution by the Sonora City Council on this _____
day of _____ 2026, by the following vote:

Members of the City Council:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Signed and dated: _____, 2026

SIGNED:

Ann Segerstrom
Mayor of the City of Sonora

ATTEST:

Nicole McCutchen
City Clerk of the City of Sonora

EXHIBIT A

**Covenant and Agreement Regarding Property Transfer, Improvements,
and Use Restrictions**

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

City of Sonora
City Hall
94 N. Washington Street
Sonora, CA 95370
Attn: City Clerk

No recording fee per Gov. Code §§ 6103, 27383

Description of Property:

Portion of APN 056-570-059-000, as described in **Exhibit A** attached and incorporated hereto (collectively referred to as the "Property"). The Property is composed of the following parcels:

An area of approximately 13,418 square feet, referred to herein as "Parcel 1";
and

An area of approximately 5,868 square feet, referred to herein as "Parcel 2".

**COVENANT AND AGREEMENT REGARDING PROPERTY TRANSFER,
IMPROVEMENTS, AND USE RESTRICTIONS**

This COVENANT AND AGREEMENT REGARDING PROPERTY TRANSFER, IMPROVEMENTS, AND USE RESTRICTIONS ("Agreement") is made by and between the CITY OF SONORA, a California municipal corporation ("City"), and the Crossroads Enterprises, LP, a California limited partnership ("Applicant"), with reference to the following recitals. City and Applicant may be referred to herein individually as "Party" or collectively as the "Parties."

RECITALS

A. The Property is generally located at the intersection of Old Wards Ferry Road and Sanguinetti Road, as further shown in **Exhibit A**.

B. Applicant is the landowner and operator of the commercial shopping complex adjacent to the Property.

C. City is the fee owner of the Property through which the Sierra Railroad maintains a right-of-way for railroad purposes.

D. A portion of the Property is excess right-of-way which is within the right-of-way of Old Wards Ferry Road. This intersection was realigned at the time of development of the Lowe's and Walmart shopping center.

E. The City received a request from Applicant to formally abandon the Property and transfer the Property to Applicant, in order to allow additional space in the commercial shopping center for further development and to transfer maintenance obligations of the Property to Applicant.

F. The City Council finds that the City will benefit from the land transfer described herein, in that such areas being transferred to Applicant will advance economic development, community benefits and services, and further relieve the City from ongoing maintenance and costs associated with the Property.

G. The Parties intend that the obligations, covenants, and conditions set forth in this Agreement shall constitute covenants running with the land and shall bind the Property and the owners of the Property and their respective successors and assigns.

H. All proceedings necessary to formally abandon the Property as City right-of-way and transfer the Property have occurred and the abandonment of the Property shall be duly recorded by City prior to the conveyance of the Property by City to Applicant pursuant to this Agreement, and City desires to transfer its interest in the Property to Applicant, as set forth in this Agreement.

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants, promises, and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. TRANSFER OF PROPERTY. City hereby agrees to convey its interest in the Property to Applicant by Quitclaim Deed, in a form approved by City. Conveyance of the Property shall include all of City's rights, title, and interest to the Property.

2. PARCEL 1 REQUIREMENTS.

- (a) *Use of Parcel 1.* Developer shall have the right to use and develop Parcel 1 for any lawful use in accordance with City's General Plan, zoning ordinance, development standards, and the Sonora Municipal Code. Any remaining area of Parcel 1 not used for development of an additional commercial/retail location shall be used for landscaping. In the event such remainder area is used or developed for landscaping, then the conceptual plans shall be reasonably approved by the Community Development Director. The City acknowledges that certain public easements located on Parcel 1 will need to be relocated within Parcel 1 by Applicant in connection with Applicant's planned development of Parcel 1. The City shall not unreasonably withhold consent to the relocation of said easements.
- (b) *Maintenance of Parcel 1.* Applicant shall at all times maintain Parcel 1, including all landscaped areas, in accordance with applicable laws and ordinances, and in a neat, clean, safe, and well-maintained condition consistent with good landscaping and property management practices. Applicant shall be responsible for regular irrigation, mowing, trimming, weeding, removal of debris, and upkeep of ground cover, plants, shrubs, and trees. Applicant shall promptly repair and restore any landscaped area or other facilities that become damaged or deteriorated, or cause the same to be repaired or restored. In the event that Applicant fails to maintain Parcel 1 as required herein after reasonable notice, City may perform or cause such maintenance to be performed, and Applicant shall be responsible for costs incurred upon receipt of an invoice from City.

3. PARCEL 2 REQUIREMENTS.

- (a) *Use of Parcel 2.* Parcel 2 shall be restricted to landscaping uses to enhance the surrounding area, as well as for the installation and use of lawful signage serving Applicant's property. Applicant covenants, for itself and its successors-in-interest and assigns that Parcel 2 shall be used solely for such purposes in perpetuity. This covenant may be modified or released only by a written instrument executed by the City recorded in the official records of Tuolumne County, and no other person or entity shall have the authority to modify or release this covenant. Nothing contained herein shall be construed to allow development of Parcel 2 without being subject to the City's General Plan, zoning ordinance, development standards, and the Sonora Municipal Code.
- (b) *Landscaping Improvements to Parcel 2.* The Parties acknowledge that Parcel 2 is located at a major intersection in the southwest corner of City limits, and

that the City desires to enhance the visual appearance and overall quality of the intersection. Applicant shall complete landscaping improvements to Parcel 2 in accordance with conceptual plans approved by the Community Development Director. The landscaping improvements shall be completed prior to or concurrent with development of Parcel 1. The landscaping improvements shall substantially enhance the existing appearance of Parcel 2 and shall be of a scope, quality, and level of finish generally comparable to the landscaping improvements located along the intersection frontage of Greenley Road and Sanguinetti Road. Prior to commencing the landscaping improvements, Applicant shall submit conceptual plans to the Community Development Director for review and approval. The Community Development Director's approval shall be based upon substantial compliance with the following requirements and guidelines and shall not be unreasonably withheld or delayed:

Landscaping shall have a naturalistic, drought-tolerant character that is compatible with the City's foothill setting and the historic character of the surrounding area.

The design is encouraged to incorporate retaining walls, natural or decorative rock outcroppings, and California native or climate-adapted drought-tolerant plant species, including species providing seasonal blooms and color.

Planting compositions may draw from the character of native oak woodland, chaparral, rocky slopes, creek corridors, orchards, and utilitarian gardens, as appropriate to the site.

Plant materials should generally include California native and climate-adapted species exhibiting muted greens, gray-greens, seasonal wildflower color, and natural variation in height, form, and texture.

Mature native trees, particularly oak trees and other characteristic foothill trees, shall be integrated to the maximum extent reasonably practicable.

Hardscape elements shall have a simple, durable, and somewhat rustic character. Materials shall be selected to weather naturally and

complement the historic masonry, brick, wood storefronts, retaining walls, and surrounding natural geology.

