



CITY COUNCIL REGULAR MEETING

Tuesday, July 05, 2022 at 4:00 PM

94 N. Washington Street, Sonora, CA 95370

(209) 532-4541

AGENDA

NOTICE IS HEREBY GIVEN that the Sonora City Council will have their regular meeting on Monday, July 5, 2022 at 4:00 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. 06-21-2022-A.

THIS MEETING IS PHYSICALLY OPEN TO THE PUBLIC OR 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 PUBLIC COMMENT.

THIS MEETING WILL BE OPEN TO THE PUBLIC AND WILL BE AVAILABLE VIA ZOOM. IT WILL ALSO BE LIVE STREAMED ON THE CITY'S WEBSITE AT www.sonoraca.com.

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

CLOSED SESSION - 4:00 PM

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

OPEN SESSION - 5:00 PM

ADJOURN INTO CLOSED SESSION

1. Conference With Labor Negotiators (Government Code § 54957.6): Agency Designated representatives: Melissa Eads, City Administrator; Chris Gorsky, Administrative Services Director; Doug White, City Attorney; Employee Organization: Sonora Employees' Association (SEA), Administrative Services Officer.
2. Conference with Legal Counsel - Existing Litigation (Government Code §54956.9) - Wertz Industrial Disability Retirement.

RECONVENE INTO OPEN SESSION [City Council Chambers]

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT OUT OF CLOSED SESSION

CITY CLERK'S REPORT ON AGENDA POSTING

APPROVAL OF THE AGENDA

PRESENTATIONS

3. Receive an update from Tuolumne County District 1 Supervisor David Goldemberg.
4. Historian Recognitions for Patricia Perry and Sharon Marovich; Introduced by Mayor Hawkins and presentations by Colette Such and Ann Segerstrom.
5. Consider Adoption of Resolutions 07-05-2022-D and 07-05-2022-E, Recognizing Colette Such and James Garaventa for their contributions and service to the City of Sonora.

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.

6. Authorize the Mayor to sign the Collective Partnership Agreement Letter in support of the Community Economic Resilience Fund (CERF) Proposal submitted by the Sierra Business Council for the Eastern Sierra Region.
7. Consider Approval of the City/County Five-Year Permanent Local Housing Allocation Plan and authorize submission of the plan to the California Department of Housing and Community Development; Melissa Eads, City Administrator.

8. Consider Adoption of Resolution No.07-05-2022-B Accepting the Finding of an Industrial Disability Retirement Pursuant to Government Code Section 21156; Chris Gorsky, Administrative Services Director.
9. Consider Adoption of Resolution 07-05-2022-F approving the Confidential Employees Association (CEA) Memorandum of Understanding (MOU); Melissa Eads, City Administrator.
10. Approval of disbursements in the amount of \$152,371.56 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 Analyst.

PUBLIC HEARINGS

11. Consider Ordinances regarding the Protection of Critical Infrastructure and Health and Hygiene of Camps; Melissa Eads, City Administrator, Doug White, City Attorney.
 1. Motion to waive reading of Urgency Ordinance No. 844, reading by title only, waiving further reading, and adoption of an Urgency Ordinance of the City Council of the City of Sonora Adding Sonora Municipal Code Chapter 9.61, Protection of Critical Infrastructure and Fire Severity Zone, of Title 9, Public Peace, Morals and Welfare.
 2. Motion to waive reading of Urgency Ordinance No. 845, reading by title only, waiving further reading, and adoption of an Urgency Ordinance of the City Council of the City of Sonora Adding Sonora Municipal Code Chapter 9.62, Health and Hygiene, of Title 9, Public Peace, Morals and Welfare.
 3. Waive reading, read by title only, and introduce for first reading an ordinance of the City Council of the City of Sonora Adding Sonora Municipal Code Chapter 9.61, Protection of Critical Infrastructure and Fire Severity Zone, of Title 9, Public Peace, Morals and Welfare.
 4. Waive reading, read by title only, and introduce for first reading an ordinance of the City Council of the City of Sonora Adding Sonora Municipal Code Chapter 9.62, Health and Hygiene, of Title 9, Public Peace, Morals and Welfare.
12. Consider Adoption of Resolution 07-05-2022-C establishing an Encampment Management Policy for the City of Sonora addressing public health and safety concerns and vulnerabilities to critical infrastructure caused by the growing homelessness crisis in Sonora; Melissa Eads, City Administrator, Doug White, City Attorney.

UNFINISHED BUSINESS

NEW BUSINESS

13. Consider Adoption of Resolution 07-05-2022-A certifying the results and declaring those elected for the June 7, 2022, General Municipal Election for City Officers; Tracy Skelly, Administrative Analyst.
14. Administration of the Oath of Office for Elected City Officials, the City Administrator and the City Clerk; Councilmember Such.
 1. Suzanne Cruz, Councilmember
 2. Andy Merrill, Councilmember

3. Melissa Eads, City Administrator

4. Tracy Skelly, City Clerk

BREAK

15. Appointment of Mayor and Mayor Pro-Tem and Discussion of Commission/Committee Appointments.

MONTHLY REPORTS

COMMUNICATIONS

COUNCIL MEMBER/DEPARTMENT HEAD REPORTS

ADJOURNMENT

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

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



CITY COUNCIL AGENDA REPORT

MEETING DATE: July 5, 2022
TO: City Council Members
FROM: Melissa Eads, Interim City Administrator
SUBJECT: Supervisor David Goldemberg County Update

RECOMMENDATION

Receive an update from Tuolumne County District 1 Supervisor David Goldemberg.

DISCUSSION

District 1 Supervisor Goldemberg will present an update on County-wide issues to the City Council the first meeting of each month.

FISCAL IMPACT

No fiscal impact to the General Fund.

RESOLUTION 07-05-2022-D

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA
RECOGNIZING COUNCILMEMBER COLETTE SUCH**

WHEREAS, In 2017, Mayor Connie Williams created a Homeless Task Force to study, understand and figure the best path forward for the homeless in Sonora and Tuolumne County and requested members of the public to apply; and

WHEREAS, without any real experience in the realm of government, Colette completed an application, and was chosen by Mayor Williams; and

WHEREAS, on this taskforce she met Jim Garaventa who seemed to share similar beliefs about humanitarian treatment of the poor, peppered with a sense of practical improvements in their lives; and

WHEREAS, when an opening on the City Council came up, Colette reviewed her resume, took inventory of her life's work and what brought joy to her and saw that she had been working towards this her entire life; and

WHEREAS, Councilmember Such has been a leader on multiple local and regional committees and commissions, including: TCTC/TCTA; Vision Sonora; Tuolumne County Commission on Homelessness (TCCOH); Tuolumne County House Committee (Ad hoc); Tuolumne County Outdoor Shelter Committee (Ad hoc); Amador Tuolumne Community Action Agency (ATCAA) Board of Directors; Central Sierra Consortium of Care (CSCOC); Amador Tuolumne Community Action Agency (ATCAA) Review, Rank and Fund Committee; Amador Tuolumne Community Action Agency (ATCAA) Personnel Committee; TC-Stanislaus Integrated Regional Water Management Authority (IRWMA); TC Firesafe Council; Social Equity Committee; Access Tuolumne; Tuolumne County Childcare Council; Resiliency Village Board of Directors; and

WHEREAS, accomplishments that she is most proud of are her work with the homeless, finding funding from the City, ATCAA, the Sonora Area Foundation, Love Tuolumne County and a few private donors to bring toilets to Camp Hope to solve a public health problem but also bring some dignity to the lives of the unsheltered living there; and Councilmember Such is also recognized for her role on the Resiliency Village Board of Directors; and

WHEREAS, Councilmember Such is most proud of is her work for Social Justice as the Chair of the City of Sonora Social Equity Committee.

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

The City of Sonora expresses its gratitude to Councilmember Colette Such for her leadership and dedication to providing a better community for the residents of the City of Sonora and Tuolumne County and wishes her well in the next chapter of her life for years to come.

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 July 5, 2022, by the following votes:

AYES: _____

NOES: _____

ABSENT:

Signed and dated:

Matt Hawkins

Mayor of the City of Sonora

ATTEST:

Tracy L. Skelly

Deputy City Clerk

RESOLUTION 07-05-2022-E

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA
RECOGNIZING COUNCILMEMBER JAMES GARAVENTA**

WHEREAS, James Garaventa was born and raised in Sonora and is a fourth generation county native, who graduated from Sonora High School and UC Davis; and

WHEREAS, In 2014, Councilmember Garaventa was elected to the City Council; and

WHEREAS, Councilmember Garaventa served on the Tuolumne County Planning Commission for six years, the Board of Supervisors Planning Committee and the Tuolumne General Board of Trustees; and

WHEREAS, Councilmember Garaventa was also a citizen representative on the Parking and Traffic Commission (2005-2014), The T.C. Transportation Council's Citizen's Advisory committee (2002-2014), the recent Vision Sonora advisory board, and co-chair of the successful Measure "I" campaign (2004) strengthening public safety in the City; and

WHEREAS, Councilmember Garaventa also served as the President of the Eureka Engine Company #1, one of Sonora's historic fire companies and has served on the Tuolumne County Historical Society (President 2005) and Tuolumne County Museum Boards; and

WHEREAS, Councilmember Garaventa has been a leader on multiple local and regional committees and commissions, including: Central Sierra Economic Development, Fire Safe Council, Local Agency Formation Commission (LAFCO), Solid Waste Committee, Tuolumne County Chamber – Transportation Committee, Tuolumne County Economic Development Authority (TCEDA), Tuolumne County Transportation Council (TCTC), Visitor's Bureau, Parking and Traffic Commission, Public Safety Committee; and

WHEREAS, Councilmember Garaventa believes in open government, people working together to find quality solutions, and has the passion and desire to make government work efficiently and effectively.

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

The City of Sonora expresses its gratitude to Councilmember James Garaventa for his leadership and dedication to providing a better community for the residents of the City of Sonora and Tuolumne County and wishes him well in the next chapter of his life for years to come.

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 July 5, 2022, by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and dated:

Matt Hawkins

Mayor of the City of Sonora

ATTEST:

Tracy L. Skelly

Deputy City Clerk



CITY COUNCIL AGENDA REPORT

MEETING DATE: July 5, 2022

TO: City Council Members

FROM: Melissa Eads, City Administrator

SUBJECT: Authorize the Mayor to sign the Collective Partnership Agreement Letter in Support of the Community Economic Resilience Fund (CERF) Proposal submitted by the Sierra Business Council for the Eastern Sierra Region

RECOMMENDATION

Staff recommends authorization of the Mayor to sign the Collective Partnership Agreement Letter in support of the Community Economic Resilience Fund (CERF) Proposal submitted by the Sierra Business Council for the Eastern Sierra Region.

BACKGROUND

The Vision of the Eastern Sierra Community Economic Resilience Fund HRTC is to engage in a data-informed, inclusive, and transparent planning process to develop a regional economic recovery plan and set of projects that will encourage the generation of high road jobs.

FISCAL IMPACT

No fiscal impact to the General Fund.

