



## **CITY COUNCIL REGULAR MEETING**

**Monday, September 19, 2022 at 5:00 PM**

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

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### **AGENDA**

**NOTICE IS HEREBY GIVEN** that the Sonora City Council will have their regular meeting on Monday, September 19, 2022 at 5:00 PM in the City of Sonora Council Chambers located at 94 N. Washington Street Sonora, CA 95370.

**NOTICE:** THIS MEETING WILL BE HELD IN ACCORDANCE WITH GOVERNMENT CODE SECTION 52953(E) AND THE CITY OF SONORA CITY COUNCIL RESOLUTION NO. 08-15-2022-A.

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

**Zoom Meeting Link:**

<https://us06web.zoom.us/j/87460555933?pwd=UFBFZ0EyR3pjXNXZWtXVIZLQTJoQT09>

**Dial: (669) 900-6833**

**Meeting ID: 874 6055 5933**

**Passcode: 7dY809**

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

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

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

**CLOSED SESSION - 4:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENTS**

## **ADJOURN INTO CLOSED SESSION**

1. Conference with Legal Counsel – Anticipated Litigation - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section § 54956.9: One (1) Potential Case: 765 Arbona Circle; Rachelle Kellogg, Community Services Director, Melissa Eads, City Administrator.
2. Conference with Real Property Negotiations (Government Code § 54956.8): Parcel 056-108-015; Rachelle Kellogg, Community Development Director, Melissa Eads, City Administrator.
3. Conference with Labor Negotiators (Government Code § 54957.6): Agency Designated representatives: Melissa Eads, City Administrator; Chris Gorsky, Administrative Services Director; Employee Organization: Sonora Police Officers' Association (SPOA).
4. Threat to Public Services or Facilities (Government Code §54957); Consultation with: Aimee New, Fire Chief, Turu VanderWiel, Police Chief, Melissa Eads, City Administrator.

## **RECONVENE INTO OPEN SESSION**

**OPEN SESSION - 5:00 PM**

## **REPORT OUT OF CLOSED SESSION**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

## **CITY CLERK'S REPORT ON AGENDA POSTING**

## **APPROVAL OF THE AGENDA**

## **PRESENTATIONS**

5. Introduction of Public Works Assistant Raymond Taylor; Rachelle Kellogg, Community Development Director.
6. Introduction, Swearing-In and Award Presentation for Police Officer Ron Watson; Turu VanderWiel, Police Chief and Rick DiBasilio, Calaveras County Sheriff.
7. Presentation on "Know the Risks of Marijuana and Tobacco"; Turu VanderWiel, Police Chief, Kristina Herrera, Tuolumne County Public Health Programs Supervisor, Katie Johnson, Tuolumne County Public Health Program Specialist.
8. Presentation by Blue Zones Project Tuolumne County on an Age-Friendly Community; Kristine Conforti, Public Policy Advocate and Tyler Summersett, Executive Director.
9. Presentation by Sonora Chamber of Commerce regarding Christmas Town; Katie Dunn, Sonora Chamber of Commerce President.

## **PUBLIC COMMENT (NON-AGENDA ITEMS)**

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

## CONSENT CALENDAR

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

10. Consider adoption of Resolution 09-19-2022-A authorizing remote teleconferencing meetings of the City Council and its committees and commissions for 30 days pursuant to Government Code Section 52953(e) Brown Act provisions; Tracy Skelly, Administrative Services Officer.
11. Consider adoption of Resolution 09-19-2022-D supporting the application, planning and implementation process for the City of Sonora to become an Age-Friendly City as recognized by the AARP (American Association of Retired Persons) Network of Age-Friendly States and Communities; Kristine Conforti, Public Policy Advocate, Tyler Summersett, Executive Director.
12. Consider approval of disbursements in the amount of \$174,180.35 and \$164,132.61 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, holiday pay and other adjustments, including retro-pay; Tracy Skelly, Administrative Services Officer.
13. Consider acceptance of the Carl Moyer Memorial Air Quality Standard Attainment Program Energy Infrastructure Grant Agreement. Award the contract to install four (4) level 2 (11kw) Electric Vehicle Chargers to TurnOnGreen, Inc. and Authorize the City Administrator to execute the agreement; Chris Gorsky, Administrative Services Director.

## PUBLIC HEARINGS

14. Consider approval of a 2-year extension for the Cuesta Heights Subdivision Vesting Tentative Subdivision Map. The tentative map approval will be extended to March 3, 2026; Rachelle Kellogg, Community Development Director.
15. Introduce by title Ordinance No. 897, amending Chapter 17.55, second Dwelling Units on Residential Parcels, of Title 17, Zoning, of the Sonora Municipal Code by repealing it in its entirety and replacing it with a new Chapter 17.55, Accessory Dwelling Units, and waive the first reading; Rachelle Kellogg, Community Development Director.

## UNFINISHED BUSINESS

## NEW BUSINESS

16. Consider approval of the 39th Annual Historic Downtown Sonora Christmas Parade on Friday, November 25th at 6:00 p.m. sharp; Rachelle Kellogg, Community Development Director.
  1. Consider adoption of Resolution Number 9-19-2022-B, authorizing the closure of State Route 49 (Washington Street and Stockton Road), along with certain other City Streets and designating "No Parking" locations for the 2022 Christmas Parade and Trolley stop.
  2. Request the Mayor or Mayor Pro-Tem represent the City in the Christmas Parade.
  3. Release the three-hour parking restrictions from Monday, November 14, 2022 through Monday, January 2, 2023 within the downtown corridor, which includes all streets within Zone A; does not apply to trailer parking.

17. Consider awarding the construction contract to low bidder, Dirt Dynasty, Inc., for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project and authorize the City Administrator to sign the construction agreement and all related project documents.

Consider amending the City's Fiscal Year 2022-2023 budget to include funding for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project, Fund 801-3900-XXXXX, revenue in the amount of \$3,383,525 and expenditures in the amount of \$3,383,525; Rachelle Kellogg, Community Development Director. **4/5 Vote Required.**

18. Consider approval of Resolution No. 09-19-2022-C, awarding the Construction Management Engineering Services Agreement for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project to UNICO Engineering, Inc. and authorizing the City Administrator to execute the agreement and all related project documents; Rachelle Kellogg, Community Development Director.
19. Consider approval of an amendment to the Consultant Services Agreement with Kimley-Horn and Associates, Inc. to include Design Support During Construction Services for the additional not-to-exceed amount of \$26,500 and to extend the contract termination date to December 30, 2023 and authorize the City Administrator to sign all related documents; Rachelle Kellogg, Community Development Director.
20. Consider approval of an Agreement with the County of Tuolumne for the joint participation and administration of the Permanent Local Housing Allocation Program; Melissa Eads, City Administrator.
21. Consider appointment of the Mayor to serve as a Community Resident Representative on the Airport Land Use Commission (ALUC) and request applications for one (1) Community Resident Representative; Mark Plummer, Mayor.

Consider appointment of Councilmember Andy Merrill to the Commission on Homelessness and consider appointment of Councilmember Suzanne Cruz to the Economic Development Committee.

## MONTHLY REPORTS

22. Receive the Sonora Community Development Department Monthly Report for August 2022; Rachelle Kellogg, Community Development Director.
23. Receive the Sonora Public Works Department Monthly Report for August 2022; Rachelle Kellogg, Community Development Director.
24. Receive the Sonora Fire Department Monthly Report for August 2022; Aimee New, Fire Chief.
25. Receive the Sonora Police Department Monthly Report for August 2022; Turu VanderWiel, Police Chief.
26. Receive the Sonora Administrative Services Department Monthly Report for July 2022; Chris Gorsky, Administrative Services Director.

## COMMUNICATIONS

27. Receive communications regarding the Local Agency Technical Assistance Grant Program; Melissa Eads, City Administrator.

28. Receive communications regarding Measure Y - City of Sonora "Essential Services Transaction and Use Tax; Chris Gorsky, Administrative Services Director.

## **COUNCIL MEMBER/DEPARTMENT HEAD REPORTS**

## **ADJOURNMENT**

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

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



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Rachelle Kellogg, Community Development Director

**SUBJECT:** Introduction of Public Works Assistant – Raymond Taylor

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### RECOMMENDATION

Introduction of Public Works Assistant Raymond Taylor.

### DISCUSSION

Raymond Taylor has been hired to fill the vacant Public Works Assistant position. Raymond spent most of his youth in Sonora but moved to Fresno when he was a teenager. After graduating from Edison High School he returned to Sonora. Raymond has a ten year-old daughter named Samantha. He worked for several years in landscaping and, prior to being hired by the Public Works Department, he worked for Wright's Tire Service.

### FISCAL IMPACT

There is no fiscal impact to the General Fund as this position was included within the Fiscal Year 2022-2023 Budget.



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Turu VanderWiel, Chief of Police

**SUBJECT:** Introduction of Police Officer

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### RECOMMENDATION

Introduction and Swearing in of Police Officer Ron Watson.

### DISCUSSION

Ron Watson tested for this position in January of this year and has completed all testing and initial training requirements to work as a sworn peace officer. Ron graduated from the Stanislaus County Sheriff's Regional Training Academy on August 12, 2022, and he is currently assigned to a sixteen-week Field Training Program before he will be released to work as a solo officer.

Ron started pursuing a career in policing at the age of fifteen when he joined the Sonora Police Department as a Police Explorer. He shared that his aspiration of becoming a police officer began at the age of four, but it was his time with the Explorer program that solidified his dream of becoming a Sonora Police Officer. At the age of eighteen, Ron went to work for the Calaveras County Sheriff's Department as a Correctional Officer. As soon as Ron was old enough, at the age of twenty-one, he applied for a Police Officer Recruit position in our great City.

Ron is originally from the Bay Area, but he and his family moved here when he was five years old. Ron attended Curtis Creek Elementary, then Sonora High School, graduating in 2018. During high school, Ron participated in Future Farmers of America and was a member of the Sonora High Trap Club.

Ron wrote that growing up in Sonora; he learned to love our community. He said he looks forward to giving back to the community that gave him so much. Some of his career goals include becoming an Explorer Advisor, School Resource Officer, Public Information Officer, and eventually working his way up to Chief of Police.

### FISCAL IMPACT

There is no fiscal impact to the General Fund as this position was previously funded.

# Tuolumne County Public Health Department



20111 Cedar Rd. North  
Sonora, CA 95370  
Office: 209-533-7401  
Fax: 209-533-7406  
24-hour Phone: 209-533-8055

**Michelle Jachetta**  
Public Health Director  
**Dr. Kimberly Freeman**  
County Health Officer  
EMSA Medical Director

# SONORA POLICE DEPARTMENT

100 South Green Street, Sonora CA 95370



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

August 18, 2022

For Immediate Release

## KNOW THE RISKS OF MARIJUANA AND TOBACCO FOR YOUTH

Sonora, CA – In recent years, the growing use of marijuana and tobacco among youth has become a major concern for the Sonora Police Department (SPD) and Tuolumne County Public Health Department (TCPH). Smoking anything, including marijuana and tobacco, can contribute to early death and disease, and the known health effects of vaping include lung inflammation, throat irritation, heart disease risk, increased asthma symptoms and decreased immune response. While smoking rates have been declining among youth, unfortunately many young people now choose to vape or use e-cigarettes, often falsely believing that vaping is a safe way to use these substances. The 2021 California Healthy Kids Survey found that 21% of Tuolumne County high school juniors currently vape and 24% currently use marijuana, although it is illegal for anyone under the age of 21 to purchase either marijuana or tobacco products in California.

### KNOW THE RISKS

- People who drive under the influence of marijuana can experience slower reactions, decreased coordination, and difficulty reacting to signals and sounds. Avoid driving 3 hours after smoking and 6 hours after ingesting marijuana products. Driving while high is illegal.
- Marijuana can be laced with fentanyl or other substances without your knowledge and have serious, or even fatal effects.
- Chronic marijuana use and chronic nicotine use by young people have both been linked with anxiety, depression, learning and memory problems, and altered brain development. These substances can affect adolescents differently than adults, with lifelong consequences.
- Nicotine is a highly addictive chemical found in all tobacco products. Youth use of nicotine has been found to increase the risk of becoming addicted to ANY substance.
- One disposable vape typically contains 2-3 times as much nicotine as a pack of cigarettes, and flavored vapes commonly contain chemicals known to harm the lungs and brain.

### MAKE HEALTHY AND SAFE CHOICES

- Talk to your kids and loved ones frequently about the dangers of marijuana and tobacco use.
- Set an example by living a drug and tobacco free lifestyle. Keep marijuana and nicotine products locked up out of reach of children, and ensure all e-liquids have a childproof cap.
- Encourage those who currently use these products to quit.
- Educate yourself about the topic from trusted sources.

SPD partners with many local agencies, including TCPH and local schools, to prevent substance use and promote the health and safety of the community. For more information, visit <https://www.sonorapd.com/programs-and-services/know-the-dangers-or-marijuana-and-tobacco-use/> or contact the Tuolumne County Public Health Tobacco Control Program at (209) 533-6862 or [tobaccocontrol@co.tuolumne.ca.us](mailto:tobaccocontrol@co.tuolumne.ca.us).

### LINKS FOR MORE INFORMATION

- CDPH Cannabis Education: <https://www.cdph.ca.gov/Programs/DO/letstalkcannabis/pages/letstalkcannabis.aspx>
- Stanford Cannabis Awareness & Prevention Toolkit: <https://med.stanford.edu/cannabispreventiontoolkit.html>
- SAMHSA Know the Risks of Marijuana: <https://www.samhsa.gov/marijuana>
- Kick It CA Tobacco Cessation Resources: <https://www.undo.org/>
- Health Effects of Vaping on Teens: <https://www.flavorhookkids.org/>



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Tracy Skelly, City Clerk

**SUBJECT:** Presentation by Blue Zones Project Tuolumne County on an Age-Friendly Community

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### RECOMMENDATION

Receive a Presentation by Blue Zones Project Tuolumne County Public Policy Advocate Kristine Conforti and Executive Director Tyler Summersett on an Age-Friendly Community.

### FISCAL IMPACT

No fiscal impact to the General Fund.



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Tracy Skelly, City Clerk

**SUBJECT:** Presentation by Sonora Chamber of Commerce on Christmas Town

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### RECOMMENDATION

Receive a Presentation by Sonora Chamber of Commerce President Katie Dunn regarding Christmas Town.

### FISCAL IMPACT

No fiscal impact to the General Fund.



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

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

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

### RECOMMENDATION

Consider Adoption of Resolution 09-19-2022-A authorizing remote teleconferencing meetings of the City Council and its committees and commissions for 30 days pursuant to Government Code Section 52953(e) Brown Act provisions.

### DISCUSSION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Staff recommends the Council adopt Resolution 09-19-2022-A that authorizes remote teleconferencing meetings of the City Council and its committees and commissions for 30 days pursuant to Government Code Section 54593(b)(3).

#### **FISCAL IMPACT**

No fiscal impact to the General Fund.

#### **ATTACHMENTS**

- Resolution No. 09-19-2022-A

**RESOLUTION 09-19-2022-A**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**AYES:** \_\_\_\_\_

**NOES:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

Signed and dated:

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Mark Plummer  
Mayor of the City of Sonora

ATTEST:

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Tracy Skelly  
City Clerk



Date: September 13, 2022

To: City Council, City of Sonora  
Melissa Eads, City Administrator

From: Kristi Conforti, Public Policy Advocate  
Tyler Summersett, Executive Director, Blue Zones Project Tuolumne County

Re: Consideration of Approving a Resolution for the City of Sonora to support joining the AARP Network of Age-Friendly States and Communities

**Background:**

This letter requests a Resolution by your Council to promote public policies that embrace healthy aging by supporting the application, planning and implementation process for the City of Sonora to become an Age-Friendly City as recognized by the AARP Age-Friendly Network of States and Communities.

699 communities within the United States have already joined, including nine counties and 64 cities in California. The City of Sonora would be the first rural city in California to become a member. The Age-Friendly designation represents a commitment by elected leaders to promote public policies that support healthy aging and add an age-friendly lens to work that is already being done. This effort is in partnership between the Blue Zones Project, Tuolumne County Commission on Aging, Area 12 Agency on Aging, and senior community members.

AARP identified "eight domains of livability" to determine what makes a community supportive for people of all ages. Creating an Age-Friendly city will involve support from your Council on specific opportunities within these domains:

- *Outdoor Spaces & Buildings*
- *Transportation*
- *Housing*
- *Social Participation*
- *Respect & Social Inclusion*
- *Civic Participation & Employment*
- *Communication & Information*
- *Community Support & Health Service*

**Fiscal Impact:**

There is no fiscal impact, however, approval of this resolution could lead to specific AARP and other grant opportunities that support this age-friendly initiative.

**Recommendation:**

It is respectfully recommended that the City of Sonora City Council commits to promote public policies that embrace healthy aging by supporting the application, planning and implementation process for the City of Sonora to become an Age-Friendly City as recognized by the AARP Age-Friendly Network of States and Communities.

Sincerely,

Kristi Conforti  
Public Policy Advocate

Tyler Summersett  
Executive Director



## RESOLUTION 09-19-2022-D

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### A RESOLUTION OF THE CITY COUNCIL TO COMMIT TO PROMOTE PUBLIC POLICIES THAT EMBRACE HEALTHY AGING AND BECOME AN AGE-FRIENDLY CITY AS RECOGNIZED BY THE AARP AGE-FRIENDLY NETWORK OF STATES AND COMMUNITIES

- WHEREAS,** the population of people aged 65 and over in the United States is expected to increase from 54 million to more than 94 million in 2050;
- WHEREAS,** as the U.S. population ages and people are living longer, communities must adapt to support healthy, active opportunities for all residents;
- WHEREAS,** Nearly 25% of the population in the City of Sonora is aged 65 and older;
- WHEREAS,** the World Health Organization noted that “making cities and communities age-friendly is one of the most effective policy approaches for responding to demographic ageing”;
- WHEREAS,** in 2012, AARP created the Age-Friendly Network to engage and mobilize communities to create and support livable areas and improve quality of life for people of all ages;
- WHEREAS,** all ages benefit from the adoption of policies and programs that make neighborhoods walkable, feature transportation options, enable access to key services, provide opportunities to participate in community activities, and support housing that’s affordable and adaptable; and
- WHEREAS,** Well-designed, age-friendly communities foster economic growth and make for happier, healthier residents of all ages;

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

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

Section 2. Approve the Resolution 09-19-2022-D committing to promote public policies that embrace healthy aging by supporting the application, planning and implementation process for the City of Sonora to become an Age-Friendly City as recognized by the AARP Age-Friendly Network of States and Communities.

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

**AYES:** \_\_\_\_\_

**NOES:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

Signed and dated:

---

Mark Plummer  
Mayor of the City of Sonora

ATTEST:

---

Tracy skelly  
City Clerk



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022  
**TO:** City Council Members  
**FROM:** Tracy Skelly, Administrative Analyst  
**SUBJECT:** Disbursements in the amount of \$338,312.96 for payroll

---

### RECOMMENDATION

Approval of disbursements in the amount of \$174,180.35 and \$164,132.61 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, holiday pay and other adjustments, including retro-pay.

### DISCUSSION

These payrolls were the 2<sup>nd</sup> and 1<sup>st</sup> payrolls of the month and was the expected amount.

This payroll is the 5<sup>th</sup> and 6<sup>th</sup> payrolls of 26 for FY22-23, we would have expected to expend 23.08% of the budgeted amount. In total, we have expended 17.40% of the Salaries and Wages for the FY 22/23 budget.

### FISCAL IMPACT

Disbursements are part of the approved FY22-23 Budget.



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Chris Gorsky, Administrative Services Director

**SUBJECT:** Accept the Carl Moyer Energy Infrastructure Grant, Award the contract to install four (4) Level 2 Vehicle Chargers to TurnOnGreen, Inc. and Authorize the City Administrator to execute the agreements.

### RECOMMENDATION

Accept the Carl Moyer Memorial Air Quality Standard Attainment Program Energy Infrastructure Grant Agreement. Award the contract to install four (4) level 2 (11kw) Electric Vehicle Chargers to TurnOnGreen, Inc. and Authorize the City Administrator to execute the agreement.

### DISCUSSION

The City was awarded grant funding to install four (4) Level 2 Electric Vehicle Chargers. TurnOnGreen provided a quote for \$40,295 to install chargers at the Sonora Parking Garage 1<sup>st</sup> floor.



Electric Vehicle (EV) adoption is experiencing rapid growth, especially in California. Approximately 16% of new car sales in the State are electric vehicles. As more drivers adopt EV's charging will become increasingly important, especially for those without reliable home charging.

California has established ambitious climate change goals over the last decade through a variety of laws and executive orders, including greenhouse gas reduction goals, renewable electricity requirements, and zero emission vehicle infrastructure plans. These will be achieved through a mix of incentives, grant and funding opportunities, and legal requirements. Transitioning to electric vehicles powered by renewable electricity is likely necessary to meet the State of California's goal of net-zero carbon by 2045.