- (c) *Maintenance of Parcel 2.* Applicant shall at all times maintain Parcel 2, including all landscaped areas, in accordance with applicable laws and ordinances, and in a neat, clean, safe, and well-maintained condition consistent with good landscaping and property management practices. Applicant shall be responsible for regular irrigation, mowing, trimming, weeding, removal of debris, and upkeep of ground cover, plants, shrubs, and trees. Applicant shall promptly repair and restore any landscaped area or other facilities that become damaged or deteriorated, or cause the same to be repaired or restored. In the event that Applicant fails to maintain Parcel 2 as required herein after reasonable notice, City may perform or cause such maintenance to be performed, and Applicant shall be responsible for costs incurred upon receipt of an invoice from City.
 - (d) *Beautification Improvement on Parcel 2.* Notwithstanding that Parcel 2 is privately-owned, Applicant hereby grants to the City, and the City accepts, a nonexclusive right and easement over and upon Parcel 2 for the purposes of installing, inspecting, maintaining, operating, repairing, replacing, and removing, at City's sole cost and expense, a fountain, statue, monument, public art installation, landscaping feature, or other artistic or beautification improvement selected by City (defined as the "Beautification Improvement"). The location, design, size, and configuration of the Beautification Improvement shall be reasonably coordinated with the landscaping, signage, and other improvements on Parcel 2. City shall be responsible for all costs associated with installation, maintenance, and operation of the Beautification Improvement, with the exception of any utility costs directly attributable to the operation of the Beautification Improvement (for example, electricity costs for lighting). In the event damage is caused to the Beautification Improvement by Applicant or its successors, assigns, agents, or contractors, Applicant shall be responsible for repairing the damage. City may elect, in its sole discretion, not to install a Beautification Improvement or, after installation, to remove, replace, or alter a Beautification Improvement.
4. ESCROW; CLOSING COSTS. Upon formal approval by the City Council of this Agreement, the Parties shall open an escrow to facilitate the transaction described herein. Applicant shall be responsible for all escrow and closing costs associated with this transaction (including but not limited to, escrow costs, recording fees, and transfer taxes (if any), as may be applicable).

5. COVENANT RUNNING WITH THE LAND. The provisions and covenants contained in this Agreement are intended to be perpetual and binding on all successors and assigns acquiring any portion of the Property. All terms, covenants, and conditions contained herein (including but not limited to, the provisions of Section 2 and Section 3 above) shall be binding on all parties having or acquiring any legal title or interest in the parcels described herein or any part thereof.
6. AUTHORITY. Each person or entity executing this Agreement certifies that they are authorized to sign this Agreement and bind the Parties to the terms and conditions contained herein.
7. GOVERNING LAW; VENUE. The validity, interpretation, and performance of this Agreement shall be controlled by and construed pursuant to the laws of the State of California. Venue for all legal proceedings shall be in the Superior Court for Tuolumne County.
8. ENTIRE AGREEMENT. It is the intention of the Parties hereto that this Agreement shall supersede any prior agreements, discussions, commitments, representations, or agreements, written, electronic or oral, between the Parties hereto with respect to the subject matter of this Agreement.
9. COUNTERPARTS. This Agreement may be executed simultaneously and in several counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument.
10. ATTORNEY'S FEES AND COSTS. If any action at law or in equity, including action for declaratory relief, is brought to enforce or interpret provisions of this Agreement, the prevailing Party shall be entitled to reasonable attorney's fees and costs, which may be set by the court in the same action or in a separate action brought for that purpose, in addition to any other relief to which such Party may be entitled.

[Signatures on following page]

By execution with the signatures below, the Parties agree to be bound to the terms and conditions contained in this Agreement. The effective date shall be the date of recording in the official records of Tuolumne County.

CITY OF SONORA:

By: _____
Chris Gorsky, City Administrator

Dated: _____

[*California all-purpose acknowledgment to be attached*]

APPLICANT:

Crossroads Enterprises, LP,
a California limited partnership

By: _____
Scot Patterson, General Partner

Dated: _____

[*California all-purpose acknowledgment to be attached*]

EXHIBIT A

Legal Description of Property

ORDINANCE NO. 917**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA
REZONING A PORTION OF ASSESSOR PARCEL NUMBERS 056-570-059 FROM
OPEN SPACE (OS) TO GENERAL COMMERCIAL (CG)**

WHEREAS, the City of Sonora owns and controls the area of right-of-way near the intersection of Sanguinetti Road and Old Wards Ferry Road, divided by the Sierra Railroad, described as a portion of APN 056-570-059; and

WHEREAS, the property is composed of two parcels, Parcel 1 of approximately 13,418 square feet south of the Sierra Railroad, and Parcel 2 of approximately 5,868 square feet north of the Sierra Railroad. This subject property is at the northwest corner of the Walmart shopping center area; and

WHEREAS, the property is not used for roadway purposes and is currently developed with landscaping and for drainage purposes; and

WHEREAS, a portion of the Property is excess right-of-way which is within the right-of-way of Old Wards Ferry Road. This intersection was realigned at the time of development of Walmart shopping center; and

WHEREAS, the property subject to this Ordinance is approximately 13,418 square feet south of the Sierra Railroad (~0.31 acres) ("Property"); and

WHEREAS, the landowner of the neighboring shopping center has expressed interest in acquiring the Property for future development consistent with the authorized uses of the General Commercial zoning district and the neighboring shopping center; and

WHEREAS, the Property is proposed to be rezoned from its current Open Space designation to the General Commercial designation, as described and depicted in **Exhibit A** attached hereto; and

WHEREAS, the existing General Plan designation for the Property is "Heavy Commercial" (HC), which is determined to authorize and be consistent with the City's General Commercial zoning district; and

WHEREAS, at the time of the original development of the Walmart shopping center around 2004-2005, the City, Cal Gold Development Corporation, Ray Sanguinetti Land Co. LP, Sonora Developers LLC, Lowe's HIW Inc., and the Tuolumne County Citizens for Responsible Growth Inc. entered into a Settlement Agreement pertaining to development of the shopping center and the environmental review conducted under the California Environmental Quality Act (signed as of August 28,

2009, August 21, 2009, and September 4, 2009) (the “Settlement Agreement”); and

WHEREAS, under the Settlement Agreement, the City of Sonora agreed to amend the General Plan and Zoning designations for the right-of-way area to Park/Recreation/Open Space for purposes of a monument, landscape beautification, and highlighting certain heritage of the right-of-way area; and

WHEREAS, based on City staff’s review of planning records, the City’s General Plan was never amended to reflect the Park/Recreation/Open Space designation identified in the Settlement Agreement. As a result of the rezoning described herein and to maintain the required consistency, the existing General Plan designation of Heavy Commercial will remain as the applicable General Plan designation for the subject parcel; and

WHEREAS, the City has determined that based on the plans under the associated agreement with the Applicant for conveyance the right-of-way area, the landscaping and open space character of the right-of-way area will remain compliant with and advance the intent of the Settlement Agreement. In addition, the area has become a maintenance burden on the City which will be transferred to the Applicant for superior upkeep. The provisions of the associated agreement with the Applicant also provide for further development and beautification of the vacated area, and the agreement contains a non-exclusive easement for the City to preserve the historic character and similar monumentation regarding the rural heritage of the area; and

WHEREAS, the City Attorney further has determined that the General Plan and Zoning provisions contained in the Settlement Agreement likely constitute an invalid surrender of the City’s constitutional police power, which cannot forever divest or bind a City Council from exercising its land use and zoning powers in perpetuity. (*Discovery Builders, Inc. v. City of Oakland* (2023) 92 Cal.App.5th 799, 812.); and

WHEREAS, the General Plan provides many goals, policies, and programs, which support the formal vacation of the right-of-way area, the associated agreement with the Applicant, and the rezoning of the Property from Open Space to General Commercial. The applicable goals, policies, and programs are contained in **Exhibit B** attached hereto, in support of the proposed rezoning’s consistency with the City of Sonora General Plan 2020.

WHEREAS, City staff recommends that the City Council make the following findings, that the proposed rezoning:

- A. Is consistent with the objectives, policies, general land uses and programs specified in the General Plan;

- B. Is compatible with, and physically suited for, the uses authorized in, and the regulations prescribed for, the proposed zoning district in which the real property is located;
- C. Is in conformity with public convenience, general welfare and good land use practice;
- D. Will not be detrimental to the health, safety and general welfare;
- E. Will not adversely affect the orderly development of property or the preservation of property values; and

WHEREAS, the rezoning is a component of the overall project approved by the City Council, which involves vacation of excess right-of-way, transfer of the Property to the adjacent landowner pursuant to the Agreement, and rezoning of Parcel 1 from Open Space to General Commercial, and a corresponding General Plan Amendment for vertical consistency and the existing use. No physical development of the Property has been formally proposed at this time, and any such future site plan or design review would be subject to CEQA at that time. Accordingly, the proposed actions have been determined to be exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines § 15061(b)(3) (Commonsense Exemption), CEQA Guidelines § 15312 (Surplus Government Property Sales), CEQA Guidelines § 15304 (Minor Alterations to Land), and CEQA Guidelines § 15301 (Existing Facilities).