ATTACHMENTS

- Collective Partnership Agreement Letter
- Eastern Sierra Region Community Economic Resilience Fund (CERF) High Road Transition Collaborative (HRTC)



City of Sonora

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

Melissa Eads, City Administrator
meads@sonoraca.org

Collective Partnership Agreement Letter Community Economic Resilience Fund: Eastern Sierra Region

July 5, 2022

Dear HRTC Convener:

The City of Sonora is pleased to inform you that we are in agreement with the goals of the Community Economic Resilience Fund (CERF) proposal for the Eastern Sierra region developed by the Sierra Business Council, who would act as both the Fiscal Agent and the Regional Convener.

We have reviewed the initial governance model for the High Road Transition Collaborative (HRTC). We understand that this governance model may change as the process evolves.

We agree to participate in the CERF process and agree to participate in the development of the governance model, the outreach and engagement plan, and the development of a budget for the project. We are committed to working collaboratively with a wide range of regional stakeholders from a diverse set of interests to participate in the process to create a more inclusive, equitable, and competitive regional economy.

Our primary contact for this process will be:

Contact person: Melissa Eads, City Administrator
Email Address: meads@sonoraca.org
Phone: (209) 532-4541

Thank you for your time and consideration.

Mayor
City of Sonora

Date: July 5, 2022

EASTERN SIERRA REGION COMMUNITY ECONOMIC RESILIENCE FUND (CERF) **High Road Transition Collaborative (HRTC)**

VISION

The Vision of the Eastern Sierra Community Economic Resilience Fund HRTC is to engage in a data-informed, inclusive, and transparent planning process to develop a regional economic recovery plan and set of projects that will encourage the generation of high road jobs.

GOALS

The planning process will focus on inclusivity for all regional stakeholders, with special emphasis on historically less engaged stakeholders such as disinvested communities, tribal communities, and workers.

The planning process will utilize the skills and knowledge of local entities and organizations and ongoing regional processes, including those developed by local governments, workforce training organizations, economic development organizations, regional educational institutions, and community-based organizations.

The planning process will be guided by Sierra Business Council as regional fiscal agent and convener but will be governed by a diverse and representative HRTC council and a series of topical committees, where power is shared and all ideas are welcomed.

The planning process will include a vigorous, multi-channel, and bilingual public outreach plan specifically designed to reach traditionally disinvested workers and communities, and represent the geographic and cultural diversity of the region.

The planning process will result in a regional economic recovery and transition plan that will emphasize job quality and access, economic competitiveness and resiliency, regional equity, and the long-term sustainability of the region. The planning process will align with state policies across a broad range of objectives, including the need to advance a climate-resilient and carbon-neutral economy.

The final adopted plan will include a broad range of data including stakeholder and asset mapping, identification of opportunities for alignment with existing regional economic planning processes and documents, a regional labor market and economic cluster analysis, and identification of regional climate and public health trends. The final adopted plan will also include specific strategies for the growth of targeted industries, strategies for increasing economic diversification, and strategies for increasing economic equity.

The final adopted plan is likely to be one regional plan with two subcomponents addressing a specific set of east side and west side strategies and implementation opportunities. The plan will identify specific projects for inclusion in future CERF funding proposals.

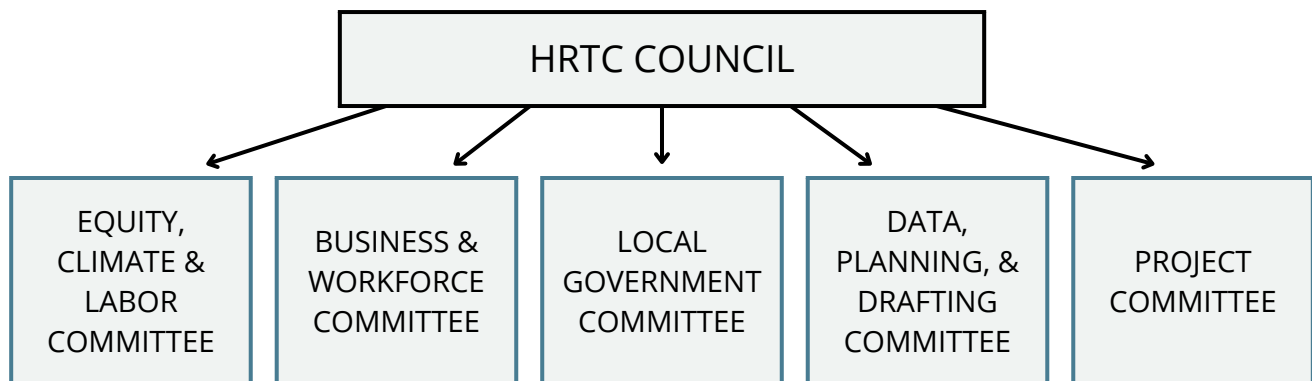
PROPOSED GOVERNANCE MODEL

Eastern Sierra CERF Region

This draft governance structure is intended to include representation from the large geography of our Eastern Sierra region and include representation on the High Road Transition Collaborative (HRTC) Council or HRTC Committees of all of the required and suggested stakeholders. A non-voting participant will chair the HRTC Council meetings.

The HRTC is intended to conduct all of its Council and Committee meetings in a public forum, in a transparent manner, in a hybrid-meeting format, with each stakeholder enjoying equal status and authority.

The composition of the HRTC Council and Committees may change over time as additional stakeholders are engaged. The governance model also allows for the addition of Committees as circumstances or direction changes based on data analysis and dialogue. The name of the HRTC may be changed after the grant is awarded.



HRTC COUNCIL	COMMITTEE STRUCTURE
21 members + Non-voting Chair 3 from each county (or cities within counties) 5 are chairs of the Committees - Represents the diversity of required stakeholders	7 voting members per Committee - Open ex officio membership 1 voting member from each County - Committee chair sits on HRTC board - Committee decisions matriculate to board

DECISION MAKING PROCESS

Decision making in committees and board based on modified consensus model (Support, Can Live With, Abstain, Oppose)

1. Straw Poll
2. Discussion
3. Poll-No consensus triggers vote.

Operational decisions require a majority vote of committee and board members.

Project decisions require a $\frac{2}{3}$ vote of committee and board members.

EASTERN SIERRA REGION COMMUNITY ECONOMIC RESILIENCE FUND (CERF) **High Road Transition Collaborative (HRTC)**

ROLE DESCRIPTIONS & APPROXIMATE TIME COMMITMENTS

The HRTC process is required to be highly public, participatory, and transparent in nature. The HRTC will welcome all community stakeholders, and fairly and equitably consider all ideas brought forward by stakeholders. The CERF program calls for an 18-24 month planning process but we will make our best effort at completing the public portion of the effort in 18 months.

HRTC meetings will be hybrid meetings allowing for both in-person and virtual attendance, and will be held alternately (depending upon weather) on the east side and west side of the Sierra crest. In-person attendance at a majority of the meetings (depending upon pandemic) is expected.

Stipends will be available to voting members who are non-elected officials (and allowed to accept payment for meetings and committee obligations). Stipends are optional and intended to increase participation from stakeholders with lower resources or capacity to engage in the CERF process. Mileage and lodging costs will be reimbursed for all participating voting members if approved in advance.

The HRTC structure proposed by Sierra Business Council (SBC) requires 51 individual stakeholders to act as voting members, and one non-voting member to act as the HRTC Board Chair. The various roles are described in detail below.

HRTC COUNCIL, COMMITTEE, AND PUBLIC PARTICIPANTS

High Road Transition Collaborative Council Member

Council members will be expected to participate in one 1 ½ hour-long hybrid meeting per month for 18-24 months, to need approximately 3 hours per month for document review and comment, and to occasionally meet with community stakeholders.

Approximate Time Commitment: 6-8 hours per month or 70-90 hours per year

Proposed Number of Council Members: 21

An SBC project manager will staff the Council.

High Road Transition Collaborative Board Chair

The Council chair will be a non-voting member. The Chair will be expected to attend each 1 ½ hour-long monthly Council meeting for 18-24 months, usually but not always, in person, to need approximately 3 hours per month for document review, and to communicate on a regular basis with Council members to ensure all issues are being forwarded to the Council.

Approximate time commitment: 10 hours per month or 120 hours per year

An SBC project navigator will staff the Council chair.

EASTERN SIERRA REGION COMMUNITY ECONOMIC RESILIENCE FUND (CERF) **High Road Transition Collaborative (HRTC)**

High Road Transition Collaborative Committee Member

Committee members are expected to participate in one 1 ½ hour-long hybrid meeting per month for 18-24 months, to need approximately 3 hours per month for document review and comment, and to meet occasionally with community stakeholders.

Approximate Time Commitment: 6-8 hours per month or 70-90 hours per year

Proposed Number of Committee Members: 35 (7 voting members for each of the 5 committees)

An SBC project navigator will staff the Committees.

High Road Transition Collaborative Committee Liaison

One member of each committee will also serve on the Council. This position will require participation in two 1½ hour per month meetings plus approximately 4 hours per month of document review.

Approximate Time Commitment: 8-12 hours per month or 96-144 hours per year

Proposed Number of Committee Liaisons: 5

High Road Transition Collaborative Participant

Committee membership is open to all public participants, however there are only 7 voting members per committee. The public is encouraged to participate in as many meetings as they choose.

Project Team

Fiscal Agent: SBC will act as the Fiscal Agent. The Fiscal Agent is responsible for the project application, receives the funding, manages contracting, manages the overall finances of the project, makes disbursements to contractors, and acts as the intermediary in grant management, including grant reporting. The Fiscal Agent must have legal authority, history, and capacity to administer state funds.

Regional Convener: SBC will act as the Regional Convener. SBC is the lead organization tasked with organizing an inclusive group of regional stakeholders to form the HRTC and implement the planning grant in its region. SBC anticipates the program will be staffed with a project manager, two community project navigators (one on the west side and one on the east side), and will issue contracts to other community organizations for portions of the public outreach, engagement, and capacity building activities necessary.



CITY COUNCIL AGENDA REPORT

MEETING DATE: July 5, 2022

TO: City Council Members

FROM: Melissa Eads, City Administrator

SUBJECT: Permanent Local Housing Allocation Plan (PLHA)

RECOMMENDATION

Staff recommends the approval of the City/County Five-Year Permanent Local Housing Allocation Plan and authorize submission to the California Department of Housing and Community Development.

BACKGROUND

This staff report was prepared by Maureen Frank, Deputy County Administrator, Tuolumne County. In 2017, the State of California Legislature passed the CA Building Homes and Job Act. Among other things this implemented a \$75 real estate transaction fee that would be set aside for local jurisdictions to utilize for eligible housing-related projects and programs. The legislation directed the California Department of Housing and Community Development (HCD) to utilize 70% of these revenues collected to provide financial assistance to local governments under the newly established Permanent Local Housing Allocation (PLHA) grant program.

Pursuant to PLHA funding requirements, jurisdictions seeking funds must submit a PLHA plan outlining how the jurisdiction intends to use the funds on eligible activities over the course of five years, how the local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of AMI, and how the plan relates to the local jurisdictions Housing Element. The plan is meant to guide the City and County in developing collaborative projects to achieve our housing goals

This past February, a group of City and County staff along with Amador Tuolumne Community Action Agency began to meet to put together the draft PLHA Five Year Plan. After several meetings the PLHA Team came up with a holistic approach to address Homelessness, persons in jeopardy of being homeless and identifying and breaking down barriers to obtaining affordable housing.