The California Air Resources Board adopted the Advanced Clean Cars II proposal in August 2022. Starting in 2026 35% of new car sales will be electric and prohibits new internal combustion engines (ICE) cars by 2035. This measure will provide a reduction in pollution from cars and light trucks by 50% by 2040 in California.

There are no Electric Vehicle Chargers publicly available in the Sonora downtown area. By placing EV charging in places that are near retail services provides an opportunity to attract visitors that drive electric cars to the downtown area. Charging an EV takes longer than filling a gas tank of an ICE vehicle. When customers spend more time in stores research has shown that the difference between 25 and 50 minutes of additional “dwell” time has a significant impact on for retail sites.

### **FISCAL IMPACT**

The General Fund contribution is \$1,192.80 for a 5-year warranty coverage for the hardware. This is not an eligible expenditure for the Carl Moyer grant and must be paid for by the city. The City will share in the revenue generated by the chargers and overall, the General Fund will see a minor financial benefit from this installation.



**Tuolumne County Air Pollution Control District  
Carl Moyer Memorial Air Quality Standards Attainment Program  
Energy Infrastructure Grant Agreement**

This Grant Agreement (CMP-2022-Sonora-EVCS-08-01) (“Agreement”) is made and entered into this 19<sup>th</sup> day of September 2022, by and between the Tuolumne County Air Pollution Control District (“District”) and the City of Sonora Administration Department (“Participant”).

**I. Agreement Term**

The term of this Agreement shall commence effective upon the date of this Agreement and continue for three (3) years following purchase and installation of one (1) vehicle charging station with four (4) Level 2 Chargers. The project also involves associated wiring, labor, and engineering as described in Section B, collectively referred to as electric vehicle charging station (“EVCS”), used for the charging of public and private electric vehicles at the City of Sonora Parking Garage located at 94 N. Washington Street.

Should the purchase of the EVCS and work as specified in the application and Agreement fail to be completed within one (1) year of the Agreement execution date, the District reserves the right to cancel Agreement for cause. All information as contained in the application is included as a part of this Agreement.

**II. Payment**

Participant agrees to accept as full payment an amount not to exceed \$39,103 for the purchase and installation of one (1) *TurnOnGreen* Model EVP1100-WG charging station and associated supporting equipment, including labor and installation (\$36,308.25); design and engineering costs (\$2,252); and, (\$542.75) as outlined in the District approved quote submitted by the Participant, and specified as Eligible Costs in section (D) of Chapter 10 of the Carl Moyer Program 2017 Guidelines (“Guidelines”), subject to the terms of this Agreement.

Participant agrees to submit final signed invoices showing prices from vendors and copies of the bills of sale for all equipment to the District for reimbursement of eligible costs for the EVCS. Payment for the EVCS will not be allowed unless all provisions of this Agreement are met.

**III. Program Criteria and Requirements**

Participant agrees the EVCS covered under this Agreement meets all criteria and eligibility requirements described in Chapters 2 and 10 of the Guidelines.

Participant is prohibited from purchasing the EVCS prior to Agreement execution. Participant acknowledges that the purchase and installation of the EVCS and subsequent operation, hereinafter referred to as “Project”, is not required by any District, State and/or federal rule, regulation, or MOU in effect. Participant acknowledges that the emissions reductions that are realized by this Project

prohibits any application for any form of emissions reduction credits, banking, or trading program for all time, from the District or any other air pollution control district or air quality management district.

The EVCS technology shall be certified or verified for sale in California at the time of purchase and shall be a level 2 or higher system with said technology having been certified by a Nationally Recognized Testing Laboratory and have a minimum one (1) year warranty. The Project must comply with all applicable federal, State, and local laws and requirements including State building, environmental and fire codes.

Participant acknowledges and agrees to operate the EVCS according to the terms of this Agreement and to cooperate with the District and the California Air Resources Board (“CARB”) in any monitoring, enforcement, or other efforts to assure the emissions benefits are real, quantifiable, surplus, and enforceable.

Participant acknowledges that only one application for funding may be applied for this Project through the Carl Moyer Program. Multiple applications or multiple contracts for the same equipment, shall at a minimum, disqualify the Participant from future participation in the Carl Moyer Program and may include the District or CARB to seek fines or penalties in accordance with the California Health and Safety Code.

The term of this Agreement will continue for three (3) years from the date of the post-inspection. In the event Participant does not complete the minimum three-year Agreement term, the Participant shall refund to the District a pro-rated amount of one-third the grant amount for each year less than the Agreement term. Participant understands that the APCO may relieve this obligation to return the funds or a portion thereof depending on the circumstances.

Participant shall use a competitive bidding process for selection of the EVCS, with all work regarding installation being performed by a licensed contractor. The EVCS must at a minimum be accessible to the public during daily regular business hours. Participant agrees to maintain the EVCS at a minimum of 95 percent successful charging rate with 24/7 customer service available on site via a toll free number. The anticipated usage in terms of number of vehicles using the EVCS shall be a minimum of 25 vehicles a week. Participant agrees to report the EVCS to the Department of Energy Alternative Fuel Data Center at <http://www.afdc.energy.gov/locator/stations>.

Participant will maintain the EVCS according to the manufacturer's recommendations. The Participant is responsible for maintaining replacement value insurance in accordance with the Guidelines and providing Proof of Insurance to the District, if requested. The EVCS, including the fuel/energy meter shall be in operating condition throughout the term of the Agreement term. Failure of the fuel/energy meter must be repaired or replaced as soon as possible and is not considered a maintenance expense and therefore not an eligible cost. If any other equipment fails rendering the EVCS nonfunctional, the Participant has 48 hours to repair and ensure EVCS is operational. The Participant shall notify the District of any downtime beyond 48 hours.

#### IV. District Options for Withholding Payment

The District may withhold payment until final reports and/or invoices required under this Agreement are received and approved by the District. The District may also withhold payment where the Participant is in non-compliance with this Agreement but must release payment otherwise due upon taking necessary steps to complete compliance.

The District reserves the right to cease payment to the Participant for any work not completed, until such time as the Participant demonstrates to the satisfaction of the District that work products scheduled to be completed, have been satisfactorily completed and any services are on schedule and delivery has taken place. Progress payments for this Project will not be allowed by the District.

#### V. Inspections and Auditing

The District will complete a post-inspection of the Project prior to disbursing grant funding to the Participant. District staff shall ensure during the post-inspection that the EVCS is fully operational and capable of charging electric vehicles. During the term of this Agreement, District staff or CARB personnel shall be allowed to inspect the equipment provided the Participant is given a minimum of 24-hours oral or written notice. Participant shall provide District staff or CARB personnel access to the EVCS and any associated records.

#### VI. Recordkeeping and Reporting

The Participant will retain all financial records and administrative documents relative to this Agreement in accordance with applicable District, State, and federal statutes, regulations, ordinances, and policies. All such records shall be returned to the District should Participant become defunct or cease doing business, prior to limitations set forth in such statutes.

The Participant shall also provide annual reports that identify annual usage, number of plug-in events, and unscheduled downtime, duration, and suspected cause. These reports shall be submitted each year, no later than 30 days from the post-inspection anniversary date. The reports shall be signed by the Participant indicating all information is accurate and complete. Records shall be retained for at least two (2) years following the end of the Agreement term. Failure to maintain and provide adequate records of use annually would be grounds for terminating this Agreement and requiring a refund of grant funds.

#### VII. Noncompliance

Noncompliance with this Agreement, Guidelines, or Program requirements may result in the cancellation of this Agreement, recapturing of grant funds, or any other remedy available under the law.

#### VIII. Termination

- A. This Agreement may be terminated upon mutual written consent of the parties, or as a remedy available at law or in equity.
- B. District reserves the right to terminate this Agreement for convenience upon thirty (30) calendar days' written notice to the Participant.
- C. Should Participant default in the performance of this Agreement or materially breach any of its provisions, District, at its option, may terminate this Agreement by giving written notification to Participant. The termination date shall be the effective date of the notice. For the purposes of this Section, default or material breach of this Agreement shall include, but not be limited to, any of the following: failure to perform required services in a timely manner, willful destruction of District property, dishonesty, or theft.

#### IX. Hold Harmless/Indemnity

- A. Participant shall indemnify, defend, save, protect and hold harmless both District and Tuolumne County, their elected and appointed officials, officers, employees, agents and volunteers from any and all demands, losses, liens, claims, court costs, suits, liabilities, legal fees and expenses for any damage (personal or property), injury or death (collectively, "Liability") arising directly or indirectly from or connected with the services provided hereunder which is caused, or claimed or alleged to be caused, in whole or in part, by the negligence or willful misconduct of Participant, its officers, employees, agents, contractors, consultants, or any person under its direction or control and shall make good to and reimburse District for any expenditures, including reasonable attorney's fees that it may make by reason of such matters and, if requested by District, shall defend any such suits at the sole cost and expense of Participant. Participant's obligations under this section shall exist regardless of concurrent negligence or willful misconduct on the part of the District's or any other person; provided, however, that Participant shall not be required to indemnify District for the proportion of Liability a court determines is attributable to the negligence or willful misconduct of District.

This provision is not intended to create any cause of action in favor of any third party against Participant or District or to enlarge in any way the Participant's liability but is intended solely to provide for indemnification of District from liability for damages or injuries to third parties or property arising from Participant's performance pursuant to this Agreement.

- B. If such indemnification becomes necessary, the County Counsel for the County shall have the absolute right and discretion to approve or disapprove of any and all counsel employed to defend District. This indemnification clause shall survive the termination or expiration of this Agreement.

#### X. Insurance

Participant shall provide at its own expense and maintain at all times the following insurance with insurance companies licensed in the state of California and shall provide evidence of such insurance to District as may be required by the Risk Manager of the County. The Participant's insurance policy(ies) shall be placed with insurer(s) with acceptable Best's rating of no less than A-VII or with approval of the Risk Manager. Participant shall furnish District with original certificates and amendatory endorsements or copies of the applicable policy language affecting coverage required by this clause. All certificates and endorsements are to be received and approved by District before work commences, if requested. However, failure to obtain the required documents prior to the work beginning shall not waive the Participant's obligation to provide them. District reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

##### A. Workers Compensation:

1. Worker's Compensation Insurance shall be provided as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.
2. If there is an exposure of injury to Participant's employees under the U.S. Longshoremen's and Harbor Worker's Compensation Act, the Jones Act, or under laws, regulations, or statutes applicable to maritime employees, coverage shall be included for such injuries or claims.

3. Participant shall require all Subcontractors to maintain adequate Workers' Compensation insurance. Certificates of Workers' Compensation shall be filed with District upon demand.
- B. Commercial General Liability Insurance (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury, and personal & advertising injury with limits no less than \$2,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
- C. Automobile Liability: ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than \$1,000,000 per accident for bodily injury and property damage.

If the Participant maintains broader coverage and/or higher limits than the minimums shown in Sections A, B, and C above, the County requires and shall be entitled to the broader coverage and/or the higher limits maintained by the participant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

- D. Other Insurance Provisions: The insurance policies are to contain, or be endorsed to contain, the following provisions:
  1. Additional Insured Status. The County, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance (at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of both CG 20 10, CG 20 26, CG 20 33, or CG 20 38; and CG 20 37 if a later edition is used).
  2. Primary Coverage. For any claims related to this contract, the Contractor's insurance coverage shall be primary coverage at least as broad as ISO CG 20 01 04 13 as respects the County, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the County, its officers, officials, employees, or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.
  3. Notice of Cancellation. Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the County.
  4. Waiver of Subrogation. Contractor hereby grants to County a waiver of any right to subrogation which any insurer of said Contractor may acquire against the County by virtue of the payment of any loss under such insurance. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the County has received a waiver of subrogation endorsement from the insurer.
  5. Self-Insured Retentions. Self-insured retentions must be declared to and approved by the County. The County may require the Contractor to purchase coverage with a lower retention or provide proof of ability to pay losses and related investigations, claim administration and

defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or County.

6. Acceptability of Insurers. Insurance is to be placed with insurers authorized to conduct business in the state with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the County.
7. Verification of Coverage. Contractor shall furnish the County with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements to County before work begins. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The County reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.
8. Special Risks or Circumstances. County reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.
9. Failure to Comply: Upon failure to comply with any of these insurance requirements, this Agreement may be forthwith declared suspended or terminated. Failure to obtain and/or maintain any required insurance shall not relieve any liability under this Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the indemnification obligations.

## XI. Notices

Any formal notices from either party to the other shall be given in writing, except for onsite inspections, auditing, and normal correspondence. Notice for noncompliance shall be given by certified, express, or registered mail, and shall be effective as of the date of receipt indicated on the return receipt card. All other correspondence between the District and Participant shall be by mail, email, phone/fax, in-person, or other method approved by both parties. Contact persons for this Agreement shall be the following:

City of Sonora  
Chris Gorsky, Admin Services Director  
94 N. Washington Street  
Sonora, CA 95370  
(209) 532-4541 ext. 401  
cgorsky@sonoraca.com

Tuolumne County Air District  
Yousif Zardo, Deputy APCO  
2 South Green Street  
Sonora, CA 95370  
(209) 533-5693  
yzardo@co.tuolumne.ca.us

## XII. Modification

Any matters of this Agreement may be modified from time to time by the written consent of all the parties without in any way affecting the remainder. No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by all parties.

### XIII. Severability

Should any of the provisions set forth in this Agreement be determined to be invalid by any court of competent jurisdiction, such determination shall not affect the enforceability of the other provisions herein and to this end provisions of this Agreement are declared to be severable.

### XIV. Independent Contractor

It is understood that Participant, in the performance of this Agreement, shall act as and be an independent contractor and shall not act as an agent or employee of the District. Participant shall obtain no rights to retirement benefits or other benefits which accrue to District's employees, and Participant hereby expressly waives any claim it may have to any such rights. All employees, agents, contractors, subcontractors hired or retained by the Participant are performing in that capacity for and on behalf of the Participant and not the District. The District shall not be obligated in any way to pay any wage claims or other claims made against the Participant by any such employee, agent, contractor or subcontractor, or any other person resulting from the performance of this Agreement.

### XV. No Waiver

The failure to exercise any right to enforce any remedy contained in this Agreement shall not operate as to be construed to be a waiver or relinquishment of the exercise of such right or remedy, or of any other right or remedy herein contained.

### XVI. Disputes

Should it become necessary for a party to this Agreement to enforce any of the provisions hereof, the prevailing party in any claim or action shall be entitled to reimbursement for all expenses so incurred, including reasonable attorney's fees.

It is agreed by the Parties hereto that unless otherwise expressly waived by them, any action brought to enforce any of the provisions hereof or for declaratory relief hereunder shall be filed and remain in a court of competent jurisdiction in the County of Tuolumne, State of California.

The validity, interpretation and performance of this Agreement shall be controlled by and construed under the laws of the State of California.

### XVII. Captions

The captions of this Agreement are for convenience in reference only and the words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction or meaning of the provisions of this Agreement.

### XVIII. Entire Agreement

This Agreement constitutes the entire agreement between the District and the Participant with respect to the subject matter hereof and supersedes all previous negotiations, proposals, commitments, writings, advertisements, publications, and understandings of any nature whatsoever unless expressly included in this Agreement.

## XIX. Authority

Each party and each party's signatory warrant and represent that each has full authority and capacity to enter into this Agreement in accordance with all requirements of law. The parties also warrant that any signed amendment or modification to the Agreement shall comply with all requirements of law, including capacity and authority to amend or modify the Agreement.

The parties hereto have caused this Agreement to be executed as of the day and year first hereinabove written.

Approved: \_\_\_\_\_ Dated: \_\_\_\_\_  
Mellissa Eads, City Administrator

Approved: \_\_\_\_\_ Dated: \_\_\_\_\_  
Kelle Schroeder, Air Pollution Control Officer

Approved as to Legal Form: \_\_\_\_\_ Dated: \_\_\_\_\_  
Maria Sullivan, Deputy County Counsel



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Rachelle Kellogg, Community Development Director

**SUBJECT:** Cuesta Heights Subdivision Tentative Map – 2 Year Extension

### RECOMMENDATION

1) Approve a 2-year extension for the Cuesta Heights Subdivision Vesting Tentative Subdivision Map. The tentative map approval will be extended to March 3, 2026.

### DISCUSSION

The Cuesta Heights Subdivision is located on 20.76 acres north of the intersection of Shaws Flat and Roble Rd. (APN# 035-070-53 & 55). The Vesting Tentative Subdivision Map for the Cuesta Heights Subdivision was approved by the City Council on March 3, 2008 and the Amended Tentative Map, and phasing plan, on February 16, 2021. The property is zoned R-1 with a land use designation of Single Family Residential under the General Plan. The tentative map includes 46 single-family residential lots.

The project was sold by the original developers, Dave and Cheri Cowden, to SV 110 LLC in 2021. SV 110 LLC is requesting approval of a 2-year map extension which will extend the tentative map until March 3, 2026. At which point they must have recorded the final map, either for the entire project or one phase, and completed the required subdivision improvements or bonded for them. The applicant anticipates phasing the tentative subdivision map into three phases. This will help the developer with infrastructure costs and bonding. The Phase One parcels abut and are most visible to Shaw's Flat Road to best showcase the new subdivision while requiring less grading and shorter distances for infrastructure extensions. The anticipated revenue generated through the selling of these lots will allow the developer to move forward with Phase Two and eventually Phase Three.

As previously stated the Vesting Tentative Subdivision Map was approved on March 3, 2008 immediately prior to Great Recession that had a severe impact on all development projects. The map was originally set to expire in 2011 but it received several extensions due to the economic downturn. Some of these extensions were automatically set by the State and others were granted by the City. The State's extensions during the recession were in addition to those provided under the existing Government Code.

The applicant has been working through the plan/map review process. They are also in the process of updating all of the required project studies/plans however this process has been delayed due to COVID's impact on staffing for the various consulting and governmental agencies providing these services. Additionally the project has been affected by previously installed utilities by both PG&E and TUD.

Currently the tentative map is set to expire on March 3, 2024 and the applicant is concerned that they will not be able to meet this deadline. Therefore the applicant is requesting an extension under

California Government Code Section 66452.6(e). This code section provides that upon application of the subdivider, filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the City Council for a period not exceeding a total of six years. The period of extension specified in this subdivision shall be in addition to the 10 years provided under Government Code Section 66452.6(a). Therefore, with the approval of the City Council, the tentative map would expire March 3, 2026. This is the final extension that can be granted by the City under the Government Code.

The project conditions already tied to the map address issues of traffic safety, geotechnical risks, buffering adjacent uses and similar items related to health and safety issues. Conditions including under the original project approval also address all state and federal laws in effect at the time of final map approval. The prior recession and now COVID has had an unprecedented effect on housing projects such as the applicants and although the project was originally approved in 2008 the conditions around the site have not changed.

As required under the Subdivision Ordinance, the Public Hearing Notice for this project was published in the Union Democrat and sent to all property owners within 300 ft. of the project. Any comments received will be provided to the City Council at the meeting. Following the public hearing, the City Council will be considering approval of the two-year map extension. Staff supports the applicant's request and feels that this is a good development proposal for this location.

#### **CEQA**

Due to no proposed change in use, it is anticipated that the project's environmental impacts are consistent with those originally anticipated and addressed pursuant to the project's Mitigated Negative Declaration adopted by the City Council.

#### **FISCAL IMPACT**

None

#### **ATTACHMENTS**

- 1) Public Hearing Notice
- 2) Location Map
- 3) Approved Cuesta Heights Vesting Subdivision Tentative Map

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Sonora City will conduct a public hearing at 5:00 PM, or shortly thereafter, on the 19<sup>th</sup> day of September 2022, in the Sonora City Council Chambers, 94 North Washington Street, Sonora, CA for the purpose of considering the following:

- 1. Cuesta Heights Subdivision – Map Extension.** Application by SV110, LLC requesting approval of a two-year extension for the approved Cuesta Heights Tentative Subdivision Map located at 1375 Shaws Flat Rd. (APN's 035-070-053 & 055).

This meeting will be held in accordance with Government Code Section 52953(E) and the City of Sonora City Council Resolution No. 05-16-2022-A. This meeting is physically open to the public or members of the public may participate in the meeting via video conferencing. The posted meeting agenda will include the phone number and passcode needed to participate in the teleconference. Pursuant to State law, challenges in court to actions on the above proposal may be limited to issues raised during public hearings or meetings conducted on the matter, or in correspondence submitted prior to the start of the meeting.

The project staff report will be included within the Meeting Agenda Packet available at the City of Sonora Administration Department, 94 North Washington Street, Sonora CA 95370, Monday through Friday, between the hours of 8:00 AM and 4:00PM or on the City's website at [www.sonoraca.com](http://www.sonoraca.com).. Questions regarding the project may be directed to Community Development Director Rachelle Kellogg at (209) 532-3508 ext. #2.