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

Section One: The City Council hereby finds and determines, upon its review of all documents and testimony contained in the record, that the foregoing recitals, which are incorporated herein by reference, are true and correct.

Section Two: The zoning district for the Property subject to this Resolution is hereby amended from Open Space (OS) to General Commercial (CG), as described and illustrated in **Exhibit A** attached hereto. The zoning map for the City of Sonora, as provided by Section 17.10.010 of the Sonora Municipal Code, is hereby amended through the rezoning of the parcel described herein.

Section Three: This Ordinance shall take effect thirty (30) days after its passage and shall be published or a summary thereof within (15) days after its final passage as required by law.

Said Ordinance was introduced at a regular meeting of the City Council of the City of Sonora held on _____, 20____, and subsequently passed and adopted at a regular meeting of the City Council held on _____, 20____ by the following vote:

AYES: _____

NOES: _____

ABSENT OR ABSTAIN: _____

Ann Segerstrom
Mayor of the City of Sonora

ATTEST:

Nicole McCutchen
City Clerk of the City of Sonora

Approved as to Form:

Douglas L. White, City Attorney

EXHIBIT A

Amendment to City of Sonora Zoning Map

EXHIBIT B

General Plan Consistency for Vacation of Right-of-Way and Rezoning of Parcel 1 from Open Space to General Commercial

The City Council hereby finds that the proposed vacation of right-of-way, transfer of right-of-way area to the neighboring landowner and associated agreement, and the rezoning of Parcel 1 to “Commercial” support and are consistent with the following goals, programs, and policies contained in the City of Sonora General Plan 2020:

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.

Policy 1.A.3

Ensure that the extent of development shall be related to the property’s environmental constraints.

Policy 1.A.d

Establish Criteria for General Plan Amendments In reviewing an application to amend the Sonora General Plan 2020 Land Use Map, the Sonora Planning Commission and Sonora City Council shall consider the overall consistency of the proposal with the goals, objectives and policies of Sonora General Plan 2020 including, but not limited to: i. ii. iii. iv. What physical, social, or economic factors exist that were not considered at the time of Sonora General Plan 2020 adoption and the evaluation of the proposal based on new information Existing reasonable alternative sites in the vicinity that are planned for the use and can accommodate the proposal The potential for the proposal to encourage undesirable impacts The effect of the proposal on the fiscal health of the city

Policy 1.B.2

Encourage development which complements and blends in with its surroundings.

Policy 1.B.4

Conserve the city’s natural, scenic and cultural resources along designated scenic transportation routes through and adjacent to the city.

Policy 1.C.1

Encourage the retention, rehabilitation and restoration of historic structures.

Policy 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 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.

Policy 1.E.7

Maintain and enhance the present and future needs of 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.

Goal 4.C

Sustain and enhance the natural, scenic and cultural resources and rural character of Sonora to preserve and enhance the city's quality of life and tourism economy.

Policy 4.C.1

Sustain the city's natural scenic resources along designated scenic transportation routes through and adjacent to the city.

Policy 4.C.2

Sustain and enhance the city's natural scenic resources at designated gateways to Sonora.

Policy 4.C.4

Encourage new development to blend with the existing landforms and vegetation.

RESOLUTION NO. 08-24-2026-A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SONORA RECOMMENDING TO THE CITY COUNCIL: (A) APPROVE FORMAL VACATION OF THE RIGHT-OF-WAY AREA AT THE INTERSECTION OF OLD WARDS FERRY ROAD AND SANGUINETTI ROAD; (B) APPROVE AN AGREEMENT TO TRANSFER THE LAND TO THE ADJACENT LANDOWNER; (C) APPROVE THE REZONING OF A PORTION OF THE AREA FROM OPEN SPACE TO GENERAL COMMERCIAL; AND (D) APPROVE A GENERAL PLAN AMENDMENT TO CHANGE A PORTION OF THE AREA FROM HEAVY COMMERCIAL TO PARK/RECREATION/RESOURCE/OPEN SPACE

WHEREAS, the City of Sonora owns and controls the area of right-of-way near the intersection of Sanguinetti Road and Old Wards Ferry Road, divided by the Sierra Railroad, described as a portion of APN 056-570-059, and as further described and depicted in **Exhibit A** attached hereto (the "Property"); and

WHEREAS, the Property is composed of two parcels, "Parcel 1" of approximately 13,418 square feet south of the Sierra Railroad, and "Parcel 2" of approximately 5,868 square feet north of the Sierra Railroad. This subject Property is at the northwest corner of the Walmart shopping center area and is in total approximately 19,286 square feet (~0.44 acres); and

WHEREAS, a portion of the Property is excess right-of-way which is within the right-of-way of Old Wards Ferry Road. This intersection was realigned at the time of development of the Lowe's and Walmart shopping center; and

WHEREAS, the adjacent landowner of the Walmart shopping center ("Applicant") has expressed interest in acquiring a portion of the Property for future development; and

WHEREAS, on this date, the Planning Commission considered recommendation of the following actions to the City Council:

- (a) Finding that the proposed vacation of the Property and the associated agreement with adjacent landowner are consistent with the City of Sonora General Plan, and overall advance the public interest, health and safety, convenience, and welfare; and
- (b) An ordinance to rezone Parcel 1 from Open Space to General Commercial, as further shown in **Exhibit B** attached hereto; and
- (c) Memorializing the change in General Plan designation for Parcel 2 from Heavy Commercial to Park/Recreation/Resource/Open Space to be

consistent with the underlying zoning and use of the parcel, as further shown in **Exhibit C** attached hereto; and

WHEREAS, the Property is not used for roadway purposes and is currently developed with landscaping and used for drainage purposes. The Property is not identified as a necessary roadway, collector, arterial, or intersection alignment in the City's General Plan or circulation element. The proposed vacation, associated agreement, and rezoning of Parcel 1 further advance and are consistent with the General Plan goals, policies, and programs described in **Exhibit D** attached hereto; and

WHEREAS, under the provisions of the proposed agreement with the Applicant, Parcel 1 may be used for future development consistent with the applicable zoning, with any remainder area used for landscaping, and Parcel 2 would be restricted for landscaping to enhance the intersection of Old Wards Ferry Road and Sanguinetti Road. In addition, the Applicant will be responsible for all landscaping and maintenance obligations over the Property; and

WHEREAS, under the proposed rezoning, Parcel 1 is proposed to be rezoned from its current Open Space designation to the General Commercial designation, as described and depicted in **Exhibit B** attached hereto; and

WHEREAS, the existing General Plan designation for the Property is Heavy Commercial (HC), which is determined to authorize and be consistent with the City's General Commercial zoning district; and

WHEREAS, the Planning Commission recommends that the City Council make the following findings regarding the proposed Rezoning and General Plan Amendment:

- A. Are consistent with the objectives, policies, general land uses and programs specified in the General Plan;
- B. Are compatible with, and physically suited for, the uses authorized in, and the regulations prescribed for, the proposed zoning district in which the real property is located;
- C. Are in conformity with public convenience, general welfare and good land use practice;
- D. Will not be detrimental to the health, safety and general welfare;
- E. Will not adversely affect the orderly development of property or the preservation of property values; and

WHEREAS, the overall project involves vacation of excess right-of-way, transfer of the

Property to the adjacent landowner pursuant to the agreement included in the record of the proceedings, the rezoning of Parcel 1 from Open Space to General Commercial, and a corresponding General Plan Amendment for vertical consistency and the existing use. No physical development of the Property has been formally proposed at this time, and any such future site plan or design review would be subject to CEQA at that time. Accordingly, the proposed actions have been determined to be exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines § 15061(b)(3) (Commonsense Exemption), CEQA Guidelines § 15312 (Surplus Government Property Sales), CEQA Guidelines § 15304 (Minor Alterations to Land), and CEQA Guidelines § 15301 (Existing Facilities).