DISCUSSION

Staff recommends Attached for your review and approval is the draft City/County PLHA Five-Year plan (See Attachment A). In creating this document, the PLHA Team wanted to look at each phase of housing needs (Emergency, Temporary and Permanent) and develop strategies, using Housing First Model as a guide, and goals that would assist in:

- Getting people into safe housing situations

- Identify and assess barriers to housing
- Provide case management services to develop pathways to permanent housing
- Create additional emergency, temporary, and permanent housing units.

The PLHA Team came up with the following priority projects for PLHA funding:

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

Before bringing this draft plan to your Board, the PLHA Team presented this plan on June 9th to the Tuolumne County Commission on Homelessness and the Board of Supervisor's Housing Policy Committee. Overall participants of both groups felt that the draft PLHA Five-Year Plan was good and inclusive to various groups in the County. They appreciated the holistic approach to housing issues by addressing emergency, temporary and permanent housing. The two groups also expressed some concerns about the following:

- PLHA Plan priorities too heavily weighted on case management services and not on the creation of beds
- The PLHA plan did not address the homeless teen population
- That there was no process for follow-up with elected officials or community groups in the plan
- That the Navigation Center Project should include the creation of beds
- Would like us to put more funds into the creation of workforce housing units.
- The PLHA Team should look at housing supportive planning funds to update the General Plan, ordinances, or any other associated environmental reviews that might be needed.

The PLHA team reviewed the comments received and made the following changes to the plan:

- Added additional details to the creation of the Navigation Center to include the development of beds.
- Beds have been addressed in the following priority projects: Outdoor Managed Emergency Shelter, the Development of a Navigation Center, the Transitional Housing Development, and in the Sonora Emergency Shelter.
- Added a section to the plan related to the PLHA process. In this section we talk about the next steps in the PLHA process and the involvement of community committees/commissions.
- Budget table was adjusted to make information easier to understand

Many of the comments received related to specific tasks within the PLHA priority projects/services called out in the plan. Changes related to these comments were not made, as the PLHA Plan is meant to be a high-level document with general priorities. It will be during the grant application process in which we will have to get into very specific details on how we want to achieve the priorities

listed in our PLHA Plan. The PLHA team has noted these comments and will be considering them as we make annual grant applications.

Once the PLHA Five-Year plan is approved, it will be submitted along with a grant application to HCD for their review and approval. The next Notice of Funding Availability (NOFA) for PLHA funds should be out sometime this summer with grant due this coming December 2022.

FISCAL IMPACT

Both the City and County have not applied for PLHA 2019/2020 allocations. HCD has informed us that we will be able to apply for previously funded allocations in addition to the 2022 grant amounts. Allocation amounts are listed below.

	2019 Allocation	2020 Allocation	Anticipated 2022 Allocation	Total
City of Sonora	\$91,427	\$138,507	\$138,507	\$268,441
Tuolumne County	\$242,182	\$368,367	\$368,367	\$1,014,916
Totals	\$333,620	\$506,874	\$506,874	\$1,283,357

Utilizing the 2020 funding allocation as the base, it is anticipated that over the course of the five years the City and County will receive around \$2,534,370 in PLHA funds. To administer PLHA, local jurisdictions can request 5% of the total requested allocation. The total Yearly Allocation: \$506,874 with a Five-Year estimated total funding of \$2,534,370.



PERMANENT LOCAL HOUSING ALLOCATION PLAN

City of Sonora and County of Tuolumne

July 2022

Five year plan 2022 -2027

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Acknowledgement

Tackling the Housing issue in the City of Sonora and Tuolumne County is a collaborative effort. The collaboration includes elected officials, city and county staff, joint powers authorities/non-profit groups, faith-based organizations, and service clubs. It will be through these efforts and partnerships, that we will make significant strides forward in the development of emergency, temporary and permanent housing in our community.

We would like to acknowledge the efforts of the following people/organizations for their assistance in committing to the City of Sonora and County of Tuolumne Permanent Local Housing Allocation Plan:

Agency Partners:

Rachel Bell	CDD Business Manager	County of Tuolumne
Wendy Hoffman-Brady	HHSA Assistant Director	County of Tuolumne
Steve Boyack	HHSA Assistant Director	County of Tuolumne
Denise Cloward	Director	ATCAA Housing Programs
Melissa Eads	City Administrator	City of Sonora
Rebecca Espino	HHSA Director	County of Tuolumne
Maureen Frank	Capital Project Director	County of Tuolumne
Annie Hockett	Assistant Chief Probation Officer	County of Tuolumne
Joelle Kewish	Adult Probation Division Manager	County of Tuolumne
Rachelle Kellogg	Community Development Director	City of Sonora
Tami Mariscal	Behavioral Health Director	County of Tuolumne
Michael Roberson	Homeless Services Coordinator	County of Tuolumne
Quincy Yaley	Director of Community Development Department	County of Tuolumne

Consultant:

Lorie Ann Adams, Adams Ashby Group, Inc.

BACKGROUND

In 2017 the State of California Legislature passed the CA Building Homes and Job Act. This act was a wide-ranging housing bill that, among other things, implemented a \$75 real estate transaction fee to establish a permanent, ongoing source of funding to local jurisdiction across the state to provide financial assistance to local governments for eligible housing-related projects and programs to assist in addressing the unmet housing needs of local communities.

The legislation directed the California Department of Housing and Community Development (HCD) to use 70% of the revenue collected to provide financial assistance to local governments and in 2020 released guidelines for the Permanent Local Housing Allocation (PLHA) grant program establishing the purpose and eligible uses for the funds. Additionally, subsequent NOFA(s) will provide allocation amounts to each jurisdiction (Cities and Counties) in the state.

The PLHA Program seeks to:

- Increase the supply of housing for households at or below 60% of area median income
- Increase assistance to affordable owner-occupied workforce housing
- Assist persons experiencing or at risk of homelessness
- Facilitate housing affordability, particularly of lower-and moderate-income households
- Ensure geographic equity in the distribution of the funds

HCD has established an allocation methodology for the available funding, and will be distributed based upon a preestablished allocation by jurisdiction formula. There will also be opportunities to apply for PLHA competitive grants for larger projects or services a jurisdiction would like to develop.

ELIGIBLE ACTIVITIES

(a) Eligible Activities are limited to one or more of the following:

The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low-, very low-, low-, or moderate-income households, including necessary operating subsidies.

1. The predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.
2. Matching portions of funds placed into Local or Regional Housing Trust Funds.
3. Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of HSC Section 34176.

4. Capitalized Reserves for Services connected to the preservation and creation of new Permanent supportive housing.

Assisting persons who are experiencing or at risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.

- a. This activity may include subawards to Administrative Entities as defined in HSC Section 50490(a)(1-3) that were awarded CESH program or HEAP funds for rental assistance to continue assistance to these households.
 - b. Applicants must provide rapid rehousing, rental assistance, navigation centers, emergency shelter, and transitional housing activities in a manner consistent with the Housing First practices described in 25 CCR, Section 8409, subdivision (b)(1)-(6) and in compliance with WIC Section 8255(b)(8). An Applicant allocated funds for the new construction, rehabilitation, and preservation of Permanent supportive housing shall incorporate the core components of Housing First, as provided in WIC Section 8255, subdivision (b).
5. Accessibility modifications in lower-income owner-occupied housing.

6. Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.
 7. Homeownership opportunities, including, but not limited to, down payment assistance.
 8. Fiscal incentives made by a county to a city within the county to incentivize approval of one or more Affordable Housing Projects, or matching funds invested by a county in an Affordable Housing Development Project in a city within the county, provided that the city has made an equal or greater investment in the Project. The county fiscal incentives shall be in the form of a grant or low-interest loan to an Affordable Housing Project. Matching funds investments by both the county and the city also shall be a grant or low-interest deferred loan to the Affordable Housing Project.
- (b) A local government that receives an allocation shall use no more than 5 percent of the allocation for costs related to the administration of the Activity(ies) for which the allocation was made. Staff and overhead costs directly related to carrying out the eligible activities described in Section 301 are “activity costs” and not subject to the cap on “administrative costs.” A Local government may share any funds available for administrative costs with entities that are administering its allocation.
- (c) Two or more local governments that receive PLHA allocations may expend those moneys on an eligible jointly funded project as provided for in Section 50470 (b)(2)(B)(ii)(IV). An eligible jointly funded project must be an eligible Activity pursuant to Section 301 (a) and be located within the boundaries of one of the Local governments.
- (d) Entitlement local governments may use the flow of PLHA funds to incentivize private lender loans and to guarantee payments for some or all public agency bond financings for activities consistent with the uses identified in Section 301 “Eligible Activities”. This loan guarantee Activity must be identified and fully explained in the Applicant’s “Plan”.

HOUSING ELEMENT OBJECTIVES

The PLHA program requires compliance with the Housing Element requirements of the State of California. Each local government must have an adopted Housing Element approved by the governing body and in substantial compliance with the Housing Element Law pursuant to GC Section 65585. Additionally, all reporting must also be in compliance for the prior year by the application deadline. Below we have provided the goals and policies included in the Housing Element for each jurisdiction that align with the intent of the PLHA program:

CITY OF SONORA

Housing Production:

Goal 2: Facilitate the provision of a range of housing types to meet the diverse needs of the community.

- Policy 2.1 Provide quality housing opportunities for a current and future resident with a diverse range of income levels
- Policy 2.2 Provide expanded housing opportunities for the community workforce
- Policy 2.4 Encourage the provision of housing affordable to extremely low-income households when reviewing proposals for new affordable housing developments.
- Policy 2.5 Facilitate the provision of second units as a means of providing affordable rental housing opportunities in existing neighborhoods.

Goal 5: Coordinate and cooperate with surrounding jurisdictions to address regional housing issues, including the supply of affordable housing and homelessness.

Policy 5.1 Coordinate with surrounding jurisdictions in the provision of housing assistance and related services to lower and moderate-income households, homeless persons, and other persons with special needs.

Policy 5.2 In conjunction with surrounding jurisdictions, actively pursue State, federal, and other funding sources for affordable housing activities.

Equal Opportunity Housing

3.D.1 Maintain an Emergency Shelter

Continue to coordinate with the Amador-Tuolumne Community Action Agency ATCAA, the Center for a Non-Violent Community to maintain an emergency shelter within the city

3.D.3 Maintain a Transitional Shelter

Coordinate with ATCAA, the Center for a Non-Violent Community and other suitable agencies to maintain a transitional shelter within the City limits.

3.D.4 Maintain a Homeless Shelter

Continue to coordinate with ATCAA and other suitable agencies to maintain a homeless shelter

3.D.5 Facilitate the Provision of Transitional Shelters or Housing, Supportive Housing, Emergency and Homeless Shelters

3.D.8 Facilitate cooperative City/County efforts to achieve housing goals.

6.3 Promote housing that meets the special needs of the homeless, seniors, large families, and persons with disabilities including persons with developmental disabilities.

COUNTY OF TUOLUMNE

Affordable Housing

GOAL 3.B Encourage and promote the development and rehabilitation of extremely low-, very low-, low-, and moderate-income housing for the residents of Tuolumne County to meet the regional housing need.

3.B.3 Continue to support public, private, and non-profit applications for state and federal affordable housing programs for both new construction and rehabilitation projects. Continue to work with affordable housing developers on new affordable housing rental and for-sale projects.