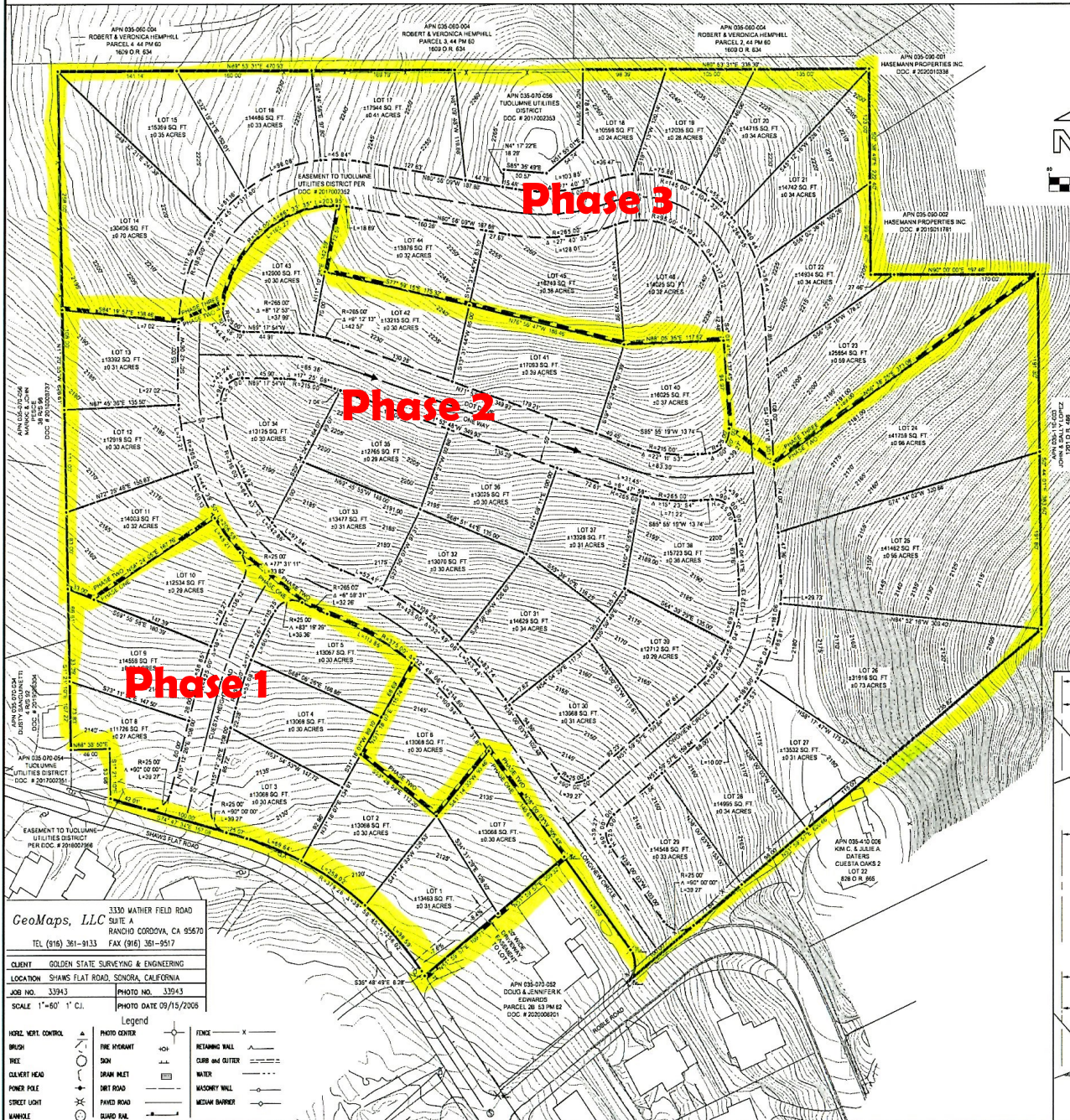
Upon request, the agenda and the documents in the meeting agenda packet can be made available to persons with a disability. In compliance with the Americans with Disabilities Act, the City encourages those with disabilities to participate fully in the meeting process. Any person requiring special assistance to participate in the meeting should call 209-532-4541 at least forty-eight (48) hours prior to the meeting.

Rachelle Kellogg  
Community Development Director

-v-

Publication Date: September 9, 2022      The Union Democrat  
Sonora, CA

# AMENDED TENTATIVE SUBDIVISION MAP FOR: CUESTA HEIGHTS PHASE ONE



## OWNER INFORMATION

OWNER: SV110, LLC  
MAILING ADDRESS: 14489 SUMMERS LANE  
SONORA, CA 95370  
PHONE: (209) 988-8858

## SITE INFORMATION

ADDRESS: SHAW'S FLAT ROAD  
A.P.N.: 035-070-053 & 035-070-055  
M.D.R.: 53 PM 62  
PROJECT SIZE: 120.18 ACRES  
SEWER: TUOLUMNE UTILITIES DISTRICT  
WATER: TUOLUMNE UTILITIES DISTRICT  
GENERAL PLAN: BFR  
ZONING: R-1  
LOT ELEVATION: AS NOTED

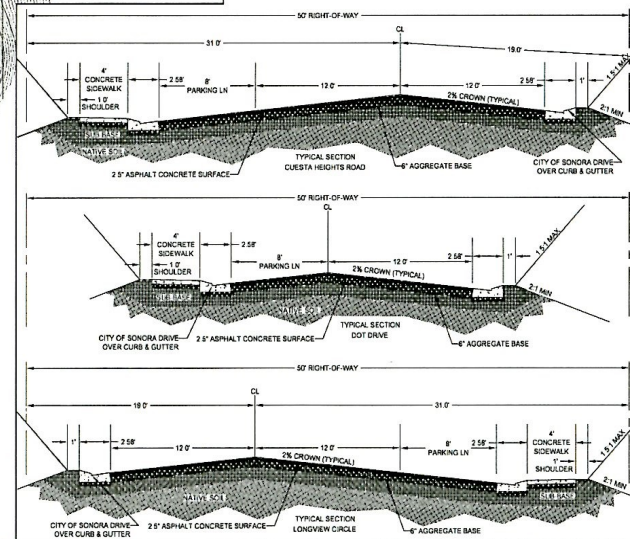
## NOTES

- ALL BEARINGS AND DISTANCES ARE RECORD, UNLESS OTHERWISE NOTED.
- THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY. ALL BEARINGS AND DISTANCES SHOWN ARE RECORD AS NOTED.
- CONTOUR INTERVAL IS 1 FOOT.
- PRIOR TO COMMENCING ANY CONSTRUCTION ON THIS SITE IT IS ADVISED THAT ALL INVOLVED PARTIES REVIEW SECTION 8711 AND SECTION 8725 OF THE BUSINESS AND PROFESSION CODE, SECTION 865 OF THE CALIFORNIA STATE PENAL CODE AND SECTION 27151 OF THE GOVERNMENT CODE TO ENSURE THAT MONUMENT CONSERVATION HAS BEEN PROPERLY ADDRESSED.
- RESERVATIONS, EASEMENTS AND CONDITIONS AS CONTAINED IN THE UNITED STATES LAND PATENTS PER 19 D 172 AND E-2 PATENTS 367.
- AN EASEMENT EXISTS TO TUOLUMNE UTILITIES DISTRICT FOR PIPELINES AND APPURTENANCES PER DOC. # 2017002352 & 2016007966.

## PROJECT SCOPE

AMEND VESTING TENTATIVE SUBDIVISION MAP TO BE COMPLETED IN THREE PHASES.

## VICINITY MAP



Item 14.

**Land & Structure**  
SURVEYING | ENGINEERING | DESIGN

105 SOUTH STEWART STREET, SONORA, CALIFORNIA 95370 P. 209.932.5173 F. 209.932.5200

## REVISIONS:

| rev | date | description |
|-----|------|-------------|
|     |      |             |

**OWNER INFORMATION:**  
SV110, LLC  
14489 SUMMERS LANE  
SONORA, CA 95370  
PH (209) 988-8858

**SITE INFORMATION:**  
APN 035-070-053 & 035-070-055  
SHAW'S FLAT ROAD  
SONORA, CA 95370

## PROJECT INFORMATION:

AN AMENDED TENTATIVE SUBDIVISION MAP FOR  
**SV110, LLC**  
**14489 SUMMERS LANE**  
**SONORA, CA 95370**  
**PH (209) 988-8858**

## SURVEYOR OF RECORD:

**PRELIMINARY**  
NOT FOR CONSTRUCTION

**ISSUE DATE:** 12/16/2020

**DRAWN BY:** TAH

**CHECKED BY:** \_\_\_\_\_

**SCALE:** 1" = 60'

**DRAWING:** CUESTA HEIGHTS

**PROJECT:** \_\_\_\_\_

**SHEET:** 34 1

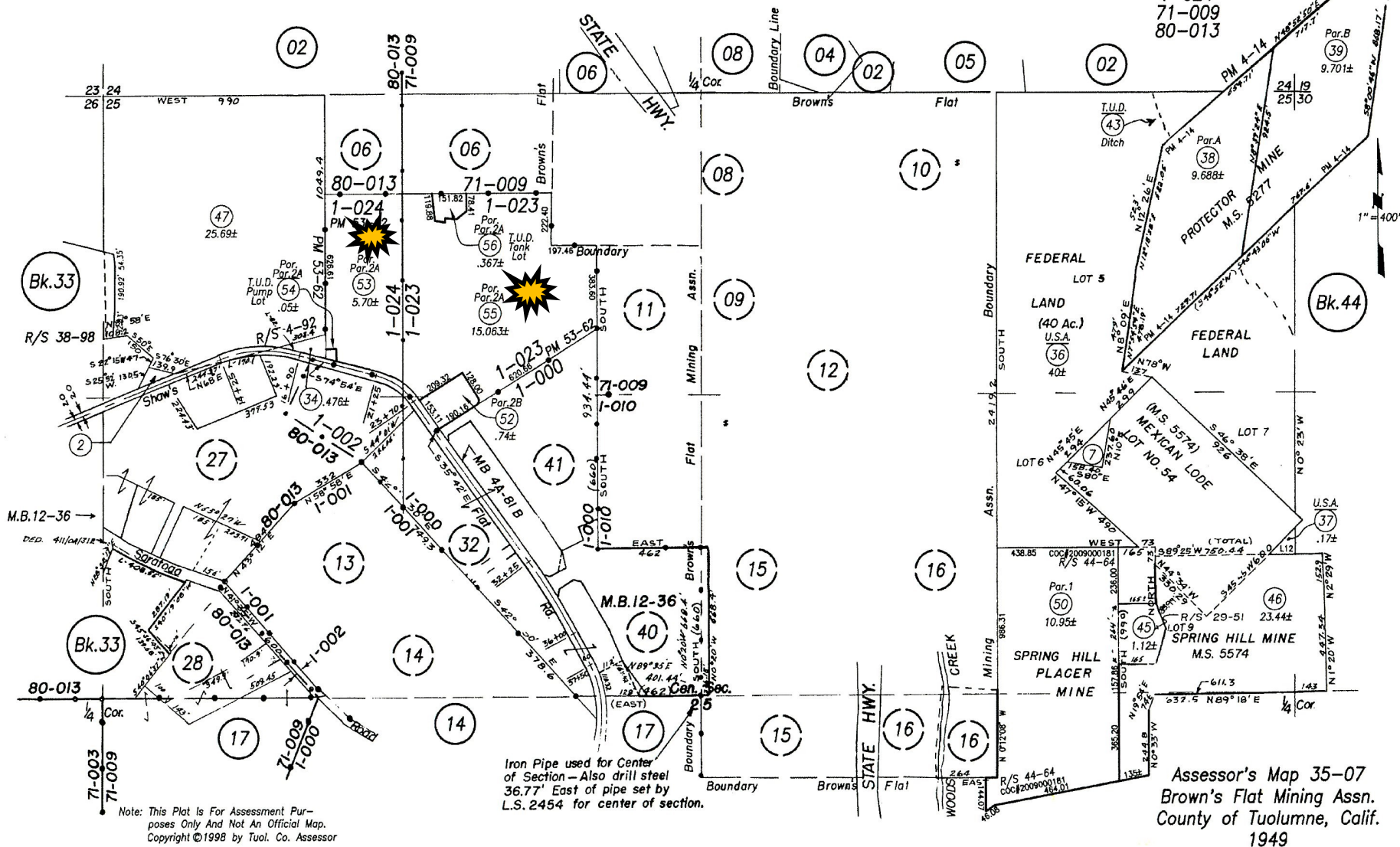
56

REVISION DATE  
6/21/2017

POR. N 1/2 SEC.25 T.2 N., R.14 E., M.D.B.&M.

*Tax Rate Area*  
1-000  
1-001  
1-023  
1-024  
71-009  
80-013

**35-07**





## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Rachelle Kellogg, Community Development Director

**SUBJECT:** Ordinance 897 – Accessory Dwelling Units

### RECOMMENDATION

Introduce by title Ordinance No. 897, amending Chapter 17.55, second Dwelling Units on Residential Parcels, of Title 17, Zoning, of the Sonora Municipal Code by repealing it in its entirety and replacing it with a new Chapter 17.55, Accessory Dwelling Units, and waive the first reading.

### DISCUSSION

In 2019 and 2020, the State legislature signed into law several bills changing how local agencies regulate accessory dwelling units (ADU) and junior accessory dwelling units (JADU). These bills are currently effective and are codified in California Government Code (GC) Section 65852.2 and 65852.22. In 2021 and 2022 the State Department of Housing and Community Development prepared guidelines to assist local agencies with implementation of these new regulations. These changes build upon original State Law adopted in 2016 and 2017 and further reduces the restrictions on construction of ADU/JADUs to address the statewide shortage of housing. There is an increasing demand for construction of these types of residential units as they are an affordable means to providing additional housing on existing residential properties. These State Laws have been more directive towards agencies in respects to what an agency must accept regarding ADUs and JADUs.

Staff has prepared a comprehensive draft ordinance for the City Council's consideration that addresses all specific requirements for compliance with current State ADU Law, specifically GC 65852.2 and 65852.22. The City's existing Chapter 17.55, Second Dwelling Units on Residential Parcels, will be repealed in its entirety and replaced with the new ADU ordinance that complies with State Law and allows for specific variables to be considered for ADUs within the City limits.

The current Chapter 17.55, allows for the establishment of second units (attached or detached) on residential lots with an existing single-family or multi-family home in either a single-family or multi-family zone. Further, the existing ordinance requires the second units to be ministerially approved by staff provided that all the criteria is met, regulates the allowable density for the lot upon which it is located, and requires it to be a residential use which is consistent with the existing general plan and zoning designations for the lot.

With new State Laws relaxing the requirements for AUD and JADUS, staff is proposing an update to Chapter 17.55, to better align and comply with the State's goals. The proposed update will relax the restrictions for ADU/JADU constructions per State Law and develops alternative standards for constructions in areas with potential health and safety concerns ((Gov. Code, § 65852.2, Subdivision. (e)). Below is a summary of the proposed changes:

#### Definitions

Current State Law further refine the definitions of an ADU and JADU. The proposed changes will update the definitions for the types of ADUs allowed and the parcels in which ADUs are allowed.

#### Exemptions

Per State Law, subdivision (e) requirements have been included in the text (Chapter 17.55.50 A-D).

#### Size and Location Standards

The proposed changes will further define the size, location, and standards. The changes will relax current standards to better align with State Law (Chapter 17.55.60).

#### Parking

The proposed changes will better define parking and driveway standards. The City of Sonora finds that due to Sonora's high fire risk, and the necessity to provide adequate maneuverability to accommodate emergency response vehicles, all ADUs and JADUs shall require onsite parking. All required parking for new ADUs and JADUs and any required replacement parking for the main dwelling on parcels located within a State designated Very High or High Fire Severity Zone shall meet the criteria outlined in Chapter 17.55.60(C)(5).

#### Design Features, Illegal Dwelling units, Permit Requirements, and Code Enforcement

The proposed changes will include description and guidance on these requirements per State Law and local provisions.

#### JADUs

Existing ordinance does not define or provide guidance on JADUs. The proposed ordinance will include definitions and guidance on the requirements for JADUs per State Law and local provisions.

The proposed ordinance has been drafted using existing local policies, provisions, and planning procedures with considerations relating to the new State Law. Additional measures have been included to mitigate potential health and safety concerns.

At their August 8, 2022 Planning Commission Meeting, Commissioners reviewed the Title 17 text amendment related to Accessory Dwelling Units and approved Resolution No. 08-9-2022-A recommending to the Sonora City Council approval of an ordinance as described within the attached Resolution and included within the draft Ordinance No. 897.

### **CEQA DETERMINATION:**

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resource Code Section 21080.17 and Section 15282(h) of the CEQA Guidelines, which exempts the adoption of an ordinance regarding second units to implement provisions of Sections 65852.2 and 65852.22 of the Government Code.

### **FISCAL IMPACT**

None

### **ATTACHMENTS**

1. Public Hearing Notice
2. Planning Commission Resolution 08-08-2022-A
3. Draft Ordinance 897

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Sonora City will conduct a public hearing at 5:00 PM, or shortly thereafter, on the 19<sup>th</sup> day of September 2022, in the Sonora City Council Chambers, 94 North Washington Street, Sonora, CA for the purpose of considering the following:

1. **Code Amendment. Title 17 Text Amendment – Accessory Dwelling Units** Text amendment to Title 17, Zoning, of the Sonora Municipal Code, amending chapter 17.55, Second Dwelling Units on Residential Parcels, by repealing it in its entirety and replacing it with a new Chapter 17.55, Accessory Dwelling Units.

This meeting will be held in accordance with Government Code Section 52953(E) and the City of Sonora City Council Resolution No. 05-16-2022-A. This meeting is physically open to the public or members of the public may participate in the meeting via video conferencing. The posted meeting agenda will include the phone number and passcode needed to participate in the teleconference. Pursuant to State law, challenges in court to actions on the above proposal may be limited to issues raised during public hearings or meetings conducted on the matter, or in correspondence submitted prior to the start of the meeting.

At its meeting of August 8, 2022, the City of Sonora Planning Commission held a public hearing on said project. Subsequent to the hearing the Commission voted to recommend approval by the City Council. The above text amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15282(h) and Public Resource Code Section 21080.17 which exempts the adoption of an ordinance regarding second units.

The project staff report will be available for review at the City of Sonora Community Development Department, 94 North Washington Street, Sonora CA 95370, Monday through Friday, between the hours of 8:00 AM and 4:00PM or on the City's website at [www.sonoraca.com](http://www.sonoraca.com). Questions regarding the project may be directed to Community Development Director Rachelle Kellogg at (209) 532-3508 ext. #2.

Upon request, the agenda and the documents in the meeting agenda packet can be made available to persons with a disability. In compliance with the Americans with Disabilities Act, the City encourages those with disabilities to participate fully in the meeting process. Any person requiring special assistance to participate in the meeting should call 209-532-4541 at least forty-eight (48) hours prior to the meeting.

Rachelle Kellogg  
Community Development Director

-v-

Publication Date: September 9, 2022      The Union Democrat  
Sonora, CA

## PLANNING COMMISSION RESOLUTION

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### RESOLUTION NO. 08-8-2022-A

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SONORA  
RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE  
17, ZONING ORDINANCE OF THE SONORA MUNICIPAL CODE, CHAPTER 17.55,  
SECOND DWELLING UNITS ON RESIDENTIAL PARCELS, BY REPEALING IT IN ITS  
ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 17.55, ACCESSORY  
DWELLING UNITS.**

**WHEREAS**, the City of Sonora Planning Commission is officially formed by Chapter 2.32 of the Sonora Municipal Code (SMC); and,

**WHEREAS**, Section 2.32.010 of the SMC states that the purpose of the Planning Commission is to promote and insure the comprehensive and adequate planning of the City, and Section 2.32.080(B) of the SMC prescribes that the Planning Commission investigate and make recommendations to the City Council upon reasonable and practicable means for putting the general plan into effect, in order that it will serve as a pattern and guide for the orderly physical growth and development of the City; and

**WHEREAS**, zoning is one of the primary means for promoting the comprehensive and adequate planning of the City and for implementing the general plan; and

**WHEREAS**, at its regular meeting conducted on August 8, 2022, the Planning Commission conducted a public hearing to consider the Text Amendments to Title 17, Zoning Ordinance of the Sonora Municipal Code;

**NOW, THEREFORE, BE IT RESOLVED THAT THE SONORA PLANNING COMMISSION HEREBY RECOMMENDS to the Sonora City Council adoption, by ordinance, a Text Amendment to Title 17, Zoning, of the Sonora Municipal Code, Chapter 17.55, Second Dwelling Units on Residential Parcels, by repealing it in its entirety and replacing it with a new Chapter 17.55, Accessory Dwelling Units, as contained in the attached Ordinance No. 897 and based on the following findings:**

The proposed text amendments:

- A. Are consistent with the objectives, policies, and general land uses and programs specified in the General Plan;
- B. Are in conformity with public convenience, general welfare, and good land use practice;
- C. Will not be detrimental to the health, safety, and general welfare;
- D. Will not adversely affect the orderly development of property or the preservation of property values; and

- E. The project has been reviewed in compliance with CEQA and is exempt from further review pursuant to the California Environmental Quality Act.