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sonora, after due deliberation and based on its independent review and analysis, the staff analysis, and oral and written testimony presented at the public hearing, that the Planning Commission hereby:

1. Finds that the City’s vacation of the Property and the associated agreement with the Applicant are consistent with the City of Sonora General Plan 2020, and will serve to advance the public interest, health and safety, convenience, and welfare. The Planning Commission hereby recommends approving formal vacation of the Property and the associated agreement with the adjacent landowner.
2. Recommends that the City Council rezone Parcel 1 from Open Space to General Commercial, as shown in **Exhibit B**.
3. Recommends that the City Council amend the General Plan designation for Parcel 2 from Heavy Commercial to Park/Recreation/Resource/Open Space, to maintain consistency with the applicable Open Space zoning district, as shown in **Exhibit C**.

PASSED, APPROVED AND ADOPTED as a Resolution by the Sonora Planning Commission at a meeting held by the Planning Commission on the ____ day of _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:



Kevin Anderson,
Planning Commission Chairman

ATTEST:



Tyler Summersett, Comm. Dev. Director

EXHIBIT A

Description of Right-of-Way Area Subject to Vacation and Conveyance

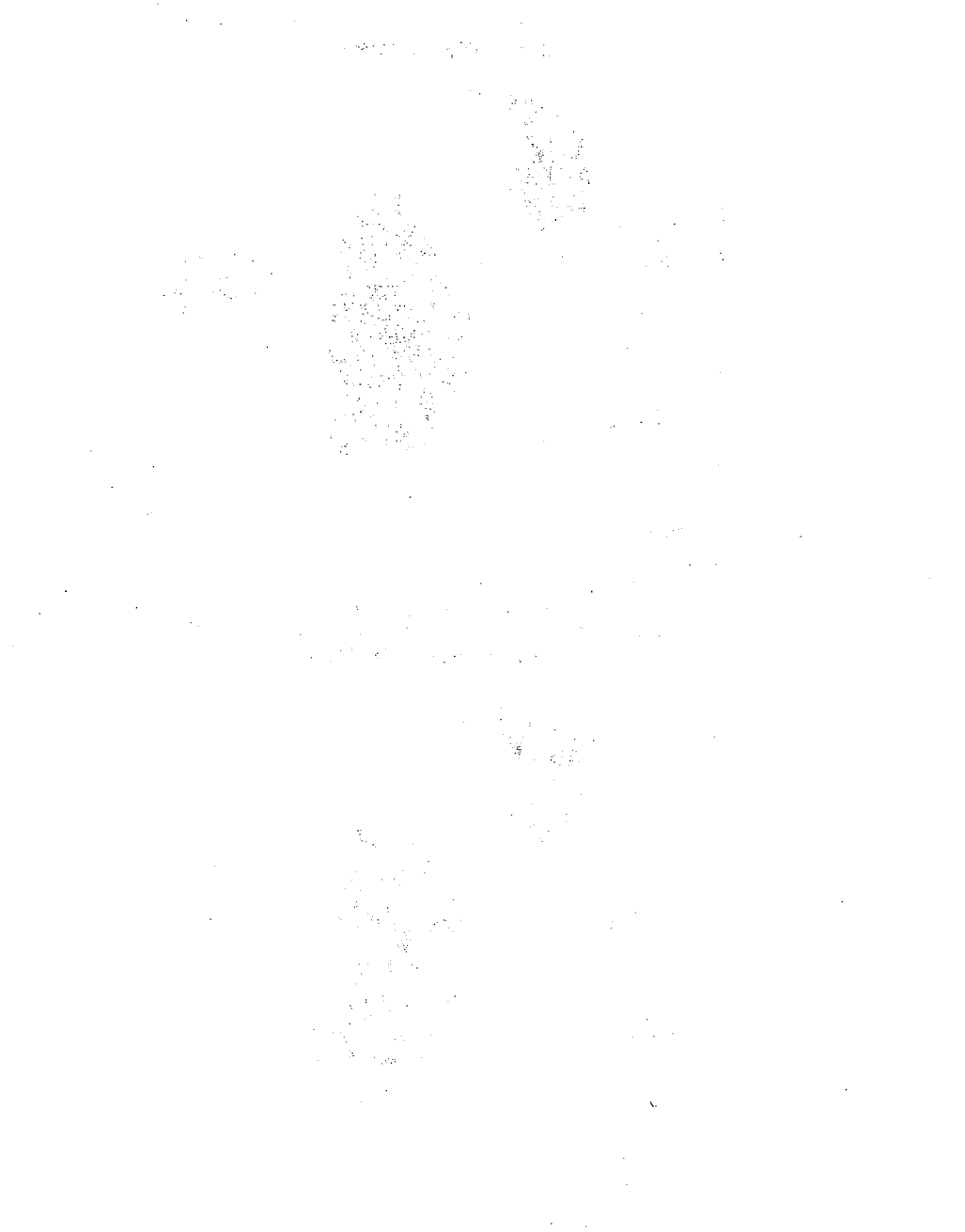


EXHIBIT A
LEGAL DESCRIPTION
Proposed Parcel 1

All that real property in Section 6, Township 1 North, Range 15 East, Mount Diablo Meridian, in the City of Sonora, State of California, more particularly described as follows:

BEGINNING at the most westerly corner of Parcel "B-1" as shown on that certain map recorded October 30, 2000 in Book 39 of Parcel Maps, at Pages 98-99, Tuolumne County Records; thence along the west line of Parcel "B-1 and "A-1 of said parcel map the following 4 courses: 1) South 18°45'22" East, a distance of 35.41 feet to a point on a non-tangent curve concave to the west and having a radius of 330.00 feet, to which a radial line bears North 71°13'06" East; 2) thence southeasterly along said curve through a central angle of 17°00'29", a distance of 97.96 feet; thence 3) South 01°46'25" East, a distance of 59.90 feet; thence 4) South 11°04'01" East, a distance of 28.42 feet; thence North 89°48'52" West, a distance of 35.73 feet to the point on a tangent curve concave to the northeast and having a radius of 30.00 feet; thence northwesterly along said curve through a central angle of 66°30'31", a distance of 34.82 feet to the point of reverse with a curve concave to the southwest and having a radius of 340.00 feet; thence northwesterly along said curve through a central angle of 12°29'37", a distance of 74.14 feet to the point on a compound curve concave to the southwest and having a radius of 3241.00 feet; thence northwesterly along said curve through a central angle of 0°14'40", a distance of 13.82 feet; thence North 30°07'31" East, a distance of 142.81 feet to the **POINT OF BEGINNING**.

CONTAINING 13,418 square feet, more or less.

SUBJECT TO all rights-of-way and easements of record.

This description was created by me or under my direction in conformance with the Professional Land Surveyors' Act.