3.B.4 Encourage and support programs and financing that increase the availability of rental and for-sale housing for extremely low-, very low-, low-, median- and moderate-income households. This includes both new construction and the conversion of market-rate housing to affordable housing through acquisition/rehabilitation.

Special Need Housing/Vulnerable Populations

Goal 3.F Provide suitable housing for special needs/vulnerable populations such as seniors, veterans, large families, farmworkers, people with physical or mental disabilities, homeless individuals, and individuals at risk of becoming homeless.

3.F.3. Encourage the creation of housing opportunities for extremely low-income households and vulnerable populations.

3.F.4. Provide for the needs of people experiencing homelessness by supporting the construction of emergency shelters and permanent, supportive housing.

KEY ACCOMPLISHMENT

Over the past five years, the City of Sonora and Tuolumne County continued to engage regarding the housing problems in our communities and started working toward a more holistic approach. City and County staff have worked on programs and services that provide assistance to persons who are homeless or in jeopardy of being homeless. Together, we have also worked on promoting the development of workforce housing projects in our county. Below are our collective key accomplishments in this arena over the last five years.

City of Sonora

Created the position and employed a Homeless Liaison Police Officer who interacts with the City's homeless population providing information to them about assistance programs and other resources, meets with social services representatives to provide assistance, monitors homeless encampments, assists with cleanup operations, and provides additional training to Police Officers relating to the homeless

City purchased the existing blighted residential structure located at 290 S. Stewart Street to be renovated and used for an emergency homeless shelter. City approved the use permit for the project.

City of Sonora applied for and received a Community Development Block Grant to reconstruct the multi-family structure located at 489 S. Stewart Street that was completely destroyed by a fire. Construction of the 7-unit apartment complex was completed in 2017 and the project is subject to a 30-year Rent Limitation Agreement restricting units to low-income tenants.

City initiated the rezoning of 9 parcels, including two older multi-family structures totaling 13 units, to convert the zoning from a non-residential used to a residential use thus preserving existing housing.

Approval of "The Plaza" project which includes the construction of a two-story multi-use building within an existing shopping center. It will include ground floor commercial and multifamily residential, 5 units, on the second floor.

Assisted the Sonora Garden Apartments, an at-risk low-income housing project, with a Low-Income Housing Tax Credit Application through TCAC to provide for a major renovation of the existing apartment complex.

Adoption of Short-Term Rental Ordinance which restricts the number of short-term rentals within the City to preserve the City's existing housing and help address housing affordability.

Adoption of Emergency Shelter Ordinance which expanded the zoning districts in which emergency shelters are considered a use allowed by right.

Prepared the City's draft ADU Ordinance which has been submitted to the State Department of Housing and Community for review and approval.

County of Tuolumne

Housing:

- Adoption of Appendices X and O of the General Plan related to Emergency Housing Standards
 - APPENDIX O- EMERGENCY HOUSING Scope. This appendix shall be applicable to emergency housing and emergency housing facilities, as defined in Section O102. The provisions and standards set forth in this appendix shall be applicable to emergency housing established pursuant to the declaration of a shelter crisis under Government Code section 8698 et seq. and located in new or existing buildings, structures, or facilities owned, operated, erected, or constructed by, for or on behalf of the County of Tuolumne on land owned or leased by the County of Tuolumne. O101.2
 - Application- Notwithstanding any provisions of this Code to the contrary, the following requirements shall apply to emergency housing operated during a shelter crisis, as provided for in Government Code Section 8698 et seq. Other than the specific requirements set forth in this appendix, the facilities need not comply with the requirements of this Code for Group R occupancies unless otherwise specified in this Code.
 - APPENDIX X- The 2019 California Residential Code
 - SECTION AX101 GENERAL AX101.1 Scope- This appendix shall be applicable to emergency housing and emergency housing facilities, as defined in Section AX102. The provisions and standards set forth in this appendix shall be applicable to emergency housing established pursuant to the declaration of a shelter crisis under Government Code section 8698 et seq. and located in new or existing buildings, structures, or facilities owned, operated, erected, or constructed by, for or on behalf of the County of Tuolumne on land owned or leased by the County of Tuolumne.
 - AX101.2 Application- Notwithstanding any provisions of this Code to the contrary, the following requirements shall apply to emergency housing operated during a shelter crisis, as provided for in Government Code Section 8698 et seq. Other than the specific requirements set forth in this appendix, the facilities need not comply with the requirements of this Code for Group R occupancies unless otherwise specified in this Code.

- Approval of Visionary Homes affordable housing project
- Approval of Accessory Dwelling Unit Ordinance (ADU)

County Homelessness Program:

- Hired Social Worker dedicated to homelessness
- Secured additional Housing Support Program funding due to exceeding set benchmarks for serving CalWORKs families
- Secured Bringing Families Home funding for families in the Child Welfare System\
- Secured Home Safe funding for the older adults and people with disabilities experiencing abuse, neglect, self-neglect, or financial exploitation.
- Secured Housing & Disability Advocacy Program (HDAP) funding for the individuals, including youth and children in families, who are likely eligible for disability benefits programs.
- County created and hired a Homeless Services Coordinator position
- County obtained FEMA trailers to be utilized for homeless services
- Board of Supervisors created the Tuolumne County Commission on Homelessness Obtain seven FEMA Trailers for Non-Profit Organization to utilize as temporary housing
- Contract with local hotels for emergency shelter
- Contracts with local recovery centers to provide case management and housing Probation contracts with local provider (Refuge Recovery) to provide case management and housing to justice involved individuals particularly the re-entry population (CDCR)
- Collaboration with Central Sierra Continuum of Care and Amador Tuolumne Community Action Agency for project development, support, and funding

PERMANENT LOCAL HOUSING ALLOCATION PLAN

Pursuant to PLHA funding requirements, jurisdictions seeking funds must submit a PLHA plan outlining how the jurisdiction intends to use the funds on eligible activities over the course of five years; how the local government will **prioritize** investments that increase the supply of housing for households with incomes at or below 60 percent of AMI; and how the plan relates to the local jurisdictions Housing Element. This plan is meant to guide us in developing collaborative projects to achieve our housing goals.

APPROACH TO HOUSING

The jurisdictions **and affiliate agencies implement their programs using the Housing First Model**. As a group, we continue to use a holistic approach to address Homelessness, persons in jeopardy of being homeless and identifying and breaking down barriers to obtaining affordable housing. Housing issues do not recognize or respect any jurisdictional boundaries, hence the reason the City of Sonora and Tuolumne County are united to work on housing goals. City and County staff have developed a PLHA Team. This Team will meet on a periodic basis to review the status of our goals, discuss best practices and identify grant opportunities.

In the review of the PLHA program, the City and County have decided to pool the allocation to address the local needs. When a PLHA Notice of Funding Availability (NOFA) is issued, the PLHA Team will review the NOFA requirements, allocation amounts and assess our goals. From there, the PLHA Team will complete and submit applications.

HOUSING GOALS

The PLHA Team met several times to discuss housing in our community and ways in which to address the identified issues. The overarching goal of the PLHA Team was to take a holistic approach to housing matters. The Team wanted to look at each phase of housing needs (Emergency, Temporary and Permanent) and develop strategies, using the Housing First Model as a guide, and goals that would assist in:

- Getting people into safe housing situations
- Identify and assess barriers to housing
- Provide case management services to develop pathways to permanent housing
- Create additional emergency, temporary and permanent housing units

The Housing Team came up with the following projects

- Outdoor Managed Emergency Shelter (301(a) (6))*
- Homeless Services Case Management/ Supportive Services (301(a) (6))*
- Development of a County Navigation Center (301(a) (6))*

- Transitional Housing Development and Management-Operations for Navigation Center (301(A) (6))*
- Workforce Housing Projects (301 (a) (1))*
- Stanislaus Housing Authority Affordable Housing and Supportive (301(a) (6))*
- Sonora Shelter (301(a) (6))*

*(Eligible Activity Section, defined under Funding Section)

For each one of these projects, we have listed the overall goal; purpose of the project; who does the project support; project partners; and timeline of action items related to the project. All services related to rapid rehousing, rental assistance, navigation centers, emergency shelters, and transitional housing activities will be implemented in a manner consistent to the Housing First practices described in 25 CCR, Section 8409 subdivision (b) (1)-(6) and in compliance with WIC Section 8255 (b) (8).

FUNDING

Both the City and County have not applied for PLHA 2019/2020 allocations. HCD has informed us that we will be able to apply for previously funded allocations in addition to the 2022 grant allocation. Allocation amounts are listed below.

	2019 Allocation	2020 Allocation	Anticipated 2022 Allocation	Total
City of Sonora	\$91,427	\$138,507	\$138,507	\$268,441
County of Tuolumne	\$242,182	\$368,367	\$368,367	\$1,014,916
Totals	\$333,620	506,874	\$506,874	\$1,283,357

Utilizing the 2020 funding allocation as the base, it is anticipated that over the course of the five years the City and County will receive around \$2,534,370 in PLHA funds. To administer PLHA, local jurisdictions can request 5% of the total requested allocation.

*Funding provided has be defined using the 2020 NOFA methodology and will be updated accordingly upon release of each year NOFA allocation.

Anticipated allocation based on project priorities:

301(a) (6): Assisting persons who are experiencing or at risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and

emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.

301(a) (1): The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low-, very low-, low-, or moderate-income households, including necessary operating subsidies.

PROJECT LIST

OUTDOOR MANAGED EMERGENCY SHELTER

Project: Creation of a Managed Outdoor Emergency Shelter in Tuolumne County

Goal: To create a legal, safe, and managed outdoor emergency shelter with support necessary to engage participants in a process that leads to permanent housing. The Managed Outdoor Emergency Shelter is an important step in supporting currently unsheltered individuals in a more stable and safe housing environment.

Purpose: Create a managed outdoor emergency shelter for approximately 40 participants. The shelter would include the following amenities: individual shelters, common area, bathrooms, office space and all necessary infrastructures.

Who the Project Supports: The Tuolumne County Managed Emergency Shelter will serve the homeless and those who are vulnerable to homelessness. We anticipate being able to serve 40 participants at this facility.

Partners: County Homeless Services staff in partnership with Health & Humans Services will take lead on this project. Once the managed outdoor emergency shelter is developed, County staff will initiate a contract for the direct operations of this shelter. Long term sustainability of this project will be a collaborative process with non-profit agencies and public philanthropic support.

Housing Element:

City of Sonora: 3.D.4 Maintain a Homeless Shelter Continue to coordinate with ATCAA and other suitable agencies to maintain a homeless shelter. 3.D.5 Facilitate the Provision of Transitional Shelters or Housing, Supportive Housing, Emergency and Homeless Shelters

County of Tuolumne: Goal 3.F Provide suitable housing for special needs/vulnerable populations such as seniors, veterans, large families, farmworkers, people with physical or mental disabilities, homeless individuals, and individuals at risk of becoming homeless; 3.F.4. Provide for the needs of people experiencing homelessness by supporting the construction of emergency shelters and permanent, supportive housing.

Action Item Timeline:

Year 1

- County staff will partner with the Tuolumne County Commission on Homeless to work on a managed outdoor Emergency site feasibility study and then the site selection process.
- County staff will work with the Community Development Department on zoning and site development requirements.
- County staff will work towards acquiring necessary funding for property acquisition and initial operations.
- County staff will develop and award a management contract for the direct oversight of the Tuolumne County Managed Emergency Shelter.
- Contracted Management staff will open a portion of the shelter and initiate operation plans.