**PASSED AND ADOPTED as a resolution by the Sonora Planning Commission on this 8th day of August 2022, by the following vote:**

**Members of the Commission:**

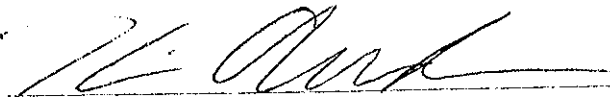
**AYES:** Levine, Anderson, Ghiorso, and Morales

**NOES:** \_\_\_\_\_

**ABSENT:** Opie

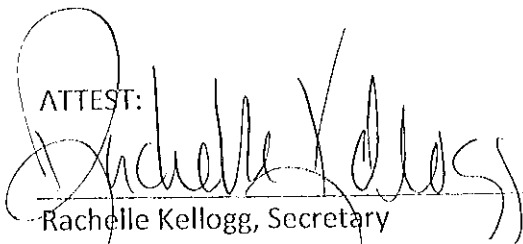
**ABSTAIN:** \_\_\_\_\_

**SIGNED:**



Kevin Anderson, Chair  
Planning Commission

**ATTEST:**



Rachelle Kellogg, Secretary  
Planning Commission

## ORDINANCE NO. 897

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA AMENDING CHAPTER 17.55, SECOND DWELLING UNITS ON RESIDENTIAL PARCELS, OF TITLE 17, ZONING, OF THE SONORA MUNICIPAL CODE BY REPEALING IT IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 17.55, ACCESSORY DWELLING UNITS

**WHEREAS**, like many California cities and counties, the City of Sonora (the “City”) is experiencing general housing and housing affordability shortages; and

**WHEREAS**, the general housing and housing affordability shortage is causing many working families and residents to seek housing outside the City; and

**WHEREAS**, the State of California passed a series of laws in 2019 and 2020 changing how local agencies regulate accessory dwelling units (ADU) and junior accessory dwelling units (JADU); and

**WHEREAS**, on February 22, 2021, the City Council approved the 2021 Goals and Objectives which included exploring all opportunities to provide best practices and dignified solutions to the City’s growing population and low-income and affordable housing needs; and

**WHEREAS**, the rising popularity of ADU and JADU provides for affordable opportunities to create additional housing to meet the needs of the community.

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

**SECTION 1. AMENDMENT.** Chapter 17.55, Second Dwelling Units on Residential Parcels, of Title 17, Zoning, of the Sonora Municipal Code shall be repealed in its entirety and replaced with a new chapter 17.55, which shall read as follows:

#### **Chapter 17.55 Second Dwelling Units on Residential Parcels**

**Sections:**

**~~17.55.010 Purpose.~~**

**~~17.55.020 Applicability.~~**

**~~17.55.030 Definitions.~~**

**~~17.55.040 Provisions.~~**

**~~17.55.050 Application procedure.~~**

**~~17.55.060 Findings of fact.~~**

**17.55.010 Purpose**

~~—The purpose of this chapter shall be to provide for the creation of second dwelling units on lots zoned for single family and multifamily dwellings, pursuant to the provisions of the California Government Code. [Ord. 757 § 2, (part), 2003.]~~

#### **~~17.55.020 Applicability.~~**

~~—This chapter is applicable to all areas within the City of Sonora which are zoned for single family use as well as areas zoned for multi-family use where there is insufficient lot size by normal density standards to permit a second dwelling.  
[Ord. 757 § 2, (part), 2003.]~~

#### **~~17.55.030 Definitions.~~**

~~—A "second dwelling unit" or "second unit" means a detached or attached dwelling unit which provides complete, independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel or parcels as the primary unit is situated. A second unit also includes an efficiency unit or a manufactured home as defined in the California Health and Safety Code. [Ord. 757 § 2, (part), 2003.]~~

#### **~~17.55.040 Provisions.~~**

~~Unless otherwise permitted by right, a second dwelling unit shall be ministerially issued by staff provided that all of the following criteria are met:~~

- ~~A. The unit is not intended for sale and may be rented.~~
- ~~B. The lot is zoned for single family or multi family use.~~
- ~~C. The lot contains an existing single family residence.~~
- ~~D. The second unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.~~
- ~~E. The increased floor area of an attached second unit shall not exceed thirty percent of the existing living area.~~
- ~~F. The total area of floor space for a detached second unit shall not exceed one thousand two hundred square feet.~~
- ~~G. Any new construction shall conform to height, setback, lot coverage, parking, and other zoning requirements generally applicable to residential construction in the zone in which the property is located.~~
- ~~H. Parking requirements for second units shall not exceed one parking space per unit, or two spaces per unit if it has more than one bedroom. Additional parking maybe required provided that a finding of fact is made that the additional parking requirements are directly related to the use of the second unit and are consistent with existing neighborhood standards applicable to existing dwellings. Off street parking shall be permitted in yard setback areas, but tandem parking is not feasible because it is not permitted anywhere else within the City.~~
- ~~I. Architectural design review shall be conducted where required by zoning.~~
- ~~J. Local building code requirements which apply to detached dwellings, as appropriate.~~
- ~~K. Standards may be imposed that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.~~

~~[Ord. 757 § 2, (part), 2003.]~~

#### **~~17.55.050 Application procedure.~~**

~~Application shall be made on a form provided by, and submitted to, the City Community Development Department, and shall be accompanied by a fee as adopted by resolution of the City Council.  
Accompanying the application shall be the following documentation:~~

- A. ~~An accurately drawn site plan showing the location of the existing residence, second unit, size of second unit, setbacks, utility connections, and parking.~~
- B. ~~Letters from the respective water, sewer and power utilities indicating the availability and terms of such additional utility service.~~
- ~~{Ord. 757 § 2, (part), 2003.}~~

#### **17.55.060 Findings of fact.**

~~The City Community Development Department, after consideration of the application and consultation with advisory agencies, shall issue a permit to authorize construction of a second dwelling unit on a lot zoned for single family or multi-family use under this chapter, if it finds that the application conforms to all of the criteria of this chapter. Pursuant to the California Government Code, second units shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use which is consistent with the existing general plan and zoning designations for the lot.~~

~~{Ord. 757 § 2, (part), 2003.}~~

## **Chapter 17.55 Accessory Dwelling Units**

### **Sections:**

|                         |                                                                    |
|-------------------------|--------------------------------------------------------------------|
| <b><u>17.55.010</u></b> | <b><u>Purpose</u></b>                                              |
| <b><u>17.55.020</u></b> | <b><u>Applicability</u></b>                                        |
| <b><u>17.55.030</u></b> | <b><u>Types of ADUs</u></b>                                        |
| <b><u>17.55.040</u></b> | <b><u>Number of units allowed</u></b>                              |
| <b><u>17.55.050</u></b> | <b><u>State Exempt ADUs under Subdivision (e) Requirements</u></b> |
| <b><u>17.55.060</u></b> | <b><u>Size and location standards</u></b>                          |
| <b><u>17.55.070</u></b> | <b><u>ADU design features</u></b>                                  |
| <b><u>17.55.080</u></b> | <b><u>Occupancy and rental requirements</u></b>                    |
| <b><u>17.55.090</u></b> | <b><u>Illegal accessory dwelling units</u></b>                     |
| <b><u>17.55.100</u></b> | <b><u>Junior Accessory Dwelling Units (JADUs)</u></b>              |
| <b><u>17.55.110</u></b> | <b><u>Impact and connection fees</u></b>                           |
| <b><u>17.55.120</u></b> | <b><u>Permit Requirements – Accessory Dwelling Units</u></b>       |
| <b><u>17.55.130</u></b> | <b><u>Code Enforcement</u></b>                                     |

#### **17.55.010**

**Purpose.** The purpose of this chapter is to provide regulations and criteria for the establishment and location of accessory dwelling units in compliance with Government Code Sections 65852.2 and 65852.22. This Section establishes standards for the development and operation of accessory dwelling units, previously known as secondary residential units and hereafter referred to as “ADUs.” All accessory dwelling units (ADU) and junior accessory dwelling units (JADU) approved by this Section are deemed to not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and accessory and junior accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designations for the lot.

#### **17.55.020**

**Applicability.** Accessory dwelling units (ADUs) are allowed in all zoning districts that allow single-family and multifamily dwelling residential subject to compliance with the development standards of the underlying zoning district for the primary dwelling and the requirements of this Section. If a conflict arises between the general development standards of the property's zone district and the development standards applicable to ADUs, the development standards of this Section shall supersede any conflicting development standard.

#### **17.55.030**

##### **Types of ADUs.**

- A. Attached ADU.** An attached ADU is within or directly connected to an existing or proposed primary dwelling or its attached garage, having a wall and/or other conditioned space in common. This can include remodeling an existing permitted living space into an ADU, converting existing non-living space into an ADU, adding square footage or an additional floor to the primary dwelling or its attached garage to create an ADU.
- B. Detached ADU.** A detached ADU is physically separated from an existing or proposed primary dwelling and its attached garage, not sharing a common wall or other conditioned space. This includes converting an existing detached legally constructed structure into an ADU, adding square footage or an additional floor to an existing detached structure to create an ADU, or constructing a new detached structure to create an ADU.
- C. Junior ADU (JADU).** A JADUs is a smaller type of attached dwelling unit that is no more than 500 square feet in size. Standards for JADUs are described in Subsection 17.55.100 below.

#### **17.55.040**

**Number of units allowed.** An ADU that conforms to the development standards in this Section is deemed to be an accessory use and/or an accessory structure and will not be considered to exceed the allowable density for the lot upon which it is located.

- A. Single-family parcels.** One accessory dwelling unit (attached or detached) and one junior accessory dwelling unit (JADU) shall be permitted on a legal parcel developed with one single-family dwelling. An ADU and/or JADU may be developed concurrently with a new single-family dwelling; however, final occupancy of the ADU/JADU shall not be issued prior to final occupancy of the new main dwelling.
- B. Multifamily parcels.** JADUs are prohibited on multifamily lots. On a lot with existing multifamily dwellings, the property owner of the underlying parcel may choose one of the following methods to create ADUs:
  - 1. Detached ADUs.** Up to two detached ADUs shall be permitted with 16-foot height limits and 4-foot rear and side yard setbacks.
  - 2. Converted ADUs.** Converted ADUs within portions of existing multifamily dwelling structures that are not used as livable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, attached garages) shall be permitted; the

number of converted ADUs permitted shall be one unit per existing multifamily development or up to 25 percent of the existing unit count in the building, whichever is greater.

#### **17.55.050**

**State Exempt ADUs under Subdivision (e) Requirements.** The following four categories of ADUs shall not be subject to lot coverage, setbacks, and structure height zoning and development standards. However, ADUs under this subdivision must meet the building code and health and safety requirements. The four categories of ADUs under subdivision (e) are:

- A.** Single-family parcels. One ADU and one JADU are permitted per lot within the existing or proposed space of a single-family dwelling, or an ADU within an existing legally constructed accessory structure, that meets specified requirements such as exterior access and setbacks for fire and safety, or
- B.** Single-family parcels. One detached new construction ADU that does not exceed four-foot side and rear yard setbacks. This ADU may be combined on the same lot with a JADU and have a maximum unit size requirement of 800 square feet and a height limitation of 16 feet.
- C.** Multifamily parcels. Multiple ADUs within the portions of multifamily structures that are not used as livable space. Local agencies must allow at least one of these types of ADUs, or up to 25 percent of the existing multifamily dwelling units within a structure, or
- D.** Multifamily parcels. Up to two detached ADUs on a lot that has existing multifamily dwellings that are subject to height limits of 16 feet and 4-foot rear and side yard setbacks.

The four categories above cannot be combined on one parcel.

**E.** **Deviations for state exempt ADUs.** A detached, new construction ADU that has both a maximum gross floor area of 800 square feet and a maximum height of 16 feet from natural grade shall be permitted with the deviations to general development standards below.

- 1.** **Setback reductions.** This category of smaller ADU, including eaves, is permitted to be constructed with reduced side and rear yard setbacks, no closer than 4 feet to the side and/or rear property lines. ADUs within the reduced side and/or rear yard setbacks shall comply with (b) and (c) below.
- 2.** **Roof design and materials.** The pitch of any portion of the roof within the reduced setback shall not be directed toward the side or rear property line, or the structure shall have a non-shedding roof material and/or snow retention mechanism for the life of the structure. This shall apply to roofs within setback areas to address snow-related issues associated with life safety, structural integrity, and property damage prevention.
- 3.** **Deviations to development standards.** This category of smaller ADU is

permitted to deviate from the site coverage and other development standards applicable to the property. Any deviation(s) shall be the minimum necessary to accommodate the floor area of the ADU living space, not to exceed an 800-square-foot ADU.

#### **17.55.060**

##### **Size and location standards.**

- A. Development envelopes and easements.** For ADUs constructed on lots where the recorded subdivision map established development/building envelopes and/or where there are recorded easements on the property, the building envelope and easement restrictions shall take precedence over any setback reductions provided within Subsection D.3 (Size limits, setbacks, and standards) below.
- B. Proximity.** A new construction, detached ADU shall be located within 100 feet of the main dwelling, unless a greater distance is determined to be necessary by the Director to avoid on-site septic systems, water supply systems, geographic constraints, and/or environmentally sensitive areas.
- C. Size limits, setbacks, and standards.** ADU size (i.e., floor area and height), setbacks, and development standards are directly correlated, therefore they are combined in this Subsection (Size limits, setbacks, and standards). Where side yard setback reductions are allowed in this Subsection, these reductions do not apply to street-side setbacks on corner lots. Additionally, on a corner lot, both lot lines facing streets are front lot lines and subject to setback requirements under Section 17.40.015.

##### **1. Standard ADUs.**

###### **a. Standard maximum floor area.**

Multifamily Parcels. the gross floor area of a standard attached or detached ADU shall not exceed 1,000 square feet.

Single-family parcels. the gross floor area for a new detached Standard ADU shall not exceed 1,200 square feet. The maximum square footage for attached accessory dwelling units shall be no larger than 50 percent of the floor area of the existing primary dwelling or a maximum of 1,000 square feet.

- b. ADU garage size.** If a garage for an ADU is proposed, it shall not exceed 500 square feet, shall comply with all general development standards applicable to garages, including site coverage.
- c. Setbacks and height.** All standard ADU structures shall comply with the side, rear, and front setbacks, and height limits applicable to the property's zone district.
- d. Other development standards.** Standard ADUs shall comply with all other general development standards applicable to the main dwelling, including site coverage, unless an exception is provided elsewhere in this

Subsection C (Size limits, setbacks, and standards).

2. **Conversion ADUs.** An existing legally constructed portion of a single-family dwelling or residential accessory structure that is converted to or replaced with an ADU shall not be required to meet additional setbacks beyond those that were required at the time the original structure was built. For replacements, if the structure is partially or completely demolished and replaced with a structure for a new ADU, the replacement structure shall be in the same location and shall not exceed the dimensions of the original structure, including footprint, floor area, and height, except as permitted below. The maximum gross floor area of the ADU portion of a converted or replaced structure shall not exceed the size limitations of Paragraph C.1.a (Standard maximum floor area) and the remainder may be used for other residential accessory uses.
  - a. **Roof modifications.** If the converted or replaced structure is within the standard setbacks applicable to the main dwelling, and if substantial modifications are proposed to the existing roof design or surface/material as a part of the ADU creation, the modifications shall comply with Subparagraph C.2.b (Roof design and material).
  - b. **Expansions of conversion ADUs.** If a conversion ADU is less than the maximum allowable floor area for an ADU, an expansion/addition may be approved; however, any expansions shall be subject to the standard unit size, height limit, setbacks, site coverage, floor area ratio, open space, and other development standards that would be applicable to a new standard ADU.
  - c. **Ingress/Egress for conversions.** In addition to any expansion allowed under Subparagraph C.3.b (Expansions of conversion ADUs), a conversion ADU may include an expansion of the existing structure up to 150 square feet for the purpose of accommodating ingress and egress to/from the ADU. This is permitted only for space that is unconditioned and not fully enclosed (e.g., front porch, covered stairway, breezeway, wheelchair ramp). This space is allowed to deviate from site coverage, floor area ratio, and open space standards applicable to the property up to 150 square feet, and, if relevant, may be used in addition to the deviations permitted for smaller ADUs in Subparagraph C.2 (Deviations to development standards).
    - i. **Setbacks for ingress/egress.** A new ingress/egress feature for a conversion ADU shall meet applicable setbacks for fire safety and the property's zone district and shall not extend further into standard front, rear, or side yard setbacks than the walls of the conversion ADU.
3. **Minimum floor area.** A minimum floor area of 150 square feet is required for all ADUs.
4. **Solar panels.** All newly (new construction) constructed detached ADU's will

require solar panels.

**5. Parking and driveways.**

- a. **Parking standard.** One on-site parking space shall be provided for each ADU, in addition to any parking required for the main dwelling unit, unless an exemption is provided below:
- b. **Parking location.** The City of Sonora finds that due to Sonora's high fire risk, and the necessity to provide adequate maneuverability to accommodate emergency response vehicles, required parking for all new ADUs and JADUs and any required replacement parking for the main dwelling on parcels located within a State designated Very High or High Fire Severity Zone shall meet the following criteria:
  - i. All required parking shall be provided for on the parcel and not on a public right-of-way; and
  - ii. No required parking shall be located within five feet of any property line; and
  - iii. Unless otherwise restricted by the above requirements, tandem parking and/or parking within setback areas is permitted.
- c. **Parking exemptions.** The one on-site parking space for ADUs, located outside of a State designated Very High or High Fire Severity Zone, shall not be required if any of the following situations apply:
  - i. The ADU is located within a half mile walking distance of a public transit stop;
  - ii. The ADU is located within an architecturally and historically significant historic district;
  - iii. The ADU is part of an existing or proposed primary residence or an existing accessory structure; or
  - iv. When on-street parking permits are required but not offered to the occupant of the ADU.
  - v. A car share vehicle station is located within one block of the ADU.
- d. **Replacement parking exemption.** When a legally constructed garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or is converted to an ADU, replacement parking for the main dwelling is not required if the parcel is located outside of a State designated Very High or High Severity Zone. This exemption does not apply to multifamily parcels.

- e. **On-street parking restriction.** Nothing within Subsection E (Parking and driveways), including the exemptions, shall be deemed to permit on-street parking during any time when such parking is prohibited.
- f. **Shared driveway.** An ADU shall be served by the same driveway encroachment as the main dwelling unit. A second driveway for an ADU will be permitted only if all of the following standards are met: 1) The ADU is located on a corner lot or through lot where the ADU will be accessed from a street other than the street providing access to the primary residence, or the ADU is on a lot with road frontage exceeding 150 lineal feet; 2) the proposal shall demonstrate compliance with the maximum allowable site coverage applicable to the property; and 3) the proposal shall comply with all other applicable Development Code standards and Public Improvement and Engineering Standards for single-family driveways and required off-street parking locations, except as modified within Subsection E (Parking and driveways).

#### **17.55.070**

##### **ADU design features.**

- A. ADU entrance.** The ADU shall have an exterior entrance separate from the main entrance to the proposed or existing main dwelling; this egress/entrance shall include a continuous and unobstructed path of travel to/from the public way. Additionally, the ADU may share with the main dwelling and/or JADU a single interior entryway (e.g., airlock, mudroom) not to exceed 80 square feet that provides direct, private access to each unit; however, in no case shall the primary entrance to the ADU be through the main dwelling living area, JADU, garage, or other interior space. A shared entryway is considered part of the main dwelling and is subject to general development standards applicable to the main dwelling, including setbacks, height limit, site coverage, floor area ratio, and open space.
- B. Interior access.** Interior access between the ADU and the main dwelling, attached or detached garage for the main dwelling, and/or other residential accessory structures shall be allowed, in compliance with all applicable California Building Standards Code requirements, as adopted by the City of Sonora. If interior access is proposed, the tenant of the ADU shall be able to lock the shared door from the interior of the ADU for privacy.
- C. Kitchen or cooking facilities.** An ADU shall include a permanent kitchen or cooking facility, consistent with the Development Code definition of a kitchen (Section 18.220.020.K, Kitchen or Cooking Facilities, Residential). At a minimum, an ADU kitchen shall include the following equipment:
  - 1. Cooking facilities** (i.e., a standalone cooking appliance with at least two burners that is connected to a gas stub or 220 electric volt outlet; does not include portable cooking accessories such as hot plates and other temporary heat sources);
  - 2. A refrigerator** (no minimum size); and
  - 3. A sink for dishwashing and sanitation purposes.**

- D. ADU historic design standards.** Exterior changes/additions to the building shall not affect the building's historic integrity and shall be compatible with its historic design features.
- E. Design Review.** ADUs are not subject to design review as required under Sonora Municipal Code Chapter 17.32, however, a staff level design review will be conducted for compatibility with existing structures on the parcel.

#### **17.55.080**

**Occupancy and rental requirements.** Owner occupancy is not required for the creation of an ADU. Short term rentals of ADUs are subject to the requirements under Chapter 17.64 (Transient Use Permit).