Rodrick H. Hawkins, P.L.S. 9489
July 18, 2025

EXHIBIT B

Amendment to City of Sonora Zoning Map for Parcel 1

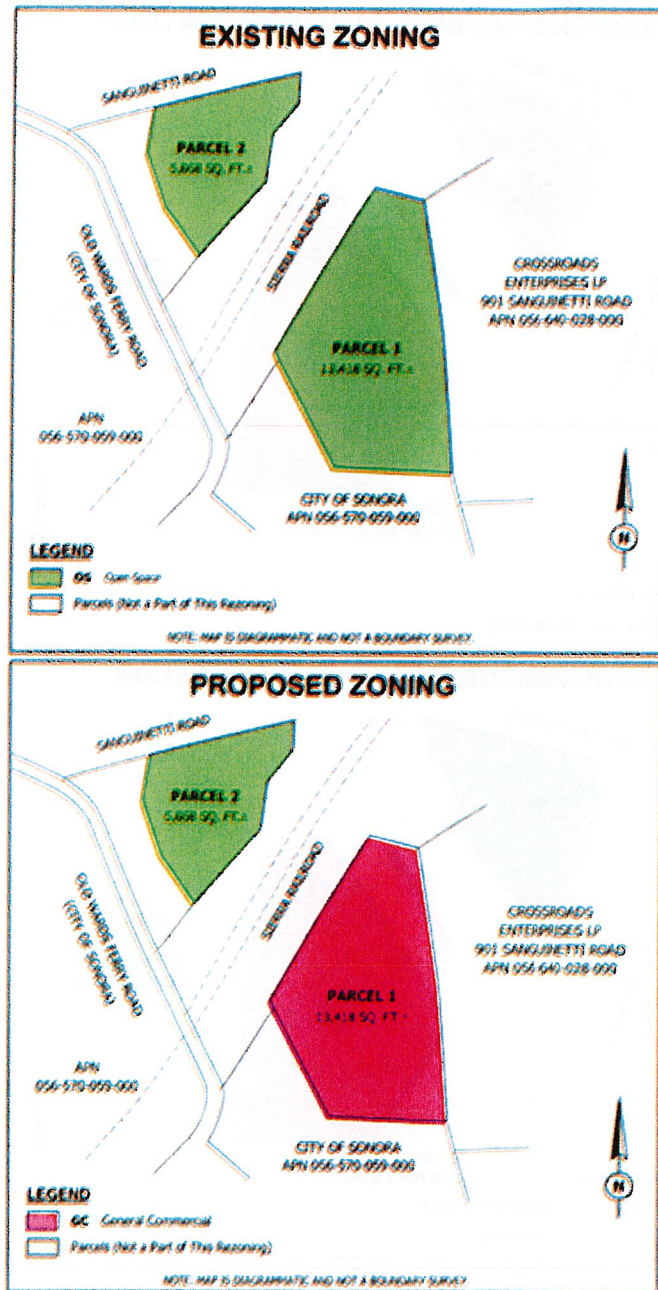


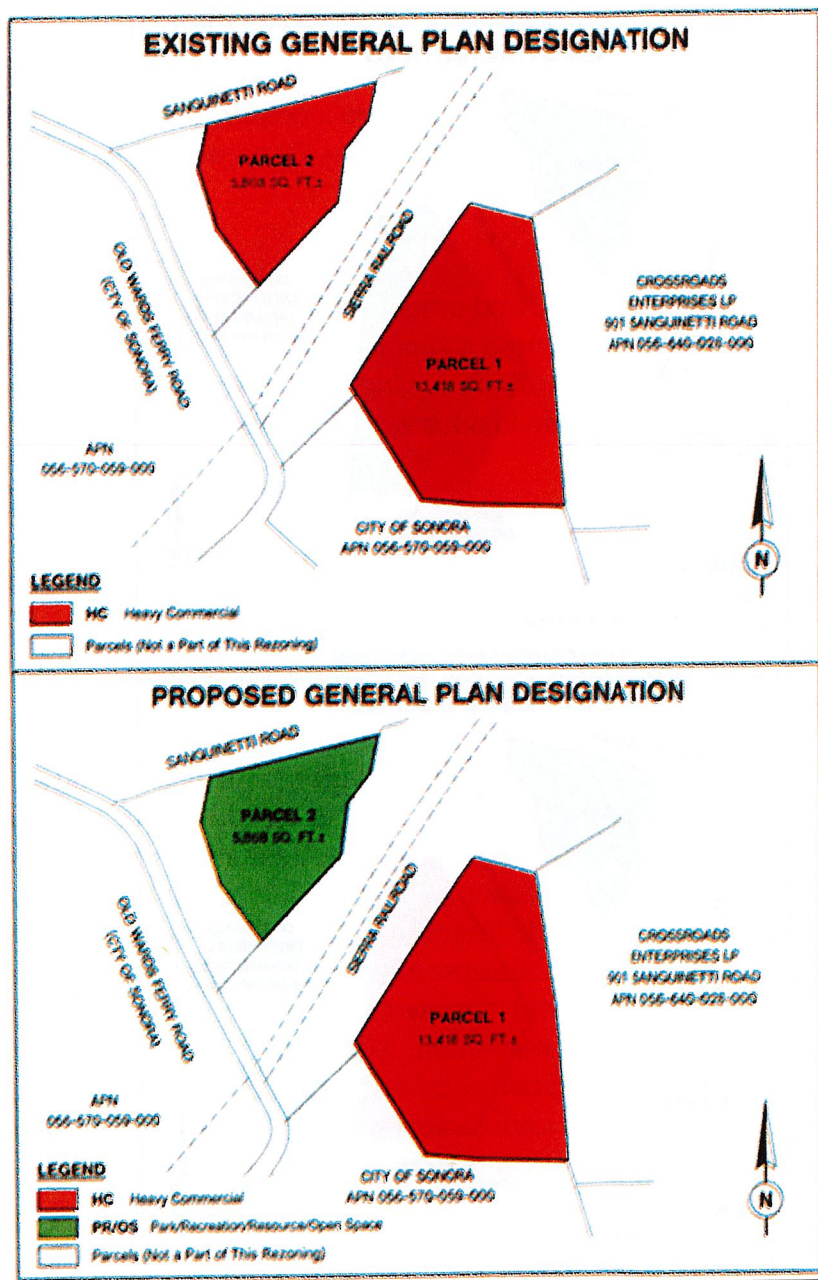
EXHIBIT C**Amendment to General Plan Designation for Parcel 2**

EXHIBIT D**General Plan Consistency for Vacation of Right-of-Way and Rezoning of Parcel 1 from Open Space to General Commercial**

The City Council hereby finds that the proposed vacation of right-of-way, transfer of right-of-way area to the neighboring landowner and associated agreement, and the rezoning of Parcel 1 to General Commercial support and are consistent with the following goals, programs, and policies contained in the City of Sonora General Plan 2020:

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.

Policy 1.A.3

Ensure that the extent of development shall be related to the property's environmental constraints.

Policy 1.A.d

Establish Criteria for General Plan Amendments In reviewing an application to amend the Sonora General Plan 2020 Land Use Map, the Sonora Planning Commission and Sonora City Council shall consider the overall consistency of the proposal with the goals, objectives and policies of Sonora General Plan 2020 including, but not limited to: i. ii. iii. iv. What physical, social, or economic factors exist that were not considered at the time of Sonora General Plan 2020 adoption and the evaluation of the proposal based on new information. Existing reasonable alternative sites in the vicinity that are planned for the use and can accommodate the proposal. The potential for the proposal to encourage undesirable impacts. The effect of the proposal on the fiscal health of the city.

Policy 1.B.2

Encourage development which complements and blends in with its surroundings.

Policy 1.B.4

Conserve the city's natural, scenic and cultural resources along designated scenic transportation routes through and adjacent to the city.

Policy 1.C.1

Encourage the retention, rehabilitation and restoration of historic structures.

Policy 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 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.

Policy 1.E.7

Maintain and enhance the present and future needs of 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.

Goal 4.C

Sustain and enhance the natural, scenic and cultural resources and rural character of Sonora to preserve and enhance the city's quality of life and tourism economy.

Policy 4.C.1

Sustain the city's natural scenic resources along designated scenic transportation routes through and adjacent to the city.

Policy 4.C.2

Sustain and enhance the city's natural scenic resources at designated gateways to Sonora.

Policy 4.C.4

Encourage new development to blend with the existing landforms and vegetation.