Year 2

- County staff along with Contracted Management staff will assess the first year of shelter operations and make necessary modifications.
The second half of the shelter would then be opened accommodating an additional 20 tenants.
- Continue to secure funding for the Managed Outdoor Emergency Shelter.

Year 3/4/5

- Continue to evaluate Managed Outdoor Emergency Shelter operations and make modifications to program if needed.
- Continue to secure funding for Managed Outdoor Emergency Shelter and work towards program sustainability.

Total projected number of households to be served below 60 percent of AMI: 40

Total percentage of funding to be allocated: 6.91%

Total percentage of funder to be allocated to AOWH*: 0

*AOWH – Affordable Owner-Occupied Workforce Housing: owner occupied housing per HSC Section 50092.1 that is affordable to person and families of low or moderate income, as that term is defined by HSC Section 50093, except in high cost areas where Moderate income shall include households earning up to 150 percent of AMI.

HOMELESS SERVICES CASE MANAGEMENT/SUPPORTIVE SERVICES

Project: Homeless Services Case Management and Supportive Services

Goal: To provide homeless people and people in jeopardy of being homeless case management and supportive services. These services will be provided at the HHSA Social Services Office or through the Navigation Center once it is up and running. With these services we hope to reduce the number of unsheltered individuals experiencing homelessness by providing case management services and support that removes barriers to permanent housing. Services and support include connections to safety-net public assistance programs, mental health services, substance use services, employment or disability-based income.

Purpose: Homelessness is a pervasive issue throughout California, including Tuolumne County. The 2019 *Tuolumne County Plan to Combat Homelessness* identified the lack of agencies and services dedicated to people experiencing homelessness as a significant challenge in our community. It is our plan to engage people that are homeless or at risk of homelessness to identify individuals and families and connect them to services and stabilize housing security.

Who the Project Supports: All homeless individuals

Partners: The partners in this project include the following: Social Services, Behavioral Health, Public Health, Amador Tuolumne Community Action Agency (ATCAA), Homeless contractors and vendors/service agencies, Law Enforcement/Probation Department and other entities who serve the homeless population.

Housing Element:

City of Sonora: 3.D.4 Maintain a Homeless Shelter Continue to coordinate with ATCAA and other suitable agencies to maintain a homeless shelter. 3.D.5 Facilitate the Provision of Transitional Shelters or Housing, Supportive Housing, Emergency and Homeless Shelters

County of Tuolumne: Goal 3.F Provide suitable housing for special needs/vulnerable populations such as seniors, veterans, large families, farmworkers, people with physical or mental disabilities, homeless individuals and individuals at risk of becoming homeless; 3.F.4. Provide for the needs of people experiencing homelessness by supporting the construction of emergency shelters and permanent, supportive housing.

Action Item Timeline:**Year 1**

- Application for funding to complete a feasibility study for services

Year 2

- Identify funding, services, performance matrix for accountability and secure service providers
- Deliver services in a variety of settings and analyze performance matrices.

Year 3

- Identify funding sources to create a high-fidelity sustainable case management program and if applicable adjust case management services based on performance matrices.

Year 4/5

- Maintain a high-fidelity case management/services program.

Total projected number of households to be served below 60 percent of AMI: 200

Total percentage of funding to be allocated: 35.51%

Total percentage of funder to be allocated to AOWH: 0

DEVELOPMENT OF A COUNTY NAVIGATION CENTER

Project: Development of the Tuolumne County Navigation Center

Goal: Based on the Department of Housing & Urban Development definition of homeless the 2019 Point in Time count estimated the number of sheltered and unsheltered homeless people in Tuolumne County to be 385. Given the difficulty of counting homeless individuals in rural areas, the actual number is likely much higher. To better serve this population, it is critical for us to develop a centralized facility in which staff can work with the homeless population and assess their needs and identify barriers to housing. The next step Navigation Center staff would then start working on action plan with the person. The development of a Navigation Center gives us the opportunity to be proactive in placing people on a path to permanent housing.

Purpose: Creation of a Navigation Center that provides direct & referral services for the homeless or those vulnerable to homelessness as well as emergency shelter beds. Collaboration between community and county agencies will provide necessary person-centered support for emergency, transitional and permanent housing as well as all other social services. The desired location of the Navigation Center would be that it is centrally located near public transportation and other associated services.

Who the Project Supports: The Navigation Center will serve the homeless and those vulnerable to homelessness. Navigation Center participants will receive case management services and personalized care plans that moves an individual toward permanent housing.

Partners: Various Tuolumne County departments and community-based agencies will be involved in the development and operations of the Tuolumne County Navigation Center. The Tuolumne County lead agency for the Navigation Center will be determined by the Navigation Center Feasibility Study recommendation. Health and Human Service Agency (HHSA). The County Administration Office's Homeless Services Division will also be working in collaboration with the HHSA staff on the operations of the Tuolumne County Navigation Center. Additional participation in the Navigation Center will come from non-profit agencies/service providers in the County.

Housing Element:

City of Sonora: 3.D.4 Maintain a Homeless Shelter Continue to coordinate with ATCAA and other suitable agencies to maintain a homeless shelter. 3.D.5 Facilitate the Provision of Transitional Shelters or Housing, Supportive Housing, Emergency and Homeless Shelters

County of Tuolumne: Goal 3.F Provide suitable housing for special needs/vulnerable populations such as seniors, veterans, large families, farmworkers, people with physical or mental disabilities,

homeless individuals, and individuals at risk of becoming homeless; 3.F.4. Provide for the needs of people experiencing homelessness by supporting the construction of emergency shelters and permanent, supportive housing.

Action Item Timeline:

Year 1

- Convene County staff to work on the development of a comprehensive housing initiatives document and the development of the Tuolumne County Navigation Center Operational Plans.
- Initiate and complete feasibility study regarding the development of the Tuolumne County Navigation Center

Year 2

- Secure property or building to house the Navigation Center
- Develop plans to remodel or construct the Navigation Center
- Explore grant funding opportunities for the development and operations of the Navigation Center

Year 3

- Remodel or construct Navigation Center
- Acquire and train necessary staff on the facility operations plan
- Open Navigation Center (Capacity-TBD)

Year 4/5

- Evaluate Navigation Center operations and make modifications to program if needed
- Continue to secure funding for Navigation Center and work towards program sustainability

Total projected number of households to be served below 60 percent of AMI: 250

Total percentage of funding to be allocated: 43.31%

Total percentage of funder to be allocated to AOWH: 0

TRANSITIONAL HOUSING DEVELOPMENT & MANAGEMENT

Project: Development and management of units using new construction or rehabilitation to preserve and create transitional housing.

Goal: PLHA funds in this category will be allocated to assisting persons who are experiencing or at risk of homelessness, for the new construction, rehabilitation, and preservation of permanent and transitional housing.

Purpose: Identify possible locations, creation and management of units for transitional housing. It must be noted that all homeless funded housing programs must incorporate the housing first model low barrier standards. Potential applicants must come through the Coordinated Entry System and all programs must have an exit or move on strategy to permanent housing placement. These changes to Transitional models have created challenges for nonprofits and agencies to operate Transitional Housing with no ongoing operational costs. This project will focus on the identification of possible locations, creation of units as well as the management/operations of programs to support the needs of transitional units and occupants.

Who the Project Supports: The housing created and management of these units will serve the homeless and those vulnerable to homelessness, and reentry individuals.

Partners: Various Tuolumne County departments and community-based agencies will be involved in the development and operations of the temporary units. ATCAA will be the lead agency for the management and referrals will be received from Health and Human Service Agency (HHSA) to include: Behavioral Health, Public Health, Social Services and Probation. The County Administration Office's Homeless Services Division will also be working in collaboration with the HHSA staff and ATCAA.

Housing Element:

City of Sonora: 3.D.5 Facilitate the Provision of Transitional Shelters or Housing, Supportive Housing, Emergency and Homeless Shelters

County of Tuolumne: Goal 3.F Provide suitable housing for special needs/vulnerable populations such as seniors, veterans, large families, farmworkers, people with physical or mental disabilities, homeless individuals, and individuals at risk of becoming homeless; 3.F.4. Provide for the needs of people experiencing homelessness by supporting the construction of emergency shelters and permanent, supportive housing.

Action Item Timeline:**Year 1**

- Identify opportunities
- Identify potential unit development locations
- Review development impacts and identify barriers

Year 2

- Develop partnership and resources for implementation
- Issue RFP or other development proposal processes

Year 3

- Land/building acquisition for unit development

Year 4/5

- Project construction/remodel
- Implementation

Total projected number of households to be served below 60 percent of AMI: 385

Total percentage of funding to be allocated: 3.95%

Total percentage of funder to be allocated to AOWH: 0

WORKFORCE HOUSING PROJECTS

Project: Work with Developers in the Creation of Workforce Housing

Goal: Direct staff to prioritize tasks that encourage the development of workforce housing in Tuolumne County. According to Housing and Community Development's Housing Needs Determination, Tuolumne County has an overall need of 805 additional housing units. Of these housing units over half (465), are categorized as moderate to very-low income level. Our goal is to have construct 300 units of workforce housing over the span of this planning horizon. This includes building out previously approved housing projects with units targeted for moderate and lower income levels (60 percent to 120 percent of the County of Tuolumne AMI), as well as entitling additional units over the horizon that would be constructed at or beyond the five year benchmark.

Purpose: Workforce housing is needed to create housing opportunities that are lacking in our community. Without local housing options, individuals who work in Tuolumne County will be forced into commuting from out of the area, or out of necessity will be co-habituating with other individuals and families and exceeding the capacity of a living unit-resulting in overcrowding. Affordable and conveniently located housing near employment centers will have a positive impact on the health, safety and welfare of both employees and their families. Workforce housing is essential to target the needs of residents in the moderate to very- low-income level.

Who does this Project Support: The creation of additional workforce housing will assist very-low to moderate income people to obtain permanent housing.

Partners: The Community Development Department will take lead on this project along with assistance from the County Administrator's Office and our Community Development Block Grant/HOME Consultant. Other County staff will be utilized as needed. County staff will work with potential developers to assess possible housing sites; work through the barriers in development of those sites; and assist in helping them find funding or partners for their projects.

Housing Element:

City of Sonora: Housing Production: Goal 2: Facilitate the provision of a range of housing types to meet the diverse needs of the community; Policy 2.1, Policy 2.2, Policy 2.4, and Policy 2.5.

County of Tuolumne: GOAL 3.B Encourage and promote the development and rehabilitation of extremely low-, very low-, low-, and moderate-income housing for the residents of Tuolumne County to meet the regional housing need; 3.B.3 Continue to support public, private, and non-profit applications for state and federal affordable housing programs for both new construction and rehabilitation projects. Continue to work with affordable housing developers on new affordable housing rental and for-sale projects.; 3.B.4 Encourage and support programs and financing that increase the availability of rental and for-sale housing for extremely low-, very low-

, low-, median- and moderate-income households. This includes both new construction and the conversion of market-rate housing to affordable housing through acquisition/rehabilitation.