- A. Sale of unit prohibited.** No ADU shall be subdivided from the main dwelling through a condominium plan, community apartment plan, housing cooperative, or other subdivision. The sale or conveyance of an ADU independent and/or separate from the main dwelling shall be prohibited.
- B. Building code requirements.** Except as otherwise provided in this chapter, ADUs and JADUs shall comply with all uniform building codes adopted, and all other applicable laws, rules, and regulations. An accessory dwelling unit may consist of manufactured housing if such housing is permitted in the district in which it is proposed to be located and meets the standards for such housing. Each ADU and JADU shall obtain a building permit from the City of Sonora and shall be constructed in compliance with all applicable California Building Standards Code requirements, as adopted by the City of Sonora.
- C. Fire sprinklers.** ADUs and JADUs are not required to provide fire sprinklers if sprinklers are not required for the primary dwelling unit.
- D. Fire Safety Setbacks.** The minimum distance between detached buildings on the same parcel is ten feet. However, when the minimum distance cannot be provided due to size, shape, or slope of the parcel, the building official may allow for a reduction of the minimum distance to one consistent with the provisions of the currently adopted edition of the California-Building Code. In no event shall the minimum distance be reduced to less than six feet without approval of a conditional use permit as provided in Section 17.40.080 or a variance.
- E. Fire Safety Clearances.** All properties must follow the City of Sonora Defensible Space Program. All dead or dying trees, branches, shrubs, or other plants must be cleared a minimum of fifty feet adjacent to, or overhanging, the structure.
- F. Manufactured home, tiny homes, etc.** A manufactured home (a.k.a. mobile home), modular home (a.k.a. factory-built or prefabricated home), tiny home, park model home, or similar unit may be used as an ADU if it is permanently attached to a foundation and complies with the California Building Standards Code, as adopted by the City of Sonora. A tiny home on a chassis or park model home on a chassis is not permitted for use as an ADU unless it is modified to meet the aforementioned standards.
- G. Movable units.** A recreational vehicle (e.g., motorhome, campervan, truck camper,

travel trailer, pop-up trailer, fifth wheel trailer, toy hauler), travel van, or other movable habitable space generally cannot be approved as an ADU; however, it may be approved if it is permanently attached to a foundation and complies with the California Building Standards Code, as adopted by the City of Sonora.

#### **17.55.090**

**Illegal accessory dwelling units.** This Section shall not validate any existing illegal ADU. To convert an unpermitted ADU to a legal, conforming unit, the standards and requirements for the conversion shall be the same as for a newly proposed ADU, including the rental restrictions described in Subsection I (Occupancy and rental requirements) above.

**A. ADU reversions.** If an ADU or JADU is legally permitted and constructed with deviations to the development standards that would otherwise be applicable to the property, as permitted by the Subsections D (Size and location standards) and/or F (Parking and driveways) above, and the ADU is subsequently reverted or converted to another use other than an ADU/JADU, any deviations from development standards (e.g., setbacks, site coverage, floor area ratio, open space, parking) shall be brought into compliance with the standards in effect at the time a complete application for a reversion or conversion of the space is submitted to the Community Development Department.

#### **17.55.100**

##### **Junior Accessory Dwelling Units (JADUs).**

**A. Applicability.** JADUs are allowed in all zoning districts that allow single-family residential uses, subject to compliance with the requirements of this Section.

**B. Number of units allowed.** A maximum of one junior accessory dwelling unit (JADU), in addition to one attached or detached ADU, shall be allowed on a parcel with an existing or proposed single-family dwelling.

**C. Location on site.** A JADU may be created by converting existing space within the walls of an existing or proposed single-family residence, including attached garages. If a JADU is created concurrent with a new residence, the JADU shall comply with all development standards applicable to the main dwelling, including setbacks, height limits, site coverage, floor area ratio, open space.

**D. Floor area limitation.** The gross floor area of the JADU shall not exceed 500 square feet and shall not be less than 150 square feet.

**E. JADU separate entrance.** A JADU shall have an exterior entrance separate from the main entrance to the existing or proposed single-family residence; this egress/entrance shall include a continuous and unobstructed path of travel to/from the public way. Additionally, the JADU may share with the main dwelling and/or ADU a single interior entryway (e.g., airlock, mudroom) that provides direct, private access to each unit; however, in no case shall the primary entrance to the JADU be through the main dwelling living area, ADU, garage, or other interior space. A shared entryway is considered part of the main dwelling and is subject to general development standards applicable to the main dwelling, including setbacks, height limit, site coverage, floor area ratio, and open space.

- F. Interior access.** Interior access from the JADU to the main dwelling may be maintained; however, if the sanitation facilities are shared with the main dwelling, as allowed in Subsection H below (Sanitation Facilities), unrestricted interior access to the sanitation facilities is required at all times. If interior access is proposed, the tenant of the JADU shall be able to lock the shared door from the interior of the JADU for privacy.
- G. Cooking facilities.** The JADU shall include an efficiency kitchen, which shall include the following:
- 1. A cooking facility with appliances.** (Note: Government Code Section 65852.22(a)(6) does not permit local jurisdictions to specify exactly what “a cooking facility with appliances” must include for JADUs. This standard can be met with basic plug-in kitchen appliances (e.g., microwave, hot plate, mini-fridge) or with a full, high-end kitchen (e.g., gas range, double oven, large sink with disposal, commercial refrigerator). Therefore, a JADU is not required to comply with the Development Code definition of a “Kitchen or Cooking Facility,” which specifies several types of appliances required in residential kitchens.)
  - 2. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.**
- H. Sanitation facilities.** A JADU may include separate sanitation facilities or may share sanitation facilities with the primary residence.
- I. Parking.** No additional parking shall be required for a JADU for parcels located outside of a State designate Very High or High Fire Severity Zone.
- J. Occupancy and rental requirements.**
- 1. Short-term rental restriction.** The short-term rental of a JADU for a term of less than 31 consecutive days is subject to the requirements under Chapter 17.64 (Transient Use Permit).
  - 2. Owner occupancy.** On a parcel with a primary dwelling unit and a JADU, only one of the units may be rented; the owner must reside in either the remaining portion of the main dwelling or in the JADU. Owner-occupancy is not required if the owner is a governmental agency, land trust, or housing organization.
  - 3. Illegal junior accessory dwelling units.** This Section shall not validate any existing illegal JADUs. To convert an unpermitted JADU to a legal, conforming unit, the standards and requirements for the conversion shall be the same as for a newly proposed JADU, including the rental restrictions described in Subsection 14 above (Occupancy and rental requirements)

#### 17.55.110

**Impact and connection fees.** Fees will be charged for the construction of accessory dwelling units in accordance with the City of Sonora Municipal Code of Ordinances and state law. The City shall not impose any impact fee upon the development of an accessory

dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

- A. Water supply and sewage disposal.** All water supply and sewage disposal shall be provided by an established community system. An ADU shall not be allowed on a parcel that is served by an on-site septic system unless approval is obtained from the Tuolumne County Environmental Health Department and the City of Sonora.
- B. Impact fees for JADU's.** The City will not impose impact fees if previous impact fees under the existing residential footprint were already applied. If impact fees are required, the City may apply those impact fees at the time of application approval or prior to occupancy.

#### 17.55.120

**Permit Requirements – Accessory Dwelling Units.** The City of Sonora (City) shall not require, as a condition for ministerial approval of a permit application for the creation of an ADU or JADU, the correction of nonconforming zoning conditions unless those conditions are of health and safety concern to the occupants.

- A.** The City shall act on the application to create an ADU or JADU within 60 days from the date the City receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the City does not act within 60 days, the application shall be deemed approved.
- B.** If the permit application to create an ADU or JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the City acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing.
- C.** If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay.
- D.** The City shall not issue a certificate of occupancy for an ADU or JADU before the certificate of occupancy is issued for the primary residence.
- E.** No subdivision of this City Code of Ordinances shall be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine if a ADU or JADU complies with applicable development standards.
- F.** Prior to the issuance of a building permit for a JADU, the owner of the lot or parcel on which it is to be constructed shall record a deed restriction in a form satisfactory to the City attorney that includes the following:

1. A prohibition of the sale of the JADU separately from the sale of the primary residence, including a statement that the deed restriction may be enforced against future purchasers; and
2. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with Section 65852.2 of the Government Code that regulates accessory dwelling unit.

#### 17.55.130

**Code Enforcement.** The code enforcement officer may conduct a review of ADUs and JADUs within the city. The code enforcement officer or designee may enforce all provisions of this code and provisions of state law pertaining to the development, occupation, and maintenance of residential properties and accessory dwelling units, pursuant to the following provisions. A code enforcement officer may issue to an owner of an ADU or JADU a notice to correct a violation of any provision of any building standard or any failure to comply with this section.

- A.** The code enforcement officer shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to the following findings:
  1. The accessory dwelling unit was built before January 1, 2020.
  2. The accessory dwelling unit was built on or after January 1, 2020; however, at the time the unit was built, the City had a noncompliant accessory dwelling unit ordinance, but the unit is compliant at the time the request is made.
- B.** The owner of an accessory dwelling unit that receives a notice to correct violations or abate nuisances as described in Section 17.36.070, may submit an application to the City requesting that enforcement of the violation be delayed for up to five years on the basis that correcting the violation is not necessary to protect health and safety.
- C.** The City shall grant an application described in Section 17.36.070.C if it is determined that correcting the violation is not necessary to protect health and safety. In making this determination, the zoning administrator shall consult with the code enforcement officer, building official, and/or the City of Sonora Fire Chief or designee pursuant to Section 13146 of the Health and Safety Code.

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

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

**SECTION 4. CERTIFICATION OF COUNCIL ADOPTION AND APPROVAL.** This Ordinance was introduced at a regular meeting of the City Council held on the 19th of September, 2022, and passed and adopted as Ordinance No. 897 at a regular meeting of the City Council held on the 3<sup>rd</sup> of October, 2022 by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT OR ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Mark Plummer, Mayor

ATTEST:

\_\_\_\_\_  
Tracy Skelly, Deputy City Clerk

Approved as to Form:

\_\_\_\_\_  
Douglas L. White, City Attorney

Publish: The Union Democrat, Sonora  
\_\_\_\_\_, 2022



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Kim Campbell, Community Development Specialist II

**SUBJECT:** 39<sup>th</sup> Annual Historic Downtown Sonoma Christmas Parade

### RECOMMENDATION

1. Approve holding the 39<sup>th</sup> Annual Historic Downtown Sonoma Christmas Parade on Friday, November 25<sup>th</sup> at 6:00 p.m. sharp
2. Adopt Resolution Number 9-19-2022-B, authorizing the closure of State Route 49 (Washington Street and Stockton Road), along with certain other City Streets and designating “No Parking” locations for the 2022 Christmas Parade and Trolley stop.
3. Request the Mayor or Mayor Pro-Tem represent the City in the Christmas Parade.
4. Release the three-hour parking restrictions from Monday, November 14, 2022 through Monday, January 2, 2023 within the downtown corridor, which includes all streets within Zone A; does not apply to trailer parking.

### DISCUSSION

City staff is excited to be planning for our 39<sup>th</sup> Annual Christmas Parade and sprinting into the holiday season with the annual Parade! This very special and popular City sponsored event has been an annual tradition with so many local families, as well as former friends and family of our community. The parade will start promptly at 6:00 p.m. from the Red Church. Parking in the downtown area will be allowed until 4:00 p.m. on parade day. Historically, the number of entries range from 65-75 and the parade lasts approximately one hour in duration. The parade begins at Snell Street and continues south on Washington Street, ending at Restano Way.

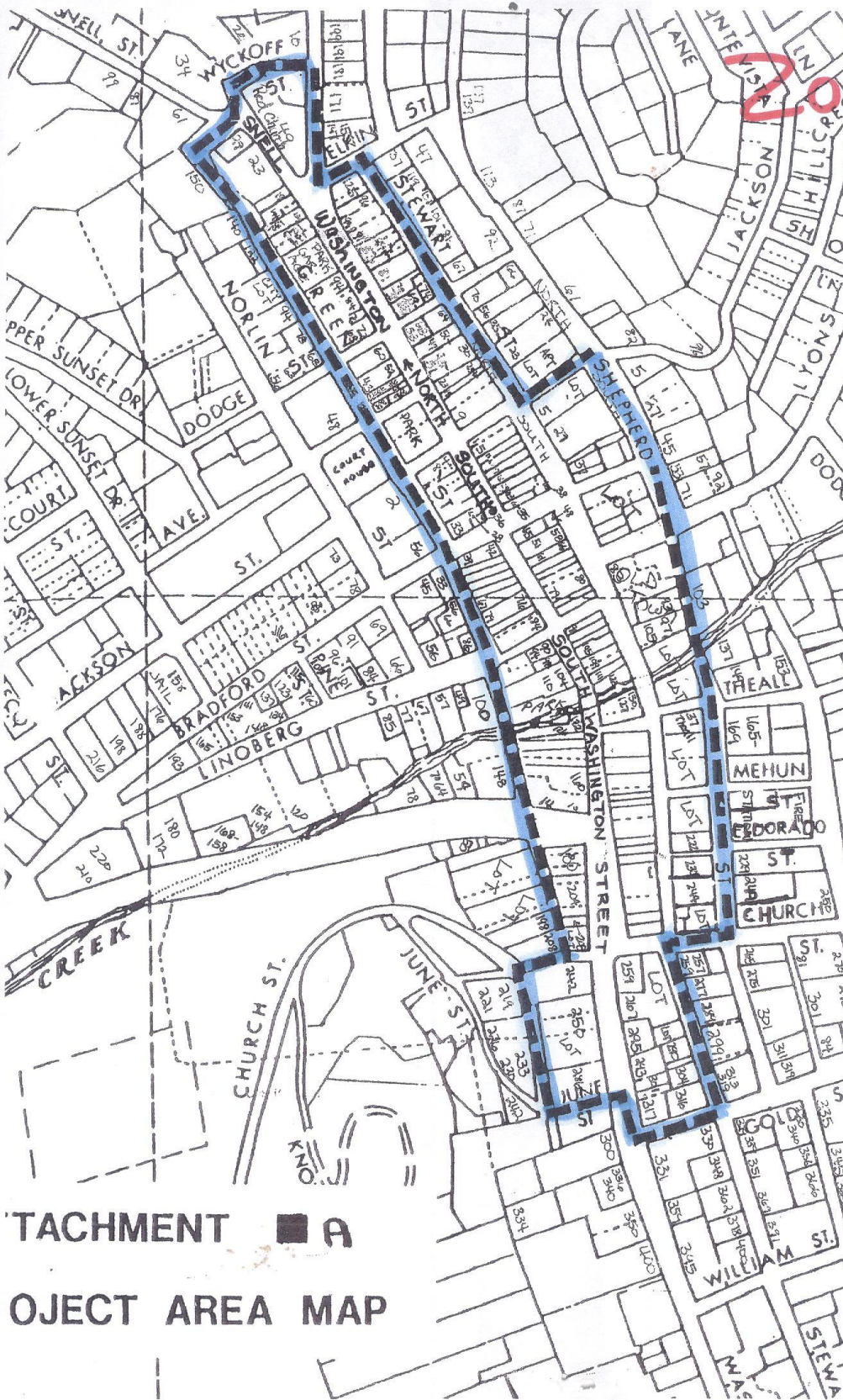
Parking along the parade route will be restricted, with no parking along Washington Street, from Snell to Toby Street, to accommodate the parade entries. Tuolumne County Transit will be providing Trolley service with pick-ups and a stop on the north side of Lyons Street, between Stewart and Shepherd Street. This service will be available from 3:00 p.m. to 9:00 p.m. on Friday, November 25, 2022 and is free to the public.

### FISCAL IMPACT

Costs associated with the Christmas Parade have been included within the 2022/2023 budget.

### ATTACHMENTS

- ❖ Map – Zone A
- ❖ Resolution 09-19-2022-B



## **Resolution Number: 09-19-2022-B**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA, CALIFORNIA, APPROVING THE TEMPORARY CLOSURE OF HIGHWAY 49 AND CERTAIN CITY STREETS AND PARKING LOTS TO ACCOMMODATE THE HISTORIC DOWNTOWN SONORA CHRISTMAS PARADE AND OTHER RELATED HOLIDAY ACTIVITIES**

WHEREAS, the City will be holding the Historic Downtown Sonora Christmas Parade on Friday, November, 25, 2022 at 6:00 p.m. sharp; and

WHEREAS, the parade route will start at Washington Street/Highway 49 and Elkin Street and continue along Washington Street ending at Restano Way; and

WHEREAS, several streets and other city facilities will need to be closed for the event; and

WHEREAS, the City must obtain an encroachment permit from Caltrans;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sonora that the following streets and parking lots will be closed Friday, November 25, 2022, as indicated below:

The following street closures shall commence at 4:00 p.m. and continue until 8:30 p.m., or until the parade is finished.

1. School Street between North Washington and Snell Street.
2. Snell Street between N. Green Street and Bonanza Rd.

The following parking lot closures and no parking locations shall commence at 3:00 p.m. and continue until 8:30 p.m., or until the parade is finished.

1. The Sonora High School parking lots located on School Street.
2. City Parking Lot at Snell/Wyckoff Streets, including the bus parking spaces on Snell Street.
3. School Street, between Snell Street and N. Washington Street/ SR 49.
4. East side of Snell Street, between Wyckoff Street and N. Washington Street/ SR 49.

The following parking lot closures shall commence at 4:00 p.m. and continue until 8:30 p.m., or until the parade is finished.

1. The Fire Museum parking lot on N. Washington Street.
2. The Fountain Parking Lot, across from the Sonora Opera Hall to be used for ADA accessible parking only.

3. The first floor of the Terzich Parking Lot to be closed.
4. Second floor of the Terzich parking lot to be used for ADA accessible parking and viewing only.

The following street closures shall commence at 5:30 p.m. and continue until 8:30 p.m., or until the parade is finished.

1. N. Washington Street/ SR 49 between Elkin and Stockton Road.
2. S. Washington St. between Stockton Road and Hospital Road.
3. State Route 49/Stockton Road between S. Washington Street/SR 49 and 70 W. Stockton Street (Yoshoku Restaurant).
4. The following streets between Washington Street/ SR 49 and Stewart Street: Dodge Street, Jackson Street, Bradford Street, Theall Street, Church Street, Gold Street, William Street, Lytton Street and Restano Way.
5. The following streets between Washington Street/ SR 49 and Green Street: Dodge Street, Yaney Street, Jackson Street, Bradford Street, Linoberg Street and Church Street. Toby Street between S. Washington Street and McGowan Street.
6. Lytton and Bulwer Streets between S. Washington Street and Olive Street.
7. June Street between S. Washington and Church Street.
8. Wyckoff Street between N. Washington Street (SR-49) and Snell Street.

NOW, THEREFORE, BE IT FURTHER RESOLVED that no parking will be allowed at the following locations on Friday, November 25, 2022 as indicated below:

The following no parking locations shall commence at 4:00 p.m. and continue until 8:30 p.m., or until the parade is finished.

1. N. Washington Street/SR 49 between Elkin Street and Toby Street.
2. State Route 49/Stockton Street between Washington Street and 70 W. Stockton Street (Yoshoku Restaurant).
3. Elkin Street between N. Washington Street/ SR 49 and Shepherd Street.
4. Stewart Street between Elkin Street and Dodge Street.
5. Church Street between N. Washington Street/ SR 49 and June Street.
6. The following streets between N. Washington Street/ SR 49 and Stewart Street: Elkin Street, Dodge Street, Jackson Street, Bradford Street, Linoberg Street, Theall Street.
7. The following streets between S. Washington Street and Stewart Street: Church Street, Gold Street, William Street and Lytton Street.
8. The following streets between N. Washington Street/ SR 49 and Green Street: Dodge Street, Yaney Street, Jackson Street, Bradford Street, Linoberg Street and Toby Street between S. Washington Street/ SR 49 and McGowan Street.
9. Lytton and Bulwer Streets between S. Washington Street and Olive Street.
10. June Street, commencing at Church Street and extending south 100 yards.

The following no parking location shall commence at 3:00 p.m. and continue until 9:00 p.m. (For trolley stop location)

1. North side of Lyons Street between Stewart and Shepherd Street. (2 spaces)

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Sonora that all of the above is hereby approved, subject to all conditions as required by the California Department of Transportation.

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

AYES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NOES : \_\_\_\_\_

\_\_\_\_\_

ABSENT: \_\_\_\_\_

Dated: September 19, 2022

\_\_\_\_\_  
Mark Plummer, Mayor

ATTEST:

\_\_\_\_\_  
Tracy Skelly, City Clerk



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Rachelle Kellogg, Community Development Director

**SUBJECT:** Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project – Bid Award

### RECOMMENDATION

- 1) Consideration to award the construction contract to low bidder, Dirt Dynasty, Inc., for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project and authorize the City Administrator to sign the construction agreement and all related project documents.
- 2) Consideration to amend the City's Fiscal Year 2022-2023 budget to include funding for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project, Fund 801-3900-XXXXX, revenue in the amount of \$3,383,525 and expenditures in the amount of \$3,383,525.