It is further found that vacating this segment of right-of-way will not conflict with following:

- 2.A.1 Maintain existing streets and highways in the City and regional transportation system to meet projected needs and planned functions.
- 2.A.4 Safeguard lands identified for future transportation corridors and facilities to ensure their future use.
- 2.C Reduce impacts on the City's roadways and provide a wide variety of alternative methods of transportation for the City's residents and visitors of all income levels.
- 2.C.1 Encourage the maintenance and expansion of public transportation opportunities for the citizens of the City of Sonora and Tuolumne County.



September 15, 2026

Tyler Summersett, Community Development Director
Sonora City Hall
94 N. Washington Street
Sonora, California 95370
via email tsummersett@sonoraca.org

Subject: Comments in regard to the Rezoning and Vacation of Public Right of Way Public Hearing before the Sonora City Council advertised for September 21, 2026

Tyler,

Attached please find as an attachment to this letter a copy of an email sent to you on August 17, 2026 in regard to the proposed the Rezoning and Vacation of Right of Way which was before the Planning Commission on August 24, 2026. The attachment includes a copy of City Ordinance 793 as well as the City Council Minutes of 05-03-2010 and 05-17-2010 which was not included in the agenda package for the Planning Commission meeting and was handed out at the meeting.

Please include the enclosed attachment in the Agenda Package for the City Council Hearing on September 21, 2026 hearing along with a copy of this comment letter. My comments as a resident of Sonora (since 1970) and former contract Sonora City Engineer (45 years) on the proposed Rezoning and Vacation of Public Right of Way, are as follows:

1. Lawsuit Settlement: The Lowes project which included the Old Wards Ferry Realignment was held up for over three years by a lawsuit which required a full EIR. As part of an Lawsuit Settlement with Citizens for Responsible Growth, the City adopted Resolution 05-03-2010-A and City Ordinance 793 which changed the General Plan for the triangular area bounded by the realigned Old Wards Ferry Road, Sanguinetti Road and Crossroads Shopping Center property to PRO (Parks Recreation and Open Space), and the Zoning to OS (Open Space). The purpose was to preserve and replace the open space and rural character of the Sanguinetti Ranch area that was removed by the realigned and widened Old Wards Ferry Road as an EIR mitigation measure.
2. Changing a portion of the triangular piece of property shown in the Ordinance 793 exhibit now from Open Space to General Commercial for some unspecified commercial use would violate the original lawsuit settlement and mitigation measure. The change in zoning would also be inconsistent with the General Plan as amended in 2010 by Resolution 05-03-2010-A. There is nothing in the subject public hearing notice that indicates a revision to the General Plan.
3. The description of the property and exhibit in the subject public hearing notice is in error and misleading. A division of the City property by the Sierra Railroad does not exist. Sierra Railroad only owns an easement to operate and maintain a railroad over the City property and public right of way to

California Public Utility standards and setbacks. The 100 foot railroad right of way does not exist over public road property and setbacks to the rail lines are much less, and consistent with the exhibit in Ordinance 793.

Additionally, there is a mistake in the description of the property with reference to the proposed parcels as being a portion of APN 056-570-059. The subject Assessor Parcel is the 1.17 acre parcel deeded to the City for the Old Wards Ferry Road realignment and does not include the older right of way of Old Wards Ferry Road. Yet the proposed parcels exhibit and descriptions include the older Old Wards Ferry right of way. This is a mistake .

In summary on this item, any descriptions of property should be professionally done, and based up a field survey, record maps and deeds, backed by a Title Report. It is in apparent in the documents presented to the Planning Commission that this was not done.

4. If there is to be a Vacation of Right of Way, it should be based upon a precise surveyed boundary and legal description. A Parcel Map should be filed, if it is to be divided. There are numerous utilities within the subject right of way, and there will need to be specific notifications to each utility in regard to existing utilities and future plans. Other agencies including the Tuolumne County Transportation Council should be contacted. I would suggest that the roadbed and sidewalk along the older Old Wards Ferry Road be retained as an easement for a future bicycle and pedestrian path as part of a project connecting the Justice Center with Sanguinetti Road and beyond. Similar to what is being planned through Woods Creek Rotary Park.

5. In regard to surplus and deeding the property out to a private developer and without any public review of the proposed use, I think that City staff should have legal advice of the procedures. Perhaps the property and portions surplus should be competitively offered to other property owners in the vicinity or perhaps to another public agency. It seems very odd that we are giving away the property to one property owner and rezoning it to General Commercial, and without any indication of the proposed use.

In summary, I would recommend that the proposed rezoning and vacation of right of way be not considered or denied. Let's continue the preservation of the property as a park based upon the Settlement Agreement and EIR Mitigation of the Lowes Project and Old Wards Ferry Road Realignment of only 16 years ago.



Gerard J. Fuccillo (Jerry)
Sonora Resident
Civil Engineer RCE 22007
209-206-0512 (cell)

Attachment: Comments to the Planning Commission 8-17-2026 -6 pages

cc: Chris Gorsky, City Administrator

Subject: Comments on the Proposed Rezoning and Vacation of Public Right of Way, APN 056-570-059

From: "Gerard J. Fuccillo" <gjffeng@sbcglobal.net>

Date: 8/17/2026, 12:35 PM

To: Tyler Summersett <tsummersett@sonoraca.org>

Tyler,

I have reviewed the advertisement for the August 24, 2026 Sonora Planning Commission public hearing concerning the subject rezoning and vacation of public right of way of City property located near the intersection of Old Wards Ferry Road and Sanguinetti Road, and would like to comment as follows:

1. Attached please find a copy of City Ordinance 793 along with minute excerpts of the City Council meetings of May 03, 2010 and May 17, 2010 whereby the City adopted Ordinance 793. Ordinance 793 rezoned and changed the General Plan of the triangular piece of city property bordered by the realigned Olds Wards Ferry Road and Sanguinetti Road and adjacent shopping center (as shown in the ordinance exhibit) to OS (Open Space) zoning and to an PRO (Parks, Recreation and Open Space) General Plan designation. The triangular property shown in the ordinance exhibit consists of excess property deeded to the City for the realignment of Old Wards Ferry Road, the older Old Wards Ferry Road City right of way, as well as a portion of the right of way of Sanguinetti Road. The exhibit of the ordinance is the Offsite Landscape Plan of the Lowes project which was required by the City along with the realignment of Old Wards Ferry to be done by Lowes.
2. As is indicated in the ordinance adoption minutes, the original change of Zoning and General Plan were part of a lawsuit settlement with Tuolumne County Citizens for Responsible Growth. Changing it now after only 16 years could bring back litigation to the City.
3. The statement in the notice that the Sierra Railroad divides the City property into 2 parcels is incorrect. The railroad does not own a parcel that divides the City property. The Sierra Railroad only owns an easement over City property for railroad purposes pursuant to Public Utilities Commission requirements and setbacks. The actual width of the railroad easement is much less than the original right of entry width for construction in the 1890's shown on the Assessors maps. The width of the easement as shown in the Ordinance 793 exhibit is correct and matches the fence lines created with relocation of the Old Wards Ferry RR crossing.
4. If there is to be a Vacation of Right of Way, it should be based upon a surveyed boundary and legal description. It should be noted there are existing public utilities in the older right of way of Old Wards Ferry Road and across the City property which would need to be preserved or relocated. The normal procedure is to do an official notice to utilities with an exact map or legal description of the right of way to be vacated.
5. If the property is to remain as a public park there is no need to Vacate the Right of Way, as the utilities remain as easements over or under public property. I feel the right of way along the section of Old Wards Ferry Road should be retained for the future. It would be useful for a future off road bicycle and pedestrian path to future County and State requirements.

In summary, I would recommend the proposed rezoning and vacation be not considered, or denied.