Action Item Timeline:

Year 1

- Further evaluate Regional Housing Needs Allocations vacant sites for low- and moderate-income household and create searchable database.
- Complete pre-development tasks such as environmental review, rezoning, parcel splits, estimating infrastructure cost, and other pre-development activities for sites suitable for affordable multifamily development.
- Continue to reach out to potential developers and assist developers in: identifying sites for residential development and assist in answering their questions regarding site development feasibility.
- Contact owners of existing entitled housing projects to determine barriers to construction.

Year 2/3

- Work on Rezone and General Plan Amendment, if needed, for identified sites to allow by-right development, lot line adjustments, lot splits and other actions to create parcels in high amenity areas that are appropriately sized for affordable rental projects.
- Complete environmental review; estimate infrastructure costs; and perform other predevelopment activities for parcels where an affordable housing developer intends to build an affordable rental project or has entered into a Memorandum of Understanding with the County to ensure that they provide rental housing affordable to 60% AMI and below.
- Examine funding options to assist with off-site infrastructure cost; rental assistance; or first-time buyers program.
- Work with already entitled projects to assist in completing any Conditions of Approval and assist with funding opportunities.

Year 4/5

- Continue to work with potential developers and assist them in: getting through the planning process; securing funding; and proceeding with County pre-construction activities.
- Process building permits for housing projects in an expedited manner.

Total projected number of households to be served below 60 percent of AMI: 100

Total percentage of funding to be allocated: 3.35%

Total percentage of funder to be allocated to AOWH: 3.35%

STANISLAUS HOUSING AUTHORITY

Project: Affordable Housing and Supportive Services

Goal: Partner with housing entities to support the construction of affordable housing for the residents of Tuolumne County to meet the County's Regional Housing Need Allocation (RHNA). This will be accomplished by working with the Stanislaus Housing Authority, who has purchased a 3.3-acre site on Peaceful Valley Road with the intention to build a 60+ unit multi-family housing project. Of these units, five (5) will be dedicated as permanent supportive housing for qualifying individuals.

The Community Development Department will continue to work with the Board of Supervisors in coordination with the Housing element to waive application fees for discretionary entitlements for housing developments, including an affordable housing component, on a percentage basis. The Community Development Department and County Administrator's Office will work with potential developers to work through barriers in the development of the site and assist in helping Stanislaus Housing Authority find funding.

Purpose: Utilize strategic partnerships with the local housing authority, the Stanislaus Housing Authority, to develop affordable housing units needed for moderate to very low-income levels. The creation of additional affordable housing will assist very low to moderate-income people in obtaining permanent housing.

Who does this Project Support: The creation of additional affordable housing will assist very-low to moderate income people to obtain permanent housing.

Partners: The Stanislaus Housing Authority will take the lead on this project and assistance from Better Opportunities Builder, Inc (a 501 c3 nonprofit), the Community Development Department, and the Community Development Block Grant/HOME Consultant. Other County staff will be utilized as needed.

Housing Element:

City of Sonora: Housing Production: Goal 2: Facilitate the provision of a range of housing types to meet the diverse needs of the community; Policy 2.1, Policy 2.2, Policy 2.4, and Policy 2.5

County of Tuolumne: Goal 3.B Encourage and promote the development and rehabilitation of extremely low-, very low-, low-, and moderate-income housing for the residents of Tuolumne County to meet the regional housing need; 3.B.3 Continue to support public, private, and non-profit applications for state and federal affordable housing programs for both new construction

and rehabilitation projects. Continue to work with affordable housing developers on new affordable housing rental and for-sale projects; 3.B.4 Encourage and support programs and financing that increase the availability of rental and for-sale housing for extremely low-, very low, median- and moderate-income households. This includes both new construction and the conversion of market-rate housing to affordable housing through acquisition/rehabilitation.

Action Item Timeline:

Year 1

- Complete predevelopment tasks such as environmental review to support the processing of local entitlement applications including a general plan amendment and rezone, estimation of infrastructure costs, and other predevelopment activities.
- Examine funding options to assist with the cost of predevelopment tasks, off-site infrastructure improvements, rental assistance, and other project needs.

Year 2

- Complete project entitlement approvals finalize construction and infrastructure costs, and perform other predevelopment activities for affordable housing development.
- Create bid packets for the project and obtain contractors
- Apply for Tax Credits

Year 3

- Construct Affordable Housing Project

Year 4/5

- Finalize construction, receive Certificate of Occupancy
- Start leasing units, project operational

Total projected number of households to be served below 60 percent of AMI: 60

Total percentage of funding to be allocated: 1.97%

Total percentage of funder to be allocated to AOWH: 0

SONORA EMERGENCY HOMELESS SHELTER

Project: Renovation and Opening of the Sonora Emergency Homeless Shelter

Goal: To create a legal, safe, and managed emergency shelter with supportive services to engage participants in a process that leads to permanent housing. It will provide a critical resource to the City's unsheltered individuals by providing a safe housing environment as they receive needed services.

Purpose: Create a managed emergency homeless shelter that can house up to 15 individuals nightly. The shelter will include shared bedrooms, bathrooms, kitchen facilities, laundry facilities, and common areas. It will also include an office area for project manager.

Who does this Project Support: The emergency shelter will serve the homeless and those that are vulnerable to homelessness. We anticipate serving 15 participants nightly at this facility.

Partners: The City of Sonora will take the lead on the rehabilitation of the shelter and will partner with the ATCAA who will take the lead in providing overall site management of the facility including operational and case management services. Additional services will be provided to participants by behavioral and social service agencies. Long term sustainability of this project will be a collaborative process with ongoing grant funding for maintaining the shelter.

Housing Element:

City of Sonora: 3.D.4 Maintain a Homeless Shelter Continue to coordinate with ATCAA and other suitable agencies to maintain a homeless shelter. 3.D.5 Facilitate the Provision of Transitional Shelters or Housing, Supportive Housing, Emergency and Homeless Shelters

Action Item Timeline:

Year 1:

- Issue the Request for Proposal for Architect/Engineering Services to prepare construction plans for the building.
- Complete the construction plans and environmental review for the project.
- Secure management and operations plan/agreement between project partners.

Year 2:

- Secure construction funding and begin renovation.

Year 3

- Complete the building renovation.
- Secure additional funding for operations.

- Furnish and equip the building for occupancy.

Year 4 & 5:

- Emergency homeless shelter will be in operation.
- Continue to secure additional funding for ongoing operations.
- Continue to evaluate shelter operations and make modifications to program if needed.

Total projected number of households to be served below 60 percent of AMI: 60

Total percentage of funding to be allocated: 0

Total percentage of funder to be allocated to AOWH: 0

PLHA GRANT PROCESS

Once the PLHA Plan is reviewed and approved by HCD, during the application process, the City and County will then be eligible to apply for future PLHA funding cycles. HCD, on a yearly basis, will send out a Notice of Funding Availability (NOFA) for PLHA funding. Upon release of the NOFA, the PLHA Team will meet to review the NOFA requirements; review plan project priorities; and put together a draft PLHA grant application. The PLHA Team would then solicit public comments through presentations to the Tuolumne County Homelessness Commission, Tuolumne County Housing Policy Committee and any other needed committee or group it deems necessary. Comments from these meetings will be taken into consideration and the PLHA grant application will then be finalized. The PLHA application. The PLHA application will then be agendaized for City Council and Board of Supervisors consideration and approval to submit to HCD.

Throughout the year, the PLHA Team will meet on a **quarterly basis** to review PLHA project status; make any needed adjustments to projects and services; and discuss other future funding opportunities.

FUNDING ALLOCATION EXHIBIT

Funding	Year 1	Year 2	Year 3	Year 4	Year 5	Total
County	\$368,367.00	\$368,367.00	\$368,367.00	\$368,367.00	\$368,367.00	\$1,841,835.00
City	\$138,507.00	\$138,507.00	\$138,507.00	\$138,507.00	\$138,507.00	\$ 692,535.00
Total	\$506,874.00	\$506,874.00	\$506,874.00	\$506,874.00	\$506,874.00	\$2,534,370.00

Projects	Year 1	Year 2	Year 3	Year 4	Year 5	Total	%
General Administration	\$25,343.70	\$25,343.70	\$25,343.70	\$25,343.70	\$25,343.70	\$126,718.50	5.00
Outdoor Managed Shelter	\$50,000.00	\$50,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$175,000.00	6.91
Homeless Services Case Management/ Services	\$180,000.00	\$180,000.00	\$180,000.00	\$180,000.00	\$180,000.00	\$900,000.00	35.51
Development of a County Navigation Center	\$226,530.30	\$186,530.30	\$231,530.30	\$226,530.30	\$226,530.30	\$1,097,651.50	43.31
Transitional Housing Development	\$0.00	\$40,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$100,000.00	3.95
Workforce Housing Projects	\$15,000.00	\$15,000.00	\$15,000.00	\$20,000.00	\$20,000.00	\$85,000.00	3.35
Stanislaus Housing Authority	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$50,000.00	1.97
Sonora Shelter	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
Total	\$506,874.00	\$506,874.00	\$506,874.00	\$506,874.00	\$506,874.00	\$2,534,370.00	100.00

Draft budget plan will be modified based on allocations published by the NOFA as provided in the PLHA. Plan will be reviewed annually as allocations are provided and updated by HCD.

Attachment B

PLHA Plan Comments

Attachment B

PLHA Plan Comments

Comments from the Tuolumne County Homelessness Commission and the Board of Supervisors
Housing Policy Committee

June 9, 2022

- Both groups felt the plan was comprehensive and inclusive of various demographic groups
- Liked that the PLHA plan was holistic in the approach and included emergency, temporary and permanent housing concepts.
- Change the budget table to make more readable
- Case Management Services- Make sure they include assistance with law enforcement agencies
- Navigation Center- Need to include the creation of beds at the center
- Mentioned that most of our funding was going to case management and not in the creation of beds. Robust case management programs and service do us no good if we do not have beds available for people
- We need beds now and not in the future. Creation of beds should be a priority
- Sheltering for Teens- Nowhere in the plan do we discuss any funding going to assist homeless teens
- How often will the PLHA Team meet and will there be any assessments of PLHA tasks/projects each year. Then what is the plan for getting this information back out to various working groups, elected officials, and the public.
- Concerned the City was not allocating any funds to the Sonora shelter project. Wish this was a bigger priority for them
- Would like to see us put more of the PLHA funding toward the creation of workforce housing units. It would also be great if staff would also look at working with local contractors in the development of housing projects.
- When making funding allocations, we should look at providing assistance to local non-profits and service groups that are assisting the homeless.
- The PLHA Team should look at housing supportive planning funds to update General Plan, Ordinance (outside Title 17), and any associated environmental reviews needed. Targeted change: rewording “growth inducing infrastructure” language, minimum lot size changes, and review of local building codes to expand R1 flexibility.
- We should investigate the provision of incentives for waiving upzoning fees for higher density. For example, free transition to mixed use for a period of two-years (in line with Board goals), waiving fees for projects at or below median rental rates for apartments, purchasing deed restrictions on new housing to keep them targeted at local workers only).
- The PLHA Team should prioritize Housing infrastructure planning (i.e. getting the groundwork done for areas like Shaws Flat where more could be built and there are existing issues with failing septic systems near wells)
- PLHA funds should be set aside for staff to work on writing a tiny-home ordinance like SB 2.
- We should look into allocating some of the PLHA funds for planning studies. For example, we don’t have a needs assessment I’m aware of, for example, of what facilities we need where for sober living, minimal shelter, women’s shelters, veterans housing, etc.