### DISCUSSION

The Washington-Stockton Corridor-Downtown Transit & Accessibility Improvement Project was advertised for bid on March 29, 2022 with the bid opening on April 29, 2022 at 2 p.m. The Notice to Bidders was published in the Union Democrat on March 29, 2022 and April 4, 2022, posted to the City's website on March 25, 2022 and sent directly to 25 construction firms via email on March 29, 2022. Five construction firms and 4 plan rooms pulled plans for the project. 6 construction firms attended the Pre-Bid Meeting which was held on April 14, 2022. Details about the project were discussed, questions were answered and the project area was toured during this meeting. Some in attendance expressed concerns over the amount of traffic in the area and how it would affect project delivery.

The sole bidder on the project was Dirt Dynasty, Inc. whose firm is located in Valley Springs. The City's Project Manager reviewed the bid and submittals, as well as licensing/debarment requirements, and has found the Bidder to be responsive. The DBE goal for the project is 30% and Bidder's DBE participation is 74.2%. To assist the City in obtaining the additional construction funding and Caltrans approval to award they extended their bid to September 29, 2022.

Dirt Dynasty, Inc's total bid amount for construction costs is \$2,615,556 which is \$999,980 above the Engineers Estimate of \$1,615,576. The Engineers Estimate for the project, inclusive of contingency, State Furnished Materials, and Construction Management, is \$2,085,350. Based on the bid amount, the revised costs inclusive of contingency, State Furnished Materials, and Construction Management is \$3,383,525.

As the City only received one bid and it exceeded the original Engineers Estimate, the City was required to request award approval for the construction contract from Caltrans under their Public

Interest Finding procedure. A Bid Comparison was completed identifying line item differences between their bid and the Engineer Estimate as part of this process. The City received approval from Caltrans to move forward with the bid award on August 19, 2022.

Authorized construction funding for the project, at the time of bid, was \$2,108,140. To cover the gap in construction funding, the City requested and was approved Caltrans' SHOPP Minor funding in the amount of \$1,240,000 to cover the gap in funding needed for the construction phase. The construction phase is now fully funded with the following sources:

| <b>FUNDING TABLE</b>                     |                                            |                                 |                    |
|------------------------------------------|--------------------------------------------|---------------------------------|--------------------|
| <b>Transportation<br/>Funding Source</b> | <b>Construction<br/>Support/Management</b> | <b>Construction<br/>Capital</b> | <b>Totals</b>      |
| SHOPP Minor                              | 0                                          | \$1,240,000                     | \$1,240,000        |
| PTMISEA                                  | \$190,683                                  | 971,842                         | 1,162,525          |
| STIP/RIP                                 | 0                                          | 336,000                         | 336,000            |
| CMAQ                                     | 237,185                                    | 407,815                         | 645,000            |
| <b>Totals</b>                            | <b>\$427,868</b>                           | <b>\$2,955,657</b>              | <b>\$3,383,525</b> |

The City Council will also be approving the Construction Management Engineering Agreement for UNICO Engineering at this meeting. UNICO will serve as the Construction Engineer for the project providing daily project oversight and inspection services as required by Caltrans. Construction on the project will begin following approval of all agreements, final submittals and the required pre-construction meeting. The project includes 130 working days.

#### **FISCAL IMPACT**

Upon approval of Staff's recommendation included above as item #2, project funding for revenues and expenditures will be included within the City's Fiscal Year 2022-2023 Budget.

#### **ATTACHMENTS**

- 1) Bid Certification
- 2) Approved Project Plans



## City of Sonora

Community Development Department  
 94 N. Washington Street  
 Sonora, CA 95370  
 (209) 532-3508  
 (209) 532-3511 fax  
[www.sonoraca.com](http://www.sonoraca.com)

### CERTIFICATION OF BID OPENING BY CITY CLERK

I hereby certify that the following bids for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project were submitted to the City Clerk of the City of Sonora, 94 N. Washington Street, Sonora, CA, and received in said offices by 2:00 pm on Friday, April 29, 2022, the advertised time and date for the receipt and opening of said bid(s):

Name of Bidder

Total Bid Amount

Dirt Dynasty, Inc.

\$2,625,467

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 \_\_\_\_\_

ATTEST: I hereby certify the foregoing information to be true and correct.

By:

Jacqueline Smith, Deputy City Clerk

4/29/2022

Date

GENERAL NOTES: (THIS SHEET ONLY)

- 1. EXISTING SIGNS SHALL BE PROTECTED IN PLACE UNLESS SPECIFIED FOR REMOVAL OR RELOCATION.
- 2. ALL EXISTING PAVEMENT MARKINGS AND MARKERS, INCLUDING TEMPORARY MARKINGS, CONFLICTING WITH PROPOSED PAVEMENT MARKINGS AND MARKERS SHALL BE REMOVED BY GRINDING OR OTHER APPROVED METHOD.
- 3. PAVEMENT MARKINGS PER 2018 CALTRANS STANDARD PLANS UNLESS OTHERWISE SPECIFIED.

LEGEND: (THIS SHEET ONLY)

- EXISTING ROADSIDE SIGN
- PROPOSED ROADSIDE SIGN
- REMOVE EXISTING PAVEMENT STRIPES BY GRINDING
- EXISTING TYPE I PAVEMENT ARROW
- EXISTING TYPE II (L/R) PAVEMENT ARROW
- EXISTING TYPE III (L/R) PAVEMENT ARROW
- INSTALL TYPE I PAVEMENT ARROW
- INSTALL TYPE II (L/R) ARROW
- INSTALL TYPE III (L/R) ARROW
- INSTALL CALTRANS STD PLANS STRIPING DETAIL NO.

LEGEND (CONT.): (THIS SHEET ONLY)

- ONLY
- BUS
- KEEP CLEAR
- STOP
- INSTALL PAVEMENT MARKING
- INSTALL PAVEMENT MARKING
- INSTALL PAVEMENT MARKING
- INSTALL PAVEMENT MARKING

STRIPING NOTES: (THIS SHEET ONLY)

- 1. INSTALL 12" YELLOW THERMOPLASTIC @ 45'; 20' O.C.
- 2. INSTALL RED CURB. LENGTH AS INDICATED ON PLAN.
- 3. INSTALL 12" WHITE THERMOPLASTIC.
- 4. INSTALL LADDER CROSSWALK PER CALTRANS STANDARD PLAN A24F.
- 5. INSTALL 6" WHITE THERMOPLASTIC
- 6. INSTALL YELLOW PAINT ON CURB FOR LOADING ZONE.
- 7. INSTALL TYPE I PEDESTRIAN BARRICADE PER CALTRANS STD PLAN ES-7Q.
- 8. INSTALL ON-STREET PARKING PAVEMENT MARKINGS.
- 9. INSTALL RED PAINT ON CURB FOR 'NO PARKING' ZONE.

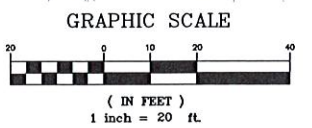
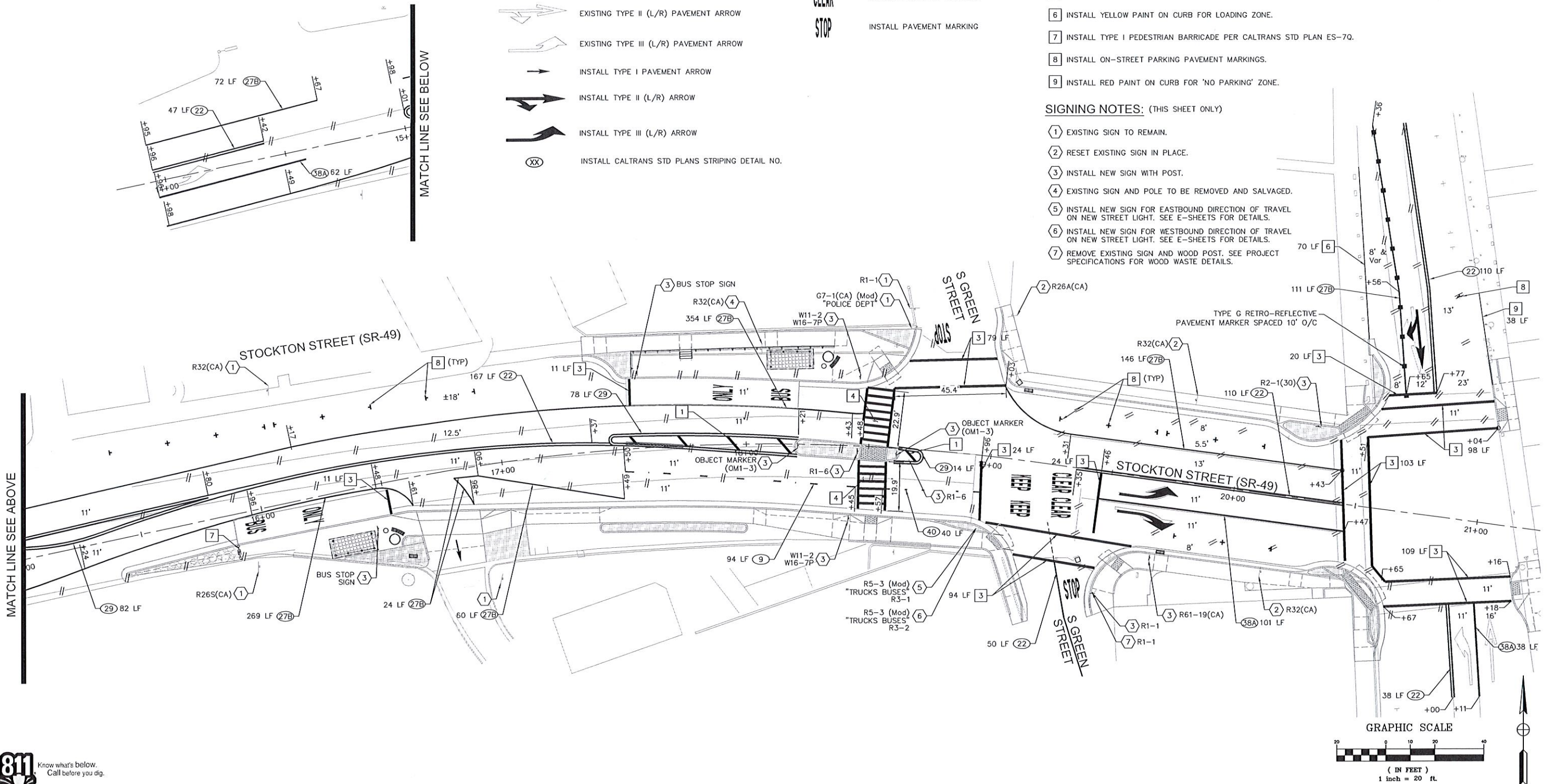
SIGNING NOTES: (THIS SHEET ONLY)

- 1. EXISTING SIGN TO REMAIN.
- 2. RESET EXISTING SIGN IN PLACE.
- 3. INSTALL NEW SIGN WITH POST.
- 4. EXISTING SIGN AND POLE TO BE REMOVED AND SALVAGED.
- 5. INSTALL NEW SIGN FOR EASTBOUND DIRECTION OF TRAVEL ON NEW STREET LIGHT. SEE E-SHEETS FOR DETAILS.
- 6. INSTALL NEW SIGN FOR WESTBOUND DIRECTION OF TRAVEL ON NEW STREET LIGHT. SEE E-SHEETS FOR DETAILS.
- 7. REMOVE EXISTING SIGN AND WOOD POST. SEE PROJECT SPECIFICATIONS FOR WOOD WASTE DETAILS.

K:\BAY\_RDWY\097681004 - Stockton - Washington Corridor - DC\08 CADD\PlanSheets\19-SS-01.dwg 3/25/2021 4:55 PM

MATCH LINE SEE ABOVE

MATCH LINE SEE BELOW



**Kimley»Horn**

4637 CHABOT DRIVE, STE 300 PLEASANTON, CA 94588  
PHONE: 925-398-4840  
WWW.KIMLEY-HORN.COM



|                      |           |
|----------------------|-----------|
| Scale                | AS SHOWN  |
| Designed By:         | AP/DC     |
| Drawn By:            | AP/DC     |
| Checked By:          | DC        |
| Consultant's Job No. | 097681004 |

STOCKTON-WASHINGTON CORRIDOR -  
DOWNTOWN TRANSIT & ACCESSIBILITY PROJECT

**SIGNING AND STRIPING PLANS**

|                                                     |                              |
|-----------------------------------------------------|------------------------------|
| Encroachment Permit 10-1K590<br>10-TUO-49 17.8/18.0 | Drawing No.<br><b>SS-01</b>  |
|                                                     | Sheet <b>21</b> of <b>28</b> |

FOR REDUCED PLANS  
ORIGINAL SCALE IS IN INCHES

0 1 2 3



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Rachelle Kellogg, Community Development Director

**SUBJECT:** Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project – Construction Management Engineering Services Agreement

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### RECOMMENDATION

Consideration to approve Resolution No. 09-19-2022-C, awarding the Construction Management Engineering Services Agreement for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project to UNICO Engineering, Inc. and authorizing the City Administrator to execute the agreement and all related project documents.

### DISCUSSION

The City is required to utilize a federally procured licensed construction engineering firm to provide construction management engineering services for this project. The Construction Engineer and Inspector will work directly with City staff during the construction phase of the project. The engineering firm will be responsible for direct project oversight, daily supervision/inspections, addressing issues in the field, coordinating material testing and sampling, project delivery schedules, reviewing change orders and submittals, and preparing required federal and state documents.

The City issued a Request for Proposal (RFP) for these services on June 10, 2022 with proposals due on June 30, 2022. The City received two proposals from UNICO Engineering Inc. and Willdan Engineering, Inc. As required under the procurement process, the proposals were evaluated by the 3-member Consultant Selection Committee that included the City Administrator, Administrative Services Director, and Community Development Director.

Federal procurement is required to be qualification based not fee based. Proposals were reviewed and scored based on the set evaluation criteria included within the RFP. This included, the consultant's understanding of the project scope of work, similar work experience, quality of assigned staff, capability of developing innovative or advanced techniques, familiarity with state and federal procedures, financial responsibility, and their demonstrated technical ability. Following this evaluation, the Committee scored UNICO Engineering as the highest ranking firm. UNICO was found to be the most qualified to perform the services required and they demonstrated within their proposal a full understanding of the uniqueness of this project along with its associated constraints. They also demonstrated their knowledge of all federal/state requirements based on the project's funding. Staff also conducted a reference check and contacted other jurisdictions for which they had provided similar services. UNICO was highly recommended by these individuals/jurisdictions. Once ranked highest, UNICO's cost proposal was requested, reviewed and a not-to-exceed contract amount of \$379,208.53 was negotiated for the services to be provided. UNICO Engineering is based out of Folsom but the assigned Project Inspector, Dan Brennan, resides in Tuolumne County.

### **FISCAL IMPACT**

Contract amount is included within the project budget for Fiscal Year 2022-2023

### **ATTACHMENTS**

- 1) Resolution No. 09-19-2022-C

## RESOLUTION 09-19-2022-C

**A RESOLUTION OF THE CITY COUNCIL AWARDING THE CONSTRUCTION  
MANAGEMENT ENGINEERING SERVICES AGREEMENT FOR THE WASHINGTON –  
STOCKTON CORRIDOR – DOWNTOWN TRANSIT & ACCESSIBILITY IMPROVEMENT  
PROJECT TO UNICO ENGINEERING, INC. AND AUTHORIZING THE CITY  
ADMINISTRATOR TO EXECUTE ALL AGREEMENTS AND DOCUMENTS RELATED TO  
THE PROJECT**

WHEREAS, the City of Sonora is a recipient of federal funding under the Federal Highway Administration (FHWA) for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project; and

WHEREAS, the City has issued a Request for Proposal (RFP) for project Construction Management Engineering Services and received two proposals from UNICO Engineering, Inc. and Willdan Engineering, Inc.; and

WHEREAS, the proposals have been evaluated by the Consultant Review Committee who has determined that the highest ranked firm qualified to perform the services required is UNICO Engineering, Inc.; and

WHEREAS, the Consultant Review Committee has also reviewed the consultant’s cost proposals and has completed negotiations; and

WHEREAS, the City has complied with all of the A&E procurement requirements included within Chapter 10 of the Caltrans’ Local Assistance Procedural Manual;

NOW, THEREFORE, BE IT RESOLVED THAT THE SONORA CITY COUNCIL HEREBY awards the Construction Management Engineering Service contract for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project to UNICO Engineering, Inc. and authorizes the City Administrator to execute all agreements and documents related to the project.

PASSED, APPROVED AND ADOPTED as a Resolution by the Sonora City Council at a meeting held by the City Council on the 19th day of September 2022, by the following vote:

AYES: \_\_\_\_\_

\_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Dated: September 19, 2022

\_\_\_\_\_  
Mark Plummer, Mayor

ATTEST:

\_\_\_\_\_  
Tracy Skelly, City Clerk



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Rachelle Kellogg, Community Development Director

**SUBJECT:** Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project – Consultant Services Agreement Amendment

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### RECOMMENDATION

Consideration to approve an amendment to the Consultant Services Agreement with Kimley-Horn and Associates, Inc. to include Design Support During Construction Services for the additional not-to-exceed amount of \$26,500 and to extend the contract termination date to December 30, 2023 and authorize the City Administrator to sign all related documents.

### DISCUSSION

Kimley-Horn and Associates, Inc. are the project engineers for the Washington-Stockton Corridor – Downtown Transit & Accessibility Improvement Project. They have prepared the project plans and coordinated plan approval by Caltrans. During the construction phase of the project they will provide design support which includes attending the pre-construction meeting, plan clarifications and interpretations as needed, shop drawings and samples, completion site inspection, and preparation of record drawings to be submitted to Caltrans at the completion of the work.

The Consultant Services Agreement is scheduled to expire on December 30, 2022, staff is requesting the agreement be extended to December 30, 2023 to cover the construction phase of the project and related services.

### FISCAL IMPACT

Contract amount is included within the project budget for Fiscal Year 2022-23.

### ATTACHMENTS

None



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Melissa Eads, City Administrator

**SUBJECT:** PLHA Agreement and Funding

### RECOMMENDATION

Consider approval of an Agreement with the County of Tuolumne for the joint participation and administration of the Permanent Local Housing Allocation Program.

### BACKGROUND

On 07/05/2022, the Council reviewed and accepted the City/County Permanent Local Housing Allocation Five-Year Plan (PLHA). This plan outlines the strategies and goals the City and County will take in applying for PLHA funding over the course of the next several years (2020-2025). As a reminder the PLHA Plan priorities are as follows:

- Outdoor Managed Emergency Shelter
- Homeless Case Management Services/Supportive Services
- Development of a County Navigation Center
- Workforce Housing Projects
- Work with Stanislaus Housing Authority
- Sonoma Emergency Homeless Shelter

The Notice of Funding Availability was just released and the County PLHA Team has been meeting to put together our first application for these funds for the period of 2019, 2020 and 2021. The program requires an agreement with the County to allow them the ability to represent the city, submit an application and administer on our behalf. Per the PLHA plan, the City has elected to allocate funds for this round (2019, 2020 and 2021 allocations) towards County-wide services related to homeless case management services/supportive services. With this action, the County will take lead on the PLHA program and will be responsible for the submission of the grant application; monitor project tasks/services; and provide all required paperwork to State Housing and Community Development Department.

It is in the City and County's best interest to provide the funds, through this agreement, to the County as the County is the lead on Behavioral Health and Human Services, support services and case management. By combining our efforts with the County, we will address the city needs and increase the County's capacity through a regional approach and combine our efforts to meet the requirements as prescribed by the funding program.

**DISCUSSION**

Staff recommends approval of the attached agreement delegating the County of Tuolumne as the administering local government for the program on behalf of the City of Sonora for the fiscal years 2020-2025. Future funding allocations will be reviewed accordingly.

**FISCAL IMPACT**

No fiscal impact to the General Fund.

**ATTACHMENTS**

- PLHA Agreement

AN AGREEMENT BETWEEN THE COUNTY OF TUOLUMNE and THE CITY OF SONORA,  
FOR JOINT PARTICIPATION IN THE  
**PERMANENT LOCAL HOUSING ALLOCATION FUNDING PROGRAM FOR FISCAL  
YEARS 2020-2025, AND TO DELEGATE THE COUNTY OF TUOLUMNE AS THE  
ADMINISTERING LOCAL GOVERNMENT FOR THE PROGRAM**

**THIS AGREEMENT** is made and entered into this \_\_\_\_ day of October 2022, by and between the County of Tuolumne, a political subdivision of the State of California, hereinafter called "County"; and the City of Sonora, a municipal corporation of the State of California, located in the County of Tuolumne, hereinafter referred to as "City", jointly referred to as "Parties".