Gerard J. Fuccillo (Jerry)

Sonora Resident

Former Sonora Contract City Engineer

— Attachments:

Ord793zoning5-17-2010wCCminutes.pdf

231 KB

ORDINANCE NO. 793

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA
AMENDING THE ZONING MAP OF THE CITY OF SONORA

The City Council of the City of Sonora does hereby ordain as follows:

Section One: Section 17.10.010 of the Sonora Municipal Code, providing for the zoning map of the City of Sonora, is hereby amended from C, Commercial and ML, Limited Manufacturing to OS, Open Space for the triangular shaped area located generally southwest of the intersection of Sanguinetti Road and the existing Old Wards Ferry Road, as shown on the attached exhibit map comprising approximately 0.7 acres,

Introduced and read as an ordinance of said City at a regular meeting held on May 3, 2010, and passed and adopted at a regular meeting held on May 17, 2010, by the following vote:

AYES: Ron Stearn, Gary Anderson, Bill Canning, Hank Russell

NOES: None

ABSENT OR ABSTAIN: David Sheppard

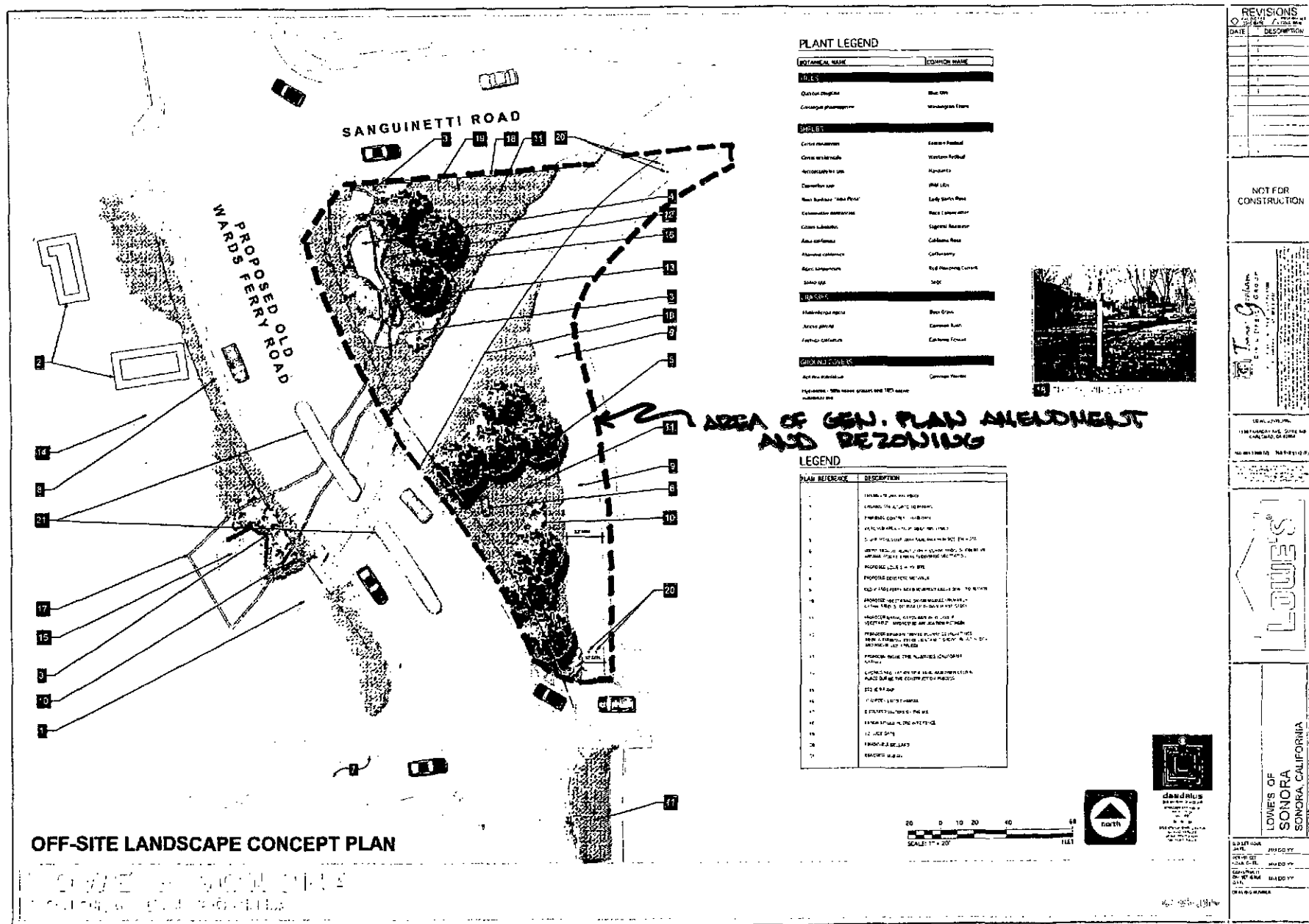
Ronald E. Stearn
Ronald E. Stearn, Mayor

ATTEST: Marijane Cassinetti
Marijane Cassinetti, City Clerk

Approved as to Form:

Richard Matranga
Richard Matranga, City Attorney

Publish: The Union Democrat, Sonora
May 27, 2010



Old Wards Ferry Road Realignment General Plan/Zone Change.

This was the time and place set for a Public Hearing to consider the City of Sonora initiated amendment to the City of Sonora General Plan Land Use Map from Heavy Commercial, Public/Quasi-Public, and undesignated right-of-way area to PRO, Parks, Recreation and Open Space; and amendment to the City of Sonora Zoning Map from C, Commercial and ML, Limited Manufacturing to O, Open Space. Said property is generally located at the intersection of Sanguinetti Road and the existing Old Wards Ferry Road, and is approximately 0.7 acres.

Community Development Director Wyllie informed Council that this project is being implemented in follow-up to last year's approval of the Old Wards Ferry Road Realignment Project, and consistent with the subsequent settlement agreement with Tuolumne County Citizens for Responsible Growth (TCCFRG) to "create space in this area for a monument, landscape beautification, and highlighting the rural heritage of the property with items retained from the old Sanguinetti Ranch." When the Old Wards Ferry Road Realignment Project was approved by the City Council, it was with the knowledge that there would be excess right-of-way area to the east of the new alignment. The City Council and TCCFRG agree that the excess area be retained as a low maintenance, natural landscape area. By putting the area into PRO on the general plan land use map and with OS zoning, the City confirms its intent to provide for the area as noted in the settlement agreement.

Wyllie reported Staff and Planning Commission recommendation for approval. In taking this action, it is recommended that Resolution 5-3-2010-A be approved, and the first reading of Ordinance No. 793 be waived, and the Ordinance be introduced.

Mayor Stearn opened the Public Hearing at 5:21 p.m. Barbara Farkas, President of TCCFRG, read correspondence which was provided to the Councilmembers reiterating the provisions of the settlement agreement, and that TCCFRG supports the General Plan amendment. There being no further appearances, the Public Hearing was closed at 5:24 p.m.

NEW BUSINESS

Amendment to General Plan Land Use Map; Adoption of Resolution and Introduction of Ordinance Relating to Property at Sanguinetti Road and Old Wards Ferry Road. In consideration of the information provided at the above Public Hearing, **MOTION** by Councilmember Canning, second by Mayor Pro-Tem Anderson, and unanimously carried that Resolution No. 05-03-2010-A, a Resolution related to an amendment of the City of Sonora

General Plan Land Use Map, be approved and adopted. MOTION by Mayor Pro-Tem Anderson, second by Councilmember Canning, and unanimously carried that Ordinance No. 793 be introduced with the first reading waived; said Ordinance amends the City of Sonora Zoning Map.

PUBLIC APPEARANCES

Public Appearance by Stephanie Suess, Representing the Youth Sports Foundation of Tuolumne County, was continued to the next Council Meeting per her request.

PUBLIC APPEARANCES (Non-Agenda)

None.