CITY COUNCIL AGENDA REPORT

MEETING DATE: July 5, 2022

TO: City Council Members

FROM: Melissa Eads, City Administrator
Chris Gorsky, Administrative Services Administrator

SUBJECT: Adopt Resolution 07-05-2022-B Accepting the Finding of an Industrial Disability Retirement Pursuant to Government Code Section 21156.

RECOMMENDATION

Consider Adoption of Resolution No.07-05-2022-B Accepting the Finding of an Industrial Disability Retirement Pursuant to Government Code Section 21156.

DISCUSSION

The City of Sonora is a contracting agency with the California Public Employees Retirement System ("CalPERS"). In the event CalPERS notifies a contracting agency that an application for industrial disability retirement has been filed, CalPERS requires that the contracting agency determine whether an employee of such agency is incapacitated or "disabled" from performing his/her job duties and, if so, whether his/her disability is an "industrial" disability. In making this determination, the contracting agency is required by CalPERS to make certain specified findings, determinations and statements. The contracting agency must then certify its determination to the CalPERS Board, which will approve or disapprove the application for disability retirement based on the contracting agency's determination.

FISCAL IMPACT

The cost of an industrial disability retirement will be included in the annual employer contribution rates determined by the PERS Actuarial Division for each such application for disability. The fiscal impact, if any, cannot be ascertained until those contribution rates are determined.

ATTACHMENTS

- Resolution 07-05-2022-B

RESOLUTION 07-05-2022-B**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA
APPROVING THE CALPERS INDUSTRIAL DISABILITY RETIREMENT FOR POLICE
OFFICER TIM WERTZ**

WHEREAS, the City of Sonora (the “City”) is a contracting agency of the California Public Employees’ Retirement System (“CalPERS”); and

WHEREAS, the California Public Employees’ Retirement Law (Government Code Section § 20000 et seq.) (“California law”) requires that the City determine whether an employee classified as a local safety member is disabled for purpose of the California law and whether such disability is “industrial” within the meaning of such law; and

WHEREAS, Tim Wertz (“Employee”) filed an application with CalPERS, for an Industrial Disability Retirement due to an injury; and

WHEREAS, the Employee, is employed by the City in the position of Police Officer; and

WHEREAS, the City Council of the City of Sonora has reviewed the medical and other evidence relevant to this industrial disability,

THEREFORE, BE IT RESOLVED, by the City Council of the City of Sonora, California:

1. That the above recitations are true.
2. The City Council does hereby find and determine that the employee is incapacitated within the meaning of the California Public Employees’ Retirement Law for performance of his duties in the position of Police Officer.
3. That the City Council certifies Resolution 07-05-22-B in accordance with Government Code Section § 21156, that this determination was made on the basis of competent medical opinion, and was not used as a substitute for the disciplinary process.
4. That the Employee had filed a Workers’ Compensation claim for his disabling condition. The City accepted the Employee’s Workers’ Compensation claim.
5. That neither Employee nor the City of Sonora has applied to the Workers’ Compensation appeals board for a determination pursuant to Government Code Section § 21166 whether such disability is industrial.
6. That the Employee’s retirement date was effective 10/31/2020 and his last day on paid status was 10/31/2020.
7. That there is not a possibility of third-party liability.
8. The primary disabling condition is a left shoulder injury and a left foot injury, and arose out of and in the course of employment.
9. That there is competent medical opinion certifying the disabling condition to be permanent.
10. That based on information and belief, and on the information provided by City staff, the City Council certifies under penalty of perjury that all statements in this Resolution are true and correct.

The foregoing Resolution of the City Council of the City of Sonora was PASSED AND ADOPTED by the City Council, State of California, at a public hearing held on this 5th day of July, 2022, by _____, who moved its adoption, which motion was duly seconded by _____, and the Resolution adopted by the following vote:

AYES:

NOES:

EXCUSED:

APPROVED:

Matt Hawkins,
Mayor of the City of Sonora

ATTEST:

Deputy City Clerk
City of Sonora



CITY COUNCIL AGENDA REPORT

MEETING DATE: June 5, 2022

TO: City Council Members

FROM: Melissa Eads, Interim City Administrator

SUBJECT: Sonora Confidential Employees' Association (CEA) MOU

RECOMMENDATION

Consider adoption of Resolution No. 07-05-2022-F approving the Memorandum of Understanding for the Sonora Confidential Employees' Association (CEA) effective July 1, 2022 through June 30, 2025 and authorize the Mayor to sign agreement. The Administrative Services Officer position will assume the City Clerk duties as of July 5, 2022.

DISCUSSION

The City of Sonora and the Sonora Confidential Employees' Association (CEA) have met and have come to agreement to the following negotiated terms effective July 1, 2022 through June 30, 2025.

It is the recommendation of staff that the City Council approve the FY 2022-2025 Sonora Confidential Employees' Association (CEA) Memorandum of Understanding.

FISCAL IMPACT

The associated fiscal increases to this MOU are budgeted in the FY 2022-2023 Budget.

ATTACHMENTS

- Resolution 07-05-2022-F
- CEA MOU

RESOLUTION NO. 07-05-2022-F
A RESOLUTION OF THE CITY OF SONORA APPROVING THE MEMORANDUM OF
UNDERSTANDING BETWEEN THE SONORA CONFIDENTIAL EMPLOYEES'
ASSOCIATION AND THE CITY OF SONORA

WHEREAS, Section 570.5 of the California Code of Regulations, Title 2 requires formal City Council approval and adoption of employee salary and compensation plans; and

WHEREAS, representatives of the City of Sonora and the Sonora Confidential Employees' Association (CEA) have met and conferred in good faith and have reached agreement on wage, hours and other terms and conditions of employment for all employees allocated to the CEA Unit.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve the FY 2022/23-2024/25 Memorandum of Understanding between the Sonora Confidential Employees' Association and the City of Sonora attached hereto.

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 July 5, 2022, by the following votes:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Signed and dated:

Matt Hawkins

Mayor of the City of Sonora

ATTEST: _____

Deputy City Clerk, City of Sonora



MEMORANDUM OF
UNDERSTANDING
FOR THE SONORA
CONFIDENTIAL
EMPLOYEES'
ASSOCIATION (CEA)
FY 2022-23 through FY 2024-25

MOU 2021-2025

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SONORA CONFIDENTIAL EMPLOYEES' ASSOCIATION
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Item 9.

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SONORA CONFIDENTIAL EMPLOYEES' ASSOCIATION
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Item 9.

PREAMBLE

1. The purpose of this Agreement is to promote the improvement of personnel management and employer/employee relations, provide an equitable and peaceful procedure for the resolution of differences and establish rates of pay and other terms and conditions of employment.
2. The City and Association agree that all employees of the City share in the important responsibility of providing superior service to the public and that every job and position is considered to be important.
3. This Memorandum of Understanding (MOU) is entered into pursuant to the Meyers-Milias-Brown Act, as amended, and has been jointly prepared by the parties.

SECTION 1. RECOGNITION

1. Association is recognized as the exclusive representative, as provided in the City's Employer-Employee Relations Resolution No. 3-21-83-D, for the bargaining unit consisting of all regular full-time confidential employees in classifications such as:

- Administrative Services Officer

Bargaining unit employees may also be referred to herein as "employee(s)" or "confidential employee(s)."

2. The terms of this Agreement shall apply to bargaining unit employees identified above. The Association does not represent temporary or part-time employees within these classifications, with the exception of a bargaining unit employee who has entered into an agreement with the City for a reduced work hour schedule, pursuant to Section 3 of this MOU.

SECTION 2. SALARY PLAN

1. Effective July 1st, 2022, salary ranges for all bargaining unit employees will increase as follows:

- **Year 1** 5% COLA increase effective July 1, 2022;
- **Year 2** 4% COLA increase effective July 1, 2023;
- **Year 3** 4% COLA increase effective July 1, 2024.

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SECTION 2.1 – SALARY PLAN ADMINISTRATION

1. Bargaining unit employees regularly assigned a position in a classification covered by this Agreement shall be paid a base salary within the range established for that position's classification as set forth on Attachment A –Salary Schedule.

SECTION 2.2- SALARY PAYMENT

1. Salaries shall be paid biweekly. Routine paychecks shall be for the purpose of compensating for base salary and other compensation owed employees.

SECTION 2.3 - SALARY OF NEW EMPLOYEES

1. The first step of the Salary Plan (Step A) is the minimum base salary for the positions listed and shall normally be the hiring rate for the class. In cases where it is difficult to secure qualified personnel or if a person of unusual qualifications is to be appointed, the City Administrator may make the appointment at a base salary level up through Step D. The City Council has the authority to make the appointment at base salary level Step E.

SECTION 2.4 - INCREASE WITHIN RANGE

1. Every bargaining unit employee who is employed in a classification for which there is a base salary range shall have an anniversary date (the date of appointment to the employee's current classification). All salary adjustments, except longevity pay, are made effective upon the anniversary date or any time thereafter. The date of eligibility for subsequent salary adjustments, excluding longevity pay, shall be one year after the current year anniversary date, subject to promotion. The anniversary date should not be confused with the employee's service date (the date an employee has completed the probationary period and occupies a regular position, used for calculation of vacation and longevity pay) nor with the employee's date of hire (the date upon which employee began working for the City-whether temporary, reserve, probationary, etc.).
2. The steps of each base salary range shall be interpreted as follows:
 - a. The second step (B) is merit advancement. Employees may be advanced to the second step after completion of one year's employment in position. The one-year period shall be a probation/orientation period.
 - b. The third step (C), fourth step (D), fifth step (E) and sixth step (F) are merit advancements. Employees shall be eligible for advancement to their next step on their subsequent anniversary date.
 - c. To Achieve the sixth step (F) the employee must have worked three (3) years with the City of Sonora and a minimum of five (5) years with another Government or Tribal agency, for a total of eight (8) years' experience.
 - d. No other conditions will be necessary for bargaining unit employees to achieve the sixth step (F).

Example 1 - Employee's anniversary date is August 1st. Employee went to Step "C" on August 1st, 2021, and would be eligible for Step Don August 1st, 2022.

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Example 2 - Employee's anniversary date is August 1st. Employee is at Step "C" and reviewed for Step "D" for August 1st, 2021, anniversary date. At the Supervisor's discretion, the Employee is not advanced to Step "D" on August 1st, 2021, but subsequently advanced to Step "D" on January 1st, 2022. The Employee's anniversary date would remain on August 1st, and the Employee would be eligible for review on August 1st, 2022, for Step E. Advancement to steps are made upon the recommendation of the Department Head to the City Administrator.