**WITNESSETH**

WHEREAS, the State of California Department of Housing and Community Development ("State") is authorized to provide up to \$335 million to Cities and Counties for assistance under the SB 2 Permanent Local Housing Allocation Program ("PLHA Program") Formula Component from the Building Homes and Jobs Trust Fund (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB2)));and

WHEREAS, the State issued Permanent Local Housing Allocation Final Guidelines("PLHA Program Guidelines") in October 2019; and

WHEREAS, the State issued a Notice of Funding Availability ("NOFA") dated May 3, 2021, under the Permanent Local Housing Allocation ("PLHA") Formula Component; and

WHEREAS, each of the Parties is eligible to submit an application for and administer Permanent Local Housing Allocation Formula component funds; and

WHEREAS, Section 300(c) of the PLHA Program Guidelines allows a local government to delegate another local government to submit an application and administer on its behalf its formula allocation of Program funds, provided that the local governments enter into a legally binding agreement and the funds are expended for eligible activities consistent with Program requirements; and

WHEREAS, City of Sonora desires to participate jointly with the County in said Program; and

WHEREAS, the County desires to participate jointly with the City of Sonora in said Program, and whereas the County agrees to administer the receipt of formula allocation

Program funds on behalf of both Parties and act as the Applicant to the State for the funding; and

The funds will provide for city support of Behavioral Health and Human Services Mobile Triage Response services needed to divert individuals in mental health crisis from going to the hospital emergency department to outpatient services and provide case management and outreach to unsheltered youth and adults and those at risk with a focus on providing housing.

One Full Time Equivalent (FTE) position will be funded to expand mobile crisis triage services assisting law enforcement including Tuolumne County Sheriff's Office, Sonora Police Department, and other law enforcement jurisdictions. The Mobile Triage Response collaborates with law enforcement to provide immediate in-person field responses to an individual experiencing a mental health crisis as well as follow up case management to those individuals as appropriate. Homeless individuals are outreached for potential referrals to resources and/or to Tuolumne County Behavioral Health for treatment or services.

## SECTION I. GENERAL

- A. Responsible Officers.** The County Administrator of the County of Tuolumne (hereinafter referred to as (" County Administrator")) is hereby authorized to act as applicant for the PLHA Program and to administer funding and activities under the Program. The City Manager of the City of Sonora is hereby authorized to act as the responsible officer for the City under the Program.
- B. Full Cooperation.** Parties agree to fully cooperate and to assist each other in undertaking eligible programs or projects as defined in Section 301 of PLHA Program Guidelines, including but not limited to the development of affordable rental housing.
- C. Threshold Requirements for Participation.** Parties understand and agree to comply with State's threshold requirements for participation in the formula allocation program as follows:
  - a. Housing Element compliance:** The County as Applicant and the delegating City must have a Housing Element that has been adopted by the local government's governing body and subsequently determined to be in substantial compliance with state Housing Element Law pursuant to GC Section 65585.

- b. Housing Element Annual Progress Report (APR) compliance:** The County as Applicant and the delegating City must submit to the State the APR required by GC Section 65400 for the current or prior year.

**D. Term of Agreement-Automatic Renewal Provision.** The term of this Agreement shall be for a period encompassing five (5) years of formula allocations (2019-2023), made available in NOFAs issued by the State beginning in February 2020 and extending through 2024, and shall include the years stipulated in the State standard agreement. In addition, this Agreement provides for automatic renewal of participation in successive five-year periods, unless either of the Parties provides written notice of at least 60 days prior to the end of the term that it elects not to participate in a new five-year period. Before the end of the first five-year term, the County will notify the City in writing of its right not to participate in the joint Program for a successive five-year term. This Agreement remains in effect until the PLHA Program funds received with respect to the five-year planning period are fully committed, expended, and all required reports have been submitted and the required reporting period has ended.

**E. Scope of Agreement.** This agreement covers the PLHA formula program funding administered by the State where each of the Parties is awarded and accepts funding from the State.

## **SECTION II. PREPARATION AND SUBMITTAL OF PLHA FUNDING APPLICATION AND PLAN**

**A. PLHA Application and Plan.** Pursuant to the requirements listed in Section 302(c) of the PLHA Program Guidelines, the County shall prepare its own application requesting the formula funds, and a Plan which details how the allocated funds will be used for eligible activities, how investments will be prioritized to increase the supply of housing for households with incomes at or below 60% of Area Median Income, and how the Plan is consistent with the programs set forth in its Housing Element. The County will also provide evidence that the Plan was authorized and adopted by resolution by the Board of Supervisors of the County of Tuolumne and that the public had an adequate opportunity to review and comment on its content. The County will also prepare an application on behalf of the City of Sonora requesting the formula funds, and a Plan which details how the allocated funds will be used for eligible activities, how investments will be prioritized to increase the supply of housing for households with incomes at or below 60% of Area Median Income, and how the Plan is consistent with the

programs set forth in the City of Sonora's Housing Element. The County will also provide evidence that the Plan was authorized and adopted by resolution by the Board of Supervisors of the County of Tuolumne and that the public had an adequate opportunity to review and comment on its content.

- B. Application Submittal.** The County agrees to commit sufficient resources to completing and submitting the PLHA Applications and Plans to State in time for the Parties to be eligible to receiving funding beginning in 2019, dependent upon State's execution of a Standard Agreement with County. City of Sonora agrees to commit \$\_0\_ toward the application preparation as long as the services funded by PLHA by the City go towards County-wide efforts.

### SECTION III. PROGRAM ADMINISTRATION

- A. Responsibilities of Parties.** The Parties agree, in the delegation of the County as the administering local government for the PLHA Program, that the County shall be responsible for execution of the Standard Agreements with State and the proper performance of the PLHA Plans. County agrees to perform necessary administrative tasks such as, but not limited to, environmental clearance under CEQA or NEPA, establishment of loan underwriting policies and terms, execution and management of any loans made using PLHA funds, monitoring of programs and projects as needed to fulfill PLHA requirements, and submittal of annual reports to State on PLHA-funded activities. The City of Sonora agrees to fully cooperate with the County in all things required and appropriate to comply with the provisions of the Standard Agreement with State. During the first year of the five-year Plan term, the Parties agree to meet on a quarterly basis to discuss the plans for the use of PLHA funds and progress being made. Beginning in the second year of the five-year Plan term, through the end of the fifth year, Parties will agree to a meeting schedule which will provide adequate opportunity for communication and decision-making.
- B. Program Administration Funding.** In consideration of the County's agreement to be the administering local government for the PLHA Program and its assumption of the responsibilities inherent in this role, the Parties agree that the allowable Program Administration for the funding, which is equal to a maximum of 5% of each year's allocation for each local government jurisdiction, shall be retained exclusively by the County of Tuolumne for these administrative purposes.
- C. Maintenance of Records.** The County shall maintain records of activities for any projects undertaken pursuant to the PLHA Program and said records shall be available for inspection by staff and/or auditors representing the City of Sonora, on reasonable notice during the normal business hours of County.

#### SECTION IV. USE OF PLHA FUNDS

- A. Joint Participation in Funding of Projects.** The Parties agree it is in the best interest of the public that the allocations made available to each local government jurisdiction be combined into a pool of funds to be used throughout either jurisdiction, pursuant to the criteria described in Section IV. D. of this Agreement. The Parties agree this method will allow for more timely development of the housing units assisted by the funding and homeless activities supported by the funding and therefore address the current shortage of affordable housing and homeless needs throughout both jurisdictions, which is of vital importance and a high priority to all Parties.
- B. Use of Funding During the First Five-Year Term.** Over the past couple of years, the City of Sonora and Tuolumne County have continued to engage regarding the housing problems in our communities and have started working toward a more holistic approach. City and County staff have worked on programs and services that provide assistance to person who are homeless or in jeopardy of being homeless. We have also work on promoting the development of workforce housing project in our county. The PLHA plan funding will allow the City and County to continue to work on these areas of concern.

The funding will be allocated in accordance with the PLHA Plan reviewed and approved by the City of Sonora and the County of Tuolumne focused on the following:

- Outdoor Managed Emergency Shelter
- Homeless Case Management Services/Supportive Services
- Development of a County Navigation Center
- Workforce Housing Projects
- Work with Stanislaus Housing Authority
- Sonora Emergency Homeless Shelter

Any changes to the PLHA plan and budget allocation will be reviewed and approved by the City of Sonora and the County of Tuolumne.

- C. Projects Included in PLHA Plan.** The PLHA Plan Five Year Plan has been created collectively by the City and County. The Parties have agreed to implement the PLHA programs utilizing the Housing First Model. Projects in the plan include the following: development of an outdoor managed emergency shelter; increase in homeless services case management and supportive services; the development of a Navigation Center; and work on promoting workforce housing projects. Due to the preliminary nature of

the potential projects, the Parties agree that these are subject to change.

- D. Project Assistance Criteria:** As the Parties have agreed to combine their allocations into a pool of funds to be used throughout the County, the following criteria shall be considered by the County as funding decisions are made for the use of the PLHA funds.
- a. Meeting PLHA Commitment Requirements:** Pursuant to Section 300(e) of the PLHA Program Guidelines, the County shall consider how individual project readiness and project funding needs will impact the County's ability to remain in compliance with the commitment requirements of PLHA.
  - b. Project Readiness:** Projects will be prioritized for funding within the following tiers of readiness:
    - i. High Readiness: Project Sponsor has site control, has been awarded any needed planning entitlements, has completed environmental review/clearance, and has developed a neighborhood outreach strategy.
    - ii. Medium Readiness: Project Sponsor has site control, planning entitlements and environmental clearance are under way, and is actively working on a neighborhood outreach strategy.
    - iii. Low Readiness: Project Sponsor is in negotiations for site control and has inquired of each jurisdiction what will be needed for planning entitlements and environmental review, as well as neighborhood outreach.
  - c. Project Funding Needs:** In addition to consideration of Project Readiness, projects with a demonstrated need for the PLHA funding to ensure or enhance project viability will be prioritized.
  - d. Targeting to the Lowest Income Households:** PLHA funds can be used for households at a variety of income levels but are especially intended to be used to meet the housing needs of households at or below 60% of Area Median Income. Projects which have units targeted for affordability for these households will be prioritized for funding.

**E. Minimum Project Assistance by Jurisdiction.** Notwithstanding the criteria described above, the Parties agree to make every reasonable effort to ensure that during the five-year term of the agreement, project funds are allocated to the highest and best use to serve the City of Sonora based on their percentage of funding provided.

**F. Funding Assistance in the Form of Loans.** The Parties agree that any funding provided to a housing developer for a project will be provided in the form of a low interest deferred loan, with the loan amount and loan terms (including conditions for the payment of accrued interest and principal from residual receipts), delineated at the time the loan commitment is approved by the County Board of Supervisors. The loan shall be evidenced through a Promissory Note secured by a Deed of Trust in favor of the County of Tuolumne. A recorded Regulatory Agreement shall restrict occupancy and rents for a term of at least 55-years.

**G. Use of Program Income.** The Parties agree that program income generated as a result of the receipt of PLHA funds will be retained by the County and utilized to fund future PLHA-eligible activities. Program income will include payments from residual receipts, accrued interest, and any monitoring fees the County chooses to charge.

The Parties hereto have caused this Agreement to be executed and attested by their proper officer thereunder duly authorized and their official seals to be hereunto affixed, all as of the day first above written.

COUNTY OF TUOLUMNE:

By: \_\_\_\_\_

Anaiah Kirk,  
Chairman of the Board

APPROVED AS TO FORM:

By: \_\_\_\_\_

Christopher Schmidt,  
Deputy County Counsel

CITY OF SONORA:

By: \_\_\_\_\_

Mark Plummer  
Mayor, City of Sonora

APPROVED AS TO FORM:

By: \_\_\_\_\_

Doug White  
City Attorney, City of Sonora



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Tracy Skelly, Deputy City Clerk

**SUBJECT:** Appointment of Mayor and Councilmembers to Commission/Committee Appointments.

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### RECOMMENDATION

Consider appointment of the Mayor to serve as a Community Resident Representative on the Airport Land Use Commission (ALUC) and request applications for one (1) Community Resident Representative; Mark Plummer, Mayor.

Consider appointment of Councilmember Andy Merrill to the Commission on Homelessness and consider appointment of Councilmember Suzanne Cruz to the Economic Development Committee.

### FISCAL IMPACT

No fiscal impact to the General Fund.



## City of Sonora

Administration  
94 N. Washington Street  
Sonora, CA 95370  
(209) 532-4541  
(209) 532-2738 fax  
[sonoraca.com](http://sonoraca.com)

### **REQUEST FOR APPLICATIONS FOR CITY OF SONORA COMMUNITY RESIDENT REPRESENTATIVE FOR THE TUOLUMNE COUNTY AIRPORT LAND USE COMMISSION (ALUC)**

The City of Sonora is requesting applications to serve as a City of Sonora Community Resident representative on the Tuolumne County Airport Land Use Commission (ALUC). Knowledge of land use measures related to aviation, aircraft and/or airports is preferred.

Pursuant to Section 21670 of Article 3.5 of Chapter 4, Part 1, Division 9, of the Public Utilities Code of the State of California, an airport land use commission shall be established in every county in which there is located a general aviation airport to protect public health, safety, and welfare by ensuring the orderly expansion of such airports. The Tuolumne County Airport Land Use Commission (ALUC) was established in 1979 to fulfill this mission for the Columbia and Pine Mountain Lake Airports.

The ALUC is also charged with adopting land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses. In January 2003, the ALUC adopted the Tuolumne County Airport Land Use Compatibility Plan to establish such measures for land surrounding the Columbia and Pine Mountain Lake Airports. The ALUC has no authority over the development or operation of the airports.

The ALUC reviews applications for land development within the boundaries of the Airport Land Use Compatibility Plan. The Commission's review is limited to making a determination of whether or not the proposed development is consistent with that Plan. The ALUC does not have the authority to approve or deny development projects; however, a project that is found to be inconsistent with the Airport Land Use Compatibility Plan must be redesigned to be consistent. Alternatively, the project can be approved by the Tuolumne County Board of Supervisors but only if the Board overrides the determination of inconsistency of the ALUC.

Currently, the meetings of the ALUC are scheduled via Zoom on the first Thursday of each month, commencing at the hour of 6:00 p.m.. The meetings are usually held at the Columbia Airport but may be held near the Pine Mountain Lake Airport. Please review the agenda for each meeting to determine the meeting location.

City of Sonora Committee Appointment Application Forms are available at:

Our website: [www.sonoraca.com](http://www.sonoraca.com)  
City Hall: 94 N. Washington Street, Sonora  
Or email the City Clerk, Tracy Skelly, at [tskelly@sonoraca.com](mailto:tskelly@sonoraca.com).

Please complete and return the Committee Appointment Application Form to Tracy Skelly at City of Sonora, 94 N. Washington Street, Sonora Ca 95370 or [tskelly@sonoraca.com](mailto:tskelly@sonoraca.com).

Questions? Feel free to contact Tracy Skelly, City Clerk at (209) 588-8946 or Ed Sunday, ALUC Commissioner at (209) 743-6350.



# CITY OF SONORA

## COMMITTEE APPOINTMENT APPLICATION



Item 21.

94 North Washington Street  
Sonora, CA 95370  
(209) 532-3508

Committee: \_\_\_\_\_

Committee Vacancy Applicant Name: \_\_\_\_\_

Applicant's Residence Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone #:      Cell \_\_\_\_\_      Home \_\_\_\_\_

Work \_\_\_\_\_

Are you a current resident of the City of Sonora?      \_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, how long have you lived within the City of Sonora? \_\_\_\_\_

Current Occupation: \_\_\_\_\_

Do you own an existing business in the City?      \_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

List any community organizations in which you have been or are currently involved with:

\_\_\_\_\_  
\_\_\_\_\_

Briefly describe the qualifications you possess which you feel would be an asset to the City  
Committee: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Briefly explain why you would like to serve on the City Committee: \_\_\_\_\_

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*I hereby confirm that I have sufficient time to devote to this responsibility and plan to attend the required meetings if I am appointed to this position. I understand that if I am appointed to the City Committee, a Statement of Economic Interests Form 700 is required by State Law or Council Policy and shall file this form within thirty (30) calendar days of assuming office. I hereby consent that this document is considered a public record and will be available to the public for review.*

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**Completed applications are to be signed and submitted to:**

**City Clerk  
City of Sonora  
94 N. Washington Street  
Sonora, CA 95370**

**Completed and signed applications can also be submitted via email to [tskelly@sonoraca.com](mailto:tskelly@sonoraca.com). Questions regarding this position should be directed to Tracy Skelly at (209) 588-8946.**



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Rachelle Kellogg, Community Development Director

**SUBJECT:** Community Development Department Report for August 2022

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### RECOMMENDATION

Receive the Community Development Department Report for August 2022

### DISCUSSION

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

**CODE ENFORCEMENT** – Beginning with the onset of COVID, the City has experienced a dramatic increase in Code Enforcement cases. Most have originated from public complaints and some from staff related inspections or observations. The Community Development Department currently has 17 open Code Enforcement Cases, some of which have major health and safety issues. The cases have been overseen by the Fire Chief and Community Development Director with other staff assisting. This has been drain on staff time and with limited staff the necessary time commitment for these cases is not achievable. Staff is currently seeking additional services from CSG Consultants to provide a part-time Code Enforcement Officer who would work under the Community Development Department. The City has an existing agreement with CSG Consulting and currently they are providing part-time building inspection, planning and plan check services for the City. Code Enforcement services should be in place by the end of September.

**WASHINGTON-STOCKTON TRANSIT PROJECT** – Staff finalized the Public Interest Finding approval from Caltrans which will allow the City to move forward with awarding the construction contract to Dirt Dynasty, Inc. for the project. In order to comply with Caltrans' and federal requirements, the City issued a Request for Proposals for Construction Management Engineering and received proposals from Willdan Engineering and UNICO Engineering. The selected consulting firm will be responsible for overseeing the daily construction activities for the project. The proposals were evaluated, subject to set evaluation criteria, by the City Administrator, Administrative Services Director and Community Development Director. UNICO Engineering received the highest score and the City is currently finalizing negotiations and Caltrans approval to allow the City to move forward with awarding a contract.

**SIGN ORDINANCE** – The City's Sign Ordinance (SMC Chapter 15.28) dates back to 1972. There have been various amendments since the original adoption however both City staff and the public find the existing provisions to be onerous and confusing. To address this, Staff has completed new sign regulations. The draft will be made available and discussed, in a workshop format, at the October 11<sup>th</sup> Planning Commission Meeting. Following this meeting Staff will make any necessary changes and bring the new Sign Ordinance to the City Council for consideration.

**CHRISTMAS PARADE** – Planning is underway for the City's Historic Sonora Christmas Parade on Thursday, November 25<sup>th</sup> at 6 pm. Staff is preparing the documentation needed to obtain the required Encroachment Permit from Caltrans as well as updating the Parade Application and Rules. This event takes all City Departments, assistance from other agencies, and volunteers/family to be able to hold it.

|                                |                                             |                          |                                                                     |             |          |
|--------------------------------|---------------------------------------------|--------------------------|---------------------------------------------------------------------|-------------|----------|
| <b>MONTH OF JULY,<br/>2022</b> | <b>COMMUNITY DEVELOPMENT<br/>DEPARTMENT</b> |                          | <b>CITY OF SONORA<br/>94 N. WASHINGTON ST.<br/>SONORA, CA 95370</b> |             | Item 22. |
| <b>ACTIVITY REPORT</b>         |                                             |                          |                                                                     |             |          |
| <b>NAME</b>                    | <b>LOCATION</b>                             | <b>TYPE</b>              | <b>VALUATION</b>                                                    | <b>FEES</b> |          |
| <b>NEW RESIDENTIAL</b>         |                                             | <b>TOTAL UNITS __0__</b> |                                                                     |             |          |
|                                |                                             |                          |                                                                     |             |          |
| <b>SUBTOTAL __0__</b>          |                                             |                          |                                                                     |             |          |
| <b>CDBG REHABS</b>             |                                             | <b>TOTAL UNITS __0__</b> |                                                                     |             |          |
|                                |                                             |                          |                                                                     |             |          |
| <b>SUBTOTAL __0__</b>          |                                             |                          |                                                                     |             |          |
| <b>COMMERCIAL</b>              |                                             | <b>TOTAL UNITS __0__</b> |                                                                     |             |          |
|                                |                                             |                          |                                                                     |             |          |
| <b>SUBTOTAL __0__</b>          |                                             |                          |                                                                     |             |          |
|                                |                                             |                          |                                                                     |             |          |

| ALTERATIONS & ADDITIONS          |                       | TOTAL UNITS __3__                                                    |          |          |
|----------------------------------|-----------------------|----------------------------------------------------------------------|----------|----------|
| Jody Owens                       | 116 Gold Street       | Repair existing covered porch, install pellet stove & remove chimney | \$15,000 | \$276.25 |
| Joseph M. Hallett TR.            | 832 Shaws Flat Road   | Install a 9 KW roof mount solar PV system                            | \$16,650 | \$543.92 |
| William Duan Feng & Yan Li Zheng | 497 S. Stewart Street | Install a 10.56 KW roof mount solar PV system                        | \$71,237 | \$437.74 |

|                              |                     |                          |                  |            |
|------------------------------|---------------------|--------------------------|------------------|------------|
| <b>DEMOLITIONS</b>           |                     | <b>TOTAL UNITS __0__</b> |                  |            |
| <b>NAME</b>                  | <b>LOCATION</b>     | <b>TYPE</b>              | <b>VALUATION</b> | <b>FEE</b> |
|                              |                     |                          |                  |            |
| <b>SUBTOTAL _____</b>        |                     |                          |                  |            |
| <b>MISCELLANEOUS REPAIRS</b> |                     |                          |                  |            |
| <b>NUMBER OF PERMITS</b>     | <b>VALUATION \$</b> |                          | <b>FEE</b>       |            |
| 7                            | \$40,660            |                          | \$1,510.55       |            |

|                                    |            |
|------------------------------------|------------|
| TOTAL NUMBER OF PERMITS ISSUED     | 10         |
| TOTAL VALUATION                    | \$143,547  |
| SUB TOTAL OF PERMIT FEES COLLECTED | \$2,768.46 |

|                                                    |                   |                 |
|----------------------------------------------------|-------------------|-----------------|
| <b>TOTAL FIRE DEPARTMENT FEES COLLECTED</b>        | <b>\$0</b>        | <i>Item 22.</i> |
| <b>TOTAL TRAFFIC FEES COLLECTED</b>                | <b>\$0</b>        |                 |
| <b>TOTAL PUBLIC SAFETY FEES COLLECTED</b>          | <b>\$0</b>        |                 |
| <b>TOTAL PARKS &amp; RECREATION FEES COLLECTED</b> | <b>\$0</b>        |                 |
| <b>TOTAL FEES COLLECTED</b>                        | <b>\$2,768.46</b> |                 |

**FISCAL YEAR TO DATE**

|                                                    |                   |
|----------------------------------------------------|-------------------|
| <b>TOTAL NUMBER OF PERMITS ISSUED</b>              | <b>10</b>         |
| <b>TOTAL VALUATION</b>                             | <b>\$143,547</b>  |
| <b>TOTAL FIRE DEPARTMENT FEES COLLECTED</b>        | <b>\$0</b>        |
| <b>TOTAL PUBLIC SAFETY FEES COLLECTED</b>          | <b>\$0</b>        |
| <b>TOTAL PARKS &amp; RECREATION FEES COLLECTED</b> | <b>\$0</b>        |
| <b>TOTAL TRAFFIC MITIGATION FEES COLLECTED</b>     | <b>\$0</b>        |
| <b>TOTAL PERMIT FEES COLLECTED</b>                 | <b>\$2,768.46</b> |



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Mike Lagomarsino, Public Works Supervisor

**SUBJECT:** Public Works Department Report for August 2022

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### RECOMMENDATION

Receive the Public Works Department Report for August 2022

### DISCUSSION

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

#### Events

- Placed banners above Washington Street for upcoming events.
- Put out no parking signs weekly for the Farmers Market.