UNFINISHED BUSINESS

Ordinance No. 791. The Council engaged in consideration of waiving the second reading and adopting Ordinance No. 791 which repeals Section 15.28.135 of the Sonora Municipal Code and amends Section 15.28.165(A) of the Sonora Municipal Code which will repeal/amend the requirements for sign design review. Community Development Director Wyllie reviewed background information and recommended approval. Wyllie reported that the proposal comes forth as a result of the Council's Special Session Meeting on March 3, 2010, which was held for the purpose of discussing ways to streamline City processes, and that sign design review was brought up for discussion. Adoption of Ordinance No. 791 will provide that sign design review would no longer be required; the Planning and Building Staff would review signs for the historic area as it does for signs throughout the City utilizing the criteria from Ordinance No. 779 adopted in 2007.

MOTION by Councilmember Russell, second by Mayor Pro-Tem Anderson, and unanimously carried that the second reading of Ordinance No. 791 be waived and the same be adopted.

NEW BUSINESS

Endorsement of Tuolumne County Economic Development Authority (TCEDA) Preliminary Fiscal Year 2010-2011 Budget. The Council engaged in consideration of endorsing TCEDA's preliminary Fiscal Year 2010-2011 Budget. Administrator Applegate reported that in accordance with the Tuolumne County Joint Powers Authority Agreement for the TCEDA, the City is required to receive and review TCEDA's preliminary budget estimate. Councilmembers Canning and Russell, TCEDA City

providing for the zoning map of the City of Sonora. At its meeting of May 3, 2010, the Council approved the application by Mark Fray to rezone a portion of AP# 56-650-05 from RE, Residential Estate to Open Space:Design Review Combining. Ordinance No. 792 will amend the Municipal Code providing for said rezoning.

MOTION by Councilmember Canning, second by Councilmember Russell, and unanimously carried that the second reading of Ordinance No. 792 be waived and the same be adopted as presented.

Ordinance No. 793. The Council engaged in consideration of waiving the second reading and adopting Ordinance No. 793 which amends Section 17.10.010 of the Sonora Municipal Code providing for the zoning map of the City of Sonora. At its meeting of May 3, 2010, the Council approved the City of Sonora initiated amendment to the City of Sonora General Plan Land Use Map from Heavy Commercial, Public/Quasi-Public, and undesignated right-of-way area to PRO, Parks, Recreation and Open Space; and amendment to the City of Sonora Zoning Map from C, Commercial and ML, Limited Manufacturing to O, Open Space. Said property is generally located at the intersection of Sanguinetti Road and the existing Old Wards Ferry Road, and is approximately 0.7 acres. Ordinance No. 793 will amend the Municipal Code providing for approval of the above-referenced amendment.

MOTION by Councilmember Russell, second by Mayor Pro-Tem Anderson, and unanimously carried that the second reading of Ordinance No. 793 be waived and the same be adopted as presented.

NEW BUSINESS

Personnel Transition Plan. The Council engaged in consideration of approving the City's Personnel Transition Plan. Administrator Applegate presented Staff's proposed Personnel Transition Plan which sets forth a series of personnel actions which need to be implemented to help ensure a seamless transition based upon the following upcoming retirements: (1) City Administrator, (2) Community Development Director, (3) Administrative Analyst/Deputy City Clerk, and (4) Public Works Specialist - One Position. The Administrator's Staff Report inclusive of the Personnel Transitional Plan is attached hereto as **Exhibit "A"**, and incorporated herein and made a part hereof for reference.

Tuolumne Heritage Committee

Item A.

Sonora, California 95370

September 8, 2026

Tyler Summersett,
Community Development Director
City of Sonora
94 N. Washington St.
Sonora, CA 95370

Re: Open Space parcel at the intersection of Old Wards
Ferry Rd. and Sanguinetti Rd.

Tyler:

I was a member of Citizens for Responsible Growth when it sued the city over how the Lowe's project was processed. What little mitigation we got in the form of the above-referenced parcel accepted by the city was zoned open space so that there would be at least a small portion of the Sanguinetti Ranch to preserve a natural landscape. Official maps show that it is only 1.17 acres in size, but in an area that has been urbanized with shopping centers, fast food restaurants and other examples of progress, the parcel remains as a tribute to the Sanguinetti family which established a ranch there in 1880. The following are my thoughts on what the city council is being asked to support:

1. Maps on file in the Assessor's Office (see enclosed) clearly indicate that what your report identified as "Parcel 1" and "Parcel 2" exist only to show the proposed land division. There is no legal description of two parcels at the Assessor's office which confirmed that the railroad easement across the property does not automatically create two separate and individual parcels, one that the city would retain as Open Space and the other rezoned to General Commercial. If this project proceeds as it is currently proposed, the city would surrender all of the land now zoned Open Space as there is no legal division into two parcels.

2. I believe that changing the zoning of "Parcel 1" from Open Space to General Commercial would require an amendment to the city's general plan. I was unable to find mention of this in legal notices in the Union Democrat or in staff reports.

3. To date there has been no mention of any compensation the developer would pay the city for acquiring "Parcel 1". A rezone as is contemplated would considerably elevate the value of "Parcel 1" which, if you look at the fine print on a map supplied by the developer, would indicate a Chipotle fast food restaurant is planned for the Open Space, if the city goes through with its plans to transfer some of the Open Space to the developer. The Old Wards Ferry entrance to the shopping center is already congested and such a use will only exacerbate that situation.

4. If the city continues to believe that the railroad easement

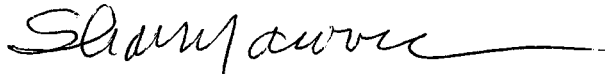
divides the 1.17 acres into two legal parcels it could jeopardize the issuance of title insurance since what the city proposes to abandon is really just a part of the whole property which was deeded to the city in 2009 by the Ray A. Sanguinetti Land Company.

5. It would seem that in the council's rezone of the property to open space in 2010 that the city would be responsible for maintaining it in its natural state or as landscaped on "Parcel 1". At the planning commission hearing last month the developer was quite pointed in his criticism of the city's stewardship of the property and seemed to imply that developing it would clean it up and eliminate perceived problems at the site. That precious little spot of open space is maintained by the city as it maintains other properties such as parking lot landscaping, Woods Creek Rotary Park and Coffill Park.

6. "Parcel 1" and "Parcel 2" are considered scenic landscapes and "Parcel 2" is actually a cultural resource as it is the end of the East Sonora ditch which likely provided water for the Sanguinetti Ranch. Rather than abandon "Parcel 1" to development, the city should consider a commemorative plaque with information not on the monument on Mono Way at Greenley Rd.

The plan to dispose of an Open Space area, an area specifically zoned that way in accordance with a settlement agreement in the Citizens for Responsible Growth's lawsuit against the city, would be a violation of the agreement reached by both parties to the legal action. It sends the message that the city is not living up to its promise to preserve this scenic and cultural site so that a Chipotle fast food restaurant can be built there. Open Space serves many purposes and there needs to be a compelling reason to wipe it out. Where there is a public benefit to Open Space zoning it should remain in place. Construction of a Chipotle restaurant in a shopping center that has multiple vacancies is not a compelling reason.

Sincerely,


Sharon Marovich, Chair
(209) 532-1733

cc: Chris Gorski, CAO
City of Sonora

PM 15-17

59
1.17±

2-94

Sanguinetti

58
9.66±

17

191.60
237.10
173.50

01-01
01-01

212.50

140.40

260.53

Par.A

61
10.22±

Old 575.69
711.21
PM 52-94

Son

6
1.8

Par.B

62
9.43±

PM 52-94
499.54

377.11

374.08
450.14

202.30

167.47

93.87

253.30

State

28

7.96±

HWY

253.18

Cen. Sec. 6

Tuol. Co.

69 Seg.4

Wards

10.25

349.86

286.53

414.85

276.54

155.17

171.96

135.89

128.0

84.92

187.01

358.0



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