#### Streets

- Continued painting of City Street markings.
- Spent several days potholing City Streets.
- Continued annual weed abatement spray program on several roadside locations, cemeteries, parks and landscapes throughout the City.
- Repaired vandalized street signs on Church Street.
- Removed downed oak tree on Corte Del Incino Dr.
- Removed Chamber banners in preparation of installation of new wreath brackets in downtown.
- Installed several no parking signs on north side of McCormick Drive in compliance with Traffic Committee approval.
- Removed one parking space on Bradford Street for safer site distance when exiting Norlan Street as approved by Traffic Committee.
- Made repairs to metal tree well that was creating a trip hazard in sidewalk on Theall Street.
- Responded to vehicle accident on Mono Way for oil spill cleanup.
- Spent several days performing roadside trash removal.
- Replaced 30 MPH sign damaged in fire along Mono Way.

#### Facilities

- Pressure washed concrete area pad at Opera Hall.
- Removed invasive Ivy on the side of Police Department Building.
- Installed dedication plaques on Historical Chairs in the Council Chambers requested by City Historian.
- Added panels to evidence cage for more storage capability at Sonora Police Department.
- Pruned vegetation on the City-owned Stewart Street House property.

- Made repairs to urinal, as well as interior lighting, at Sonora Fire Department.
- Excavate area on South Gate where TUD was storing tires unearthed by contractors for our future compost pile.
- Cleared out blockhouse for storage of new Christmas Wreaths and made racks to hang them.
- Replaced wooden door with metal door for more security at the Block House located on Southgate Drive.

### **Parks/Landscapes/Parking Lots**

- Blew and removed leaves from several City parking lots and parks.
- Graffiti removal at Woods Creek Rotary Park.
- Made repairs to leaking toilet at Rotary Park.
- Pruned and general cleanup in Coffill Park.
- Pruned several trees and shrubs in the Red Church Parking Lot.
- Pressure washed and painted floors in restrooms at Rotary Park.
- Irrigation repairs for landscape in Bowling Alley Parking Lot.
- Started replacing florescent light fixtures with new LED fixtures in the Terzich Parking Structure.
- Programmed several new remote controls for rollup door at Sonora Police Department.

### **Storm Drains**

- None

### **Cemeteries**

- Prepared required monthly reports, installed headstones, checked messages daily, and returned phone calls.
- Pulled weeds in several different areas at Mt Shadow Cemetery.
- Made irrigation repairs.

### **Miscellaneous**

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

### **FISCAL IMPACT**

None



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 20, 2022

**TO:** City Council Members

**FROM:** Aimee New, Fire Chief

**SUBJECT:** Fire Department Monthly Report – August 2022

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### RECOMMENDATION

Receive Fire Department Monthly Report – August 2022

### DISCUSSION

Fire Department Monthly Report – August 2022

### FISCAL IMPACT

N/A

1. City of Sonora Responded to 191 calls for service in August 2022.
2. Sonora City units responded to emergency calls as follows:

|                                                        |    |
|--------------------------------------------------------|----|
| 100 - Fire, other                                      | 1  |
| 111 - Building fire                                    | 2  |
| 118 - Trash or rubbish fire, contained                 | 1  |
| 131 - Passenger vehicle fire                           | 3  |
| 141 - Forest, woods or wildland fire                   | 1  |
| 142 - Brush or brush-and-grass mixture fire            | 2  |
| 143 - Grass fire                                       | 1  |
| 150 - Outside rubbish fire, other                      | 2  |
| 154 - Dumpster or other outside trash receptacle fire  | 1  |
| 311 - Medical assist, assist EMS crew                  | 30 |
| 321 - EMS call, excluding vehicle accident with injury | 60 |
| 322 - Motor vehicle accident with injuries             | 2  |
| 324 - Motor vehicle accident with no injuries.         | 3  |
| 400 - Hazardous condition, other                       | 1  |
| 412 - Gas leak (natural gas or LPG)                    | 1  |
| 444 - Power line down                                  | 2  |
| 510 - Person in distress, other                        | 10 |
| 511 - Lock-out                                         | 1  |
| 512 - Ring or jewelry removal                          | 2  |

|                                                          |            |
|----------------------------------------------------------|------------|
| 550 - Public service assistance, other                   | 1          |
| 551 - Assist police or other governmental agency         | 4          |
| 553 - Public service                                     | 2          |
| 553 - Public service                                     | 1          |
| 554 - Assist invalid                                     | 14         |
| 611 - Dispatched & cancelled en route                    | 24         |
| 622 - No incident found on arrival at dispatch address   | 7          |
| 651 - Smoke scare, odor of smoke                         | 4          |
| 700 - False alarm or false call, other                   | 3          |
| 733 - Smoke detector activation due to malfunction       | 1          |
| 735 - Alarm system sounded due to malfunction            | 1          |
| 740 - Unintentional transmission of alarm, other         | 3          |
| <b>Total Incidents</b>                                   | <b>191</b> |
| 3. Monthly dollar loss in the City, resulting from fire: | 0          |
| 4. The average response time during the month:           | 4.8        |
| 5. Automatic or mutual aid given:                        | 50         |



## CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022

**TO:** City Council Members

**FROM:** Turu VanderWiel, Chief of Police

**SUBJECT:** MONTHLY REPORT – SONORA POLICE DEPARTMENT

### RECOMMENDATION

Receive the Sonora Police Department monthly report for August 2022.

### DISCUSSION

The attached summarizes activities for August 2022.

|                     | Aug 2022 | July 2022 | Aug 2021 |
|---------------------|----------|-----------|----------|
| Total Incidents     | 1,296    | 1,323     | 1,529    |
| Calls for Service   | 935      | 825       | 762      |
| Officer Initiated   | 361      | 498       | 167      |
| Total Arrests       | 80       | 83        | 67       |
| Felony Arrests      | 11       | 10        | 10       |
| Misd. Arrests       | 69       | 73        | 57       |
| Total Reports       | 165      | 165       | 156      |
| Parking Citations   | 13       | 30        | 30       |
| Moving Citations    | 8        | 28        | 27       |
| Domestic Violence   | 3        | 1         | 4        |
| Larcenies           | 18       | 20        | 17       |
| Collision Incidents | 33       | 34        | 19       |
| Collision Invest.   | 9        | 13        | 8        |

|                                  | Aug 2022  | July 2022 | Aug 2021 |
|----------------------------------|-----------|-----------|----------|
| Homeless Activity                | 176       | 132       | -----    |
| Animal Calls                     | 38        | 44        | 47       |
| Public Intox. / UID              | 15        | 17        | 11       |
| DUI Arrests                      | 5         | 6         | 7        |
| Total Phone Calls /<br>911 Calls | 2,640/402 | 2,418/358 | 2,407    |
| Average Per Day                  | 85        | 78        | 78       |
| Vehicle Releases                 | 3         | 2         | 2        |

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

#### **FISCAL IMPACT**

There is no fiscal impact on the General Fund

**AREA 1****Violent Crimes:**

- 2 Felony Batteries with Serious Bodily Injury (1 with Felony Elder Abuse)
- 1 Felony Robbery
- 2 Felony Arsons
- 2 Misdemeanor Domestic Violence (1 with Felony Threats)

**Burglaries / Other Larceny:**

- 1 Business Burglary (Shoplifting).
- 1 Residential Burglary
- 2 Business Burglaries
- 2 Stolen Vehicles (1 Recovered by SPD)
- 2 Petty Thefts from Businesses (1 wallet and 1 purse)

**AREA 2****Violent Crimes:**

- 1 Misdemeanor Battery of Emergency Personnel
- 1 Misdemeanor Domestic Violence

**Burglaries / Other Larceny:**

- 1 Petty Theft (Shoplifting)
- 1 Petty Theft by Fraud

08/01/2022 - 08/31/2022

## **Area 2 Monthly Report August 2022**

### **Neighborhood Watch:**

MYERS HILL:

- No updated activity.

N. STEWART:

- No updated activity.

HIGHLANDS VIEW:

- Inactive.

### **Cases for discussion:**

**22-1076-** On 8/6/2022, Officers were handling a call for service at a local business when a female driver drove up beside them and demanded to know what they were doing. An Officer spoke briefly with the driver while the business manager told another officer that the driver had just become upset after being requested to show ID for an alcohol purchase. The driver, Donna Smith, 60, from Sonora, was found to be under the influence of alcoholic beverages and was arrested for DUI.

**22-1132-** On 8/17/2022, Officers were dispatched to the area of Mono Way and Barretta Street for a fire. Officers discovered a fully engulfed landscaped area beside Mono Way near the Motherlode Job Training center. An Officer detained a subject matching the given description of the subject leaving the scene of the fire. An investigation led to the location of matches and accelerants in the subject's possession. Video surveillance was used in the investigation, which helped identify the suspect, Nissa Navone, 46 of Jamestown, who was subsequently arrested for causing the fire.

### **Recruitments:**

- 1 Full-time Police Sergeant
- 2 Full-time Police Officer

### **Training:**

- One Officer attended Investigative Interview and Interrogation training.
- One Dispatcher attended CA Public Records Act training
- One Officer attended Advanced Patrol Tactics training.

### **Range:**

- No Range training was conducted in the month of August

Respectfully Submitted,  
Sgt. Chris Johnson



**SONORA POLICE DEPARTMENT**  
100 South Green Street  
Sonora, California 95370

Emergency 911 Item 25.  
Business (209) 532-8143  
Fax (209) 532-4845  
Web-Site: [www.sonorapd.com](http://www.sonorapd.com)  
Turu VanderWiel, Chief of Police  
E-Mail: [tvanderwiel@sonorapd.com](mailto:tvanderwiel@sonorapd.com)

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*"Maintaining a Safe Community since 1851"*

## MEMORANDUM

**TO:** Honorable Mayor and City Council Members  
**FROM:** Turu VanderWiel, Chief of Police  
**DATE:** August 15, 2022  
**RE:** Area 1 Supervisor Report - No Monthly Report

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



# CITY COUNCIL AGENDA REPORT

**MEETING DATE:** September 19, 2022  
**TO:** City Council Members  
**FROM:** Chris Gorsky, Administrative Services Director  
**SUBJECT:** Administrative Services Department Report for July 2022

## RECOMMENDATION

Receive the Administrative Services Department Report for July 2022

## DISCUSSION



The Administrative Services Department provides a wide range of comprehensive support services which include: accounting, finance administration and reporting, budgeting, audit, compliance, treasury management, payroll, human resources, recruitments, accounts receivable, local tax collection, accounts payable, procurements, business license management, risk management, information technology for the City.  
The Administrative Services Department is comprised of 3 full time employees.

### Monthly Report to the City Council

#### July 2022

##### Highlights of General Fund Revenues:

|                              | Current Period | YTD        | FY22/23 Budget | % of Budget |
|------------------------------|----------------|------------|----------------|-------------|
| Property Tax                 | \$ -           | \$ -       | \$1,374,800    | 0.0%        |
| Sales Tax                    | \$ 185,153     | \$ 185,153 | \$3,397,100    | 5.5%        |
| Transient Occupancy Tax      | \$ 71,283      | \$ 71,283  | \$ 490,000     | 14.5%       |
| Cannabis Public Benefit Fees | \$ 47,707      | \$ 47,707  | \$ 525,000     | 9.1%        |

##### Highlights of General Fund Expenditures:

|                        | Current Period | YTD        | FY22/23 Budget | % of Budget |
|------------------------|----------------|------------|----------------|-------------|
| Salaries and Benefits  | \$ 619,382     | \$ 619,382 | \$6,986,250    | 8.9%        |
| Operating Expenditures | \$ 230,495     | \$ 230,495 | \$2,190,550    | 10.5%       |
| Transfers              | \$ 75,000      | \$ 75,000  | \$ 112,000     | 67.0%       |

|                                      | A/P | YTD | H/R | YTD |
|--------------------------------------|-----|-----|-----|-----|
| Total Number of Checks/DD Processed: | 123 | 123 | 152 | 152 |

##### Current Staff Recruitments:

Public Works Assitant  
Deputy City Clerk - Exec Assistant  
Community Service Officer  
Police Officer  
Police Sergeant

| Business License Activity: | Zone A | Zone B | Total |
|----------------------------|--------|--------|-------|
| Licenses Issued            | 1      | 10     | 11    |



## City of Sonora

Administration  
 94 N. Washington Street  
 Sonora, CA 95370  
 (209) 532-4541  
 (209) 532-2738 fax  
[sonoraca.com](http://sonoraca.com)

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Rob Osborn, Director  
 California Public Utilities Commission, Communications Division  
 Attn: Local Agency Technical Assistance Grant Program  
 505 Van Ness Avenue  
 San Francisco, CA, 94102

Dear Director Osborn,

We at the City of Sonora, wish to express our support for the Programmatic Environmental Impact Report (EIR) request through the Local Area Technology Assistance Grant Program to facilitate the development of broadband fiber projects to parcels throughout the County. Our county has historically lacked affordable, quality, large bandwidth internet service and an estimated 7,934 households remain unserved or underserved, perpetuating the inequality of broadband access affecting our region's economies, educational access, societal capabilities, telemedicine adoption and first responder safety.

The City of Sonora and County of Tuolumne have collaborated over the years to increase access and share scarce resources for maximum benefit. Broadband access has seen some expansion through the Middle Mile regions, but the vast majority of our county is a rural community and still requires a substantial infrastructure investment that languishes in great part because of the long distances and challenging topography.

Reliance on private investment alone has left 36% of our households behind, with access to only 6mps down. A typical modern home now needs 100mbs down to run a business, tele-commute, or have students participating in remote education.

Our region will need State and Federal investments to realize a future of rural broadband to bridge the digital divide. And one of the first steps to that goal is to complete a Programmatic EIR for the entire county.

The City of Sonora appreciates the opportunity to provide this letter of support to further the collective work towards Broadband expansion and urge you to give this application your highest consideration

Sincerely,

Melissa Eads  
 City Administrator



## MEASURE Y NOVEMBER 8, 2022

## FACT SHEET

The City of Sonora provides quality public services to its residents including: police, fire, public works, parks, and community development - all working together to protect and preserve our quality of life.



### MEASURE Y: THE CITY OF SONORA “ESSENTIAL SERVICES TRANSACTION AND USE TAX”

In November 2022, The City of Sonora voters will have a choice. The City Council has placed Measure Y on the ballot so voters in Sonora can consider enacting a local sales tax of one cent. If voters approve Measure Y, it is expected to generate approximately \$3.9 million each year in dedicated, local, City administered funds. The Measure will sunset after 20 years.

### WHAT HAS BEEN DONE TO CUT COSTS SO FAR?

The City of Sonora has taken a fiscally responsible approach to overcoming hurdles in recent years. Over the past decade, City revenues have not kept pace with the growing costs associated with providing municipal services and facilities. For the past several years the City has responded to this imbalance, with a fiscally conservative approach by reducing its workforce by nearly 14 employees or 24%, this includes: having fewer police officers than in 1975, not replacing aging equipment or vehicles, reducing park and cemetery maintenance, no investment in aging city facilities or equipment, and fewer City sponsored events. Additionally, the City has not had the resources to improve infrastructure in the City, with total annual street maintenance funding of \$200k for the 30+ miles of roads, and no plans to address the aging sidewalks or storm drains. With this sales tax the City wishes to maintain a high level of police services, increased funding for fire protection, and the ability to maintain the City streets, storm drains, sidewalks and facilities. Without this measure the City anticipates deficit spending going forward and reduced services.

### CURRENT BREAKDOWN OF YOUR SALES TAX

The current sales tax in the City of Sonora is 7.75%, only 1.37% is controlled by the City. The remainder goes to Sacramento, Tuolumne County, and other regional agencies. **Every cent** of Measure Y sales tax will remain in the City of Sonora to improve and provide essential services. There are two sales tax measures on the November ballot, one from the County and Measure Y from the City. These are two separate measures, the County sales tax will not affect the tax rate within the City or provide the City with any financial support.

### REVENUE FROM MEASURE Y WILL STAY IN SONORA

Measure Y is necessary to protect the basic levels of service and safety within the City limits, while also providing a new source of revenue enabling the City to invest in maintenance of existing facilities, roads, parking lots, parks and other City facilities. Importantly, the measure will sunset in twenty years; this will provide enough time for the City to plan for its future and expand growth opportunities for the City, citizens, and businesses without having to return to the existing tax base with increases every twenty years. Without new revenue the City will be forced to cut public safety and essential services.

## REVENUE FROM MEASURE Y WILL SUPPORT LOCAL, ESSENTIAL SERVICES



Repairing and upgrading local streets, parking lots, sidewalks, and infrastructure to improve pedestrian safety and benefit economic growth.



Maintaining local parks, the Opera Hall, and other public facilities so they retain their values and benefit the community well into the future.



Retaining and preserving officer levels to ensure that there are enough on-duty police officers for patrolling streets, parks, and neighborhoods, to prevent crime and respond quickly to 911 calls.



Ensuring the City's fire station is open and maintained to provide prompt 911 response times so residents can continue to receive quality emergency care.



Continuing traffic congestion improvements, parking, landscaping, and other services to maintain what we value - Clean, healthy, and safe neighborhoods.



Support Sonora's sustainability efforts to create long term economic and social solutions for its visitors, residents and business community.

## ENSURES LOCAL CONTROL & OVERSIGHT

Every dollar raised by Measure Y will be used in the City of Sonora on local services and infrastructure. All City revenues, including Measure Y, have the oversight of a finance committee, the City Council, and annual independent financial audits.

## THE COUNTY'S TAX MEASURE

The County of Tuolumne has also placed a sales tax measure on the November 8, 2022 ballot. This would increase sales tax rates outside the City of Sonora and no revenue from their measure would benefit the City. **The City's Measure Y** would only affect the rate within the incorporated City limits and all revenues will remain within the City and will only benefit City residents.

## FACTS

- 95% of Cities have a higher tax rate than the City of Sonora.
- City is unable to fill critical vacant positions in all departments.
- 46% of Police vehicles are nearly 20 years old.
- In 1975 the City had 13 officers, today there are 6.
- Since 1975 call for law enforcement service increased 44%.
- Since 2011 911 calls have increased 34%.
- Since 2008 Fire staffing has decreased including the elimination of a fire prevention officer.
- Tax represents \$1 out of every \$100 spent.
- The City's Daytime population increases to over 25,000 people, a sales tax allows for visitors to contribute in a more equitable way.
- Without a new revenue source the City will be forced to cut public safety and other essential services.