3. In any case, where, by reason of unusual circumstances, rigid adherence to the foregoing principles relating to salary adjustments would cause a manifest injustice, the City Council may make such order relating thereto as, in its discretion, is proper.
4. No advance in steps shall be automatic upon completion of the period of service outlined herein above, and all increases shall be made 1) on the basis of merit as established by the employee's work performance; 2) upon documentation by evaluation; and 3) upon review and approval of the City Administrator. An increase of pay shall be withheld in cases of inferior work, lack of application, indifferent attitude, and any other sufficient reason.
5. Each base salary adjustment shall become effective on the anniversary date of the employee, or at any time thereafter as explained in Sections 2.4 (a). and (b). Such salary adjustment shall be processed as of the beginning date of the pay period for which the adjustment becomes effective.
6. Employees shall receive a longevity benefit based on continuous service (no break in employment) with the City after the completion of ten (10) years of continuous service (from the service date), and each five (5) years of continuous service thereafter. Such benefit shall be for two and one-half percent (2.5%) of the current base salary for each five-year increment of continuous service. For example, after ten (10) years the employee shall receive 2.5% increase over base salary, and after fifteen (15) years the employee shall receive an additional 2.5% for a total of 5.0% increase over base salary. The longevity benefit is automatic and is not based on merit.

SECTION 3. REDUCED WORK HOUR SCHEDULE

1. In the event a bargaining unit employee desires a reduction in their work hour schedule, they must first make a written request to the City Administrator. If the City Administrator deems the request to have merit and be of mutual benefit to both the City and the employee, the request will be approved in writing. The employee's base salary, other compensation and all benefits (i.e., leave accruals, insurances, etc.) will be pro-rated to correspond to the hours worked.

SECTION 4. CONFIDENTIAL EMPLOYEE EDUCATION INCENTIVE

1. The City agrees to provide an increase to bargaining unit employees' base salary as an education incentive for those employees who have, or will, attain the following degrees:
 - Associates Degree - 2.5%
 - Bachelor's Degree - 5.0 %
 - Master's Degree/Certified Public Accountant 7.5%

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- Doctorate - 10.0%
2. Employees shall only be compensated for the highest degree obtained from a public or private post-secondary institution that has received state approval toward the above degrees; the incentive shall not be cumulative. For example, if on the effective date of the Agreement, an employee has attained a Bachelor's Degree, the employee's base salary would increase by 5.0%. If the employee subsequently attains a Master's Degree, the employee's base salary would increase 2.5%, for a total of 7.5%. Multiple degrees at the same educational level will not be recognized. For example, an employee who has two Bachelor's Degrees will only receive compensation for one degree.
 3. The education incentive shall be included in the employee's base salary and is considered reportable salary to PERS and taxable. Verification of the degree must be made to the City Administrator. The original degree or an original letter from the college granting said degree must be produced to receive the educational incentive benefit.

SECTION 5. INSURANCE COVERAGE

1. During the term hereof, the City agrees to provide medical, dental, vision, life, and long-term disability insurance coverage to each bargaining unit employee and dependents, if any, as indicated by category.
2. For new hires, medical, dental, vision, life, and long-term disability insurance coverages become effective the first calendar day of the month following the date of hire, unless the date of hire is the first calendar day of the month, in which case coverage is effective immediately.
3. All medical, dental, vision, life and disability insurance will end for terminating employees on their date of separation from the City, unless otherwise provided for by this Agreement.
4. For any bargaining unit employee on leave of absence for more than 10 consecutive working days, medical, dental, vision, life, long term disability insurance, and retirement benefits provided by the City shall not be provided upon expiration of sick leave, vacation accrual, and CTO, subject to provisions of State and Federal law. If the employee elects medical, dental, vision and life insurance, it shall be paid at the COBRA rate; payment shall be due monthly in advance. Proration of payment shall be applied as appropriate.

SECTION 5.1 - MEDICAL INSURANCE

1. The City agrees to provide medical coverage as follows:
 - a. Medical Insurance will be provided under either a Modified Classic Preferred Provider plan (PPO) -or an Exclusive Provider Organization plan (EPO).
 - b. Prescription Drug Card Plan will be provided by the City. There is no calendar year deductible. Prescription drug cost shares, such as co-payments, apply towards the medical out-of-pocket maximum amount and do not apply towards the medical plan deductible. Pharmacy copayments are per the plan documents. There are also mail-order rates.

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2. The Association agrees that each bargaining unit employee will contribute to the monthly premium costs of the medical plan that the employee chooses for the employee and the employee's dependents, if any, as follows during the contract term:
 - **Year 1:** 5%
 - **Year 2:** 10%
 - **Year 3:** 15%
3. Bargaining unit employees, whose dependents have coverage elsewhere and elect to discontinue dependent coverage or who currently have no dependent coverage, will receive \$45.00 additional taxable compensation per pay period.
 - a. Employees who currently have dependent coverage may delete dependents only if they are able to show that their dependent(s) has medical coverage elsewhere or is no longer eligible for coverage (e.g., dependent child who has reached the maximum allowed age for coverage, divorce of spouse, death of dependent, etc.).
 - b. If the dependent has other health care coverage, the employee must provide the City with the appropriate documentation, including a copy of the dependent's coverage card, showing proof of coverage.
 - c. During December of each year, employees who do not have dependent coverage will be required to submit the appropriate information indicating that they either have no dependents to cover, or their dependents have coverage elsewhere.
 - d. Dependents, who are deleted from the City's coverage, and subsequently elect to come back under the City's plan, will be allowed to do so at the beginning of a calendar month. Any dependent who is re-enrolled will be subject to the same conditions as any newly enrolled participant in the plan, subject to State and Federal law.
 - e. Employees who elect to add a new dependent(s) who have never been under the City's policy, may do so at the beginning of any calendar month. If the employee is currently receiving a dependent in-lieu pay, the in-lieu pay will end at the conclusion of the pay period preceding the addition of the dependent. For instance, if an employee adds a new dependent on March 1st, and the prior pay period ends on February 24th, the employee's last in-lieu pay would be for the pay period ended February 24th.
 - f. There will be no proration of in-lieu benefits.
 - g. All new employees to the City will fall under these same provisions.

SECTION 5.2 - DENTAL INSURANCE

1. During the term of this Agreement, the City agrees to provide dental coverage as follows for the bargaining unit employee and the employee's dependents, if any:
 - a. Up to \$1,000 will be paid per person per calendar year.
 - b. Preventative - No Deductible.
 - c. Routine oral examination.
 - d. Cleaning of teeth.
 - e. X-Rays where professionally indicated.

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- f. Examination, consultation, and diagnosis.
 - g. Fluoride treatments for children to age 19.
2. After a \$25 deductible each calendar year (\$75 per family), coverage is as follows:
- a. Routine - Paid at 80% of UCR.
 - b. Extractions and oral surgery.
 - c. Fillings.
 - d. Treatment of periodontal and other diseases of the gums and soft tissue of the mouth.
 - e. Root canal treatment.
 - f. Relines, rebases and repairs of existing dentures.
 - g. Drugs and/or anesthesia used for control of dental pain during any session of dental treatment.
3. Major - Paid at 50% of UCR
- a. Bridgework, crowns, appliances, dentures, inlays, and gold fillings

SECTION 5.3 - LIFE INSURANCE

1. The City shall provide, and pay premiums for, term life insurance for the bargaining unit employee while the employee is in City employment, with a payoff value equal to the employee's annual salary at time of death (or disability, if provided by policy), with a salary cap of \$150,000.
2. The City shall also provide, and pay premiums for, the following dependent life insurance coverage:
- a. Spouse \$25,000
 - b. Dependent \$10,000

SECTION 5.4 - VISION INSURANCE

1. The City shall provide employees covered by this Agreement and their dependents, with a vision care program at the City's expense.

SECTION 5.5 - LONG TERM DISABILITY

1. The City agrees to provide and pay for long term disability insurance. The City, at its option, may change the carrier, but cannot change coverage without going through the meet and confer process.

SECTION 5.6 - ANNUAL PHYSICAL

1. City agrees to provide bargaining unit employees an allowance of two hundred and fifty dollars (\$250) per fiscal year (July 1st - June 30th) for an annual physical examination. An annual physical examination allowance of two hundred and fifty dollars (\$250) shall be provided to an

MOU 2021-2025

employee upon receipt of an "Employee Physical Verification" form signed by the employee's physician and/or physician's representative.

SECTION 6. DEFINED CONTRIBUTION MEDICAL BENEFIT

1. The City and Association agree to explore the possibility of developing a Retirement Trust Fund or Defined Contribution Medical Benefit Account.
2. If the development of a Retirement Trust Fund or Defined Contribution Medical Benefit Account is possible, and the City and Association agree to proceed, both parties will work on developing and implementing a Retirement Trust Fund or Defined Contribution Medical Benefit Account program for employees and their dependents.
3. Amount of contribution by employee/retiree and City will be negotiated.
4. Upon implementation, the Post-Retirement Benefits Section will not apply to any new member of the Association.

SECTION 7. POST RETIREMENT BENEFITS

1. Each bargaining unit employee retiring from City employment after a minimum of ten (10) years of continuous service as a full-time benefitted employee shall have available the medical, dental, and vision programs then currently provided for active bargaining unit employees.
 - a. The City agrees to pay fifty percent (50%) of the then monthly premium for such coverage for a retiring employee having attained the age of 55.
 - b. The retiring employee shall be responsible for fifty percent (50%) of the monthly premium and the same deductible as other employees.
 - c. The retiring employee shall not be responsible for any City self-funded portion.
 - d. The City agrees to pay seventy-five percent (75%) of the then monthly premium for such coverage upon the employee attaining the age of 60.
 - e. The employee shall be responsible for twenty-five percent (25%) of the monthly premium and the same deductible as other employees of the Association.
 - f. The employee shall not be responsible for any City self-funded portion.
 - g. It is understood that employees who retire before age 60, and receive the benefit of the above paragraph, shall benefit from the paragraph upon attaining age 60.
2. In the future, should the Association agree to drop such coverage as outlined above for active bargaining unit employees, the City agrees to make any of the City's then current coverage available to retired employees in the same manner previously described.
 - a. If the retired employee chooses not to participate in the City's plan upon retirement, they will not be allowed to be reinstated.
 - b. If they choose to participate in the City's plans upon retirement and subsequently withdraws from the plans, they will not be allowed to be reinstated.
 - c. Spouse and dependents may be included in this coverage, at the employee's discretion, with the same provisions, as for the retired employee.

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- d. Dependent coverage shall be limited to the same criteria as that of dependent coverage for active bargaining unit employees (currently coverage until the age of 26).
3. In the event of the death of the employee, their surviving spouse and any existing covered (enrolled) dependents will be allowed to continue coverage under the same conditions of this provision; however, they will not be allowed to add individuals to the City's plan.
4. Coverage for the retired employee shall terminate sixty (60) days after he/she becomes eligible for Medicare coverage. Coverage for the surviving spouse shall terminate sixty (60) days after he/she becomes eligible for Medicare coverage. All remaining dependents' coverage shall terminate sixty (60) days after the retired employee or surviving spouse becomes eligible for Medicare.

SECTION 8. SICK LEAVE

1. Sick leave shall be accumulated at the rate of 1.25 days per month/10.0 hours per month. $(10.0 \times 12 = 120.0 + 26 \text{ pay periods} = 4.62 \text{ hours' accrual per pay period})$. An employee may accumulate sick leave without limitation.
2. Upon retirement from the City, bargaining unit employees may obtain a payout of up to: (1) 480 hours of accrued Sick Leave at their current hourly rate of pay and (2) an additional 240 hours of accrued Sick Leave at fifty percent of their current hourly rate of pay.
 - a. As an alternative, upon retirement from the City, bargaining unit employees y, may: (1) obtain a payout of up to 480 hours of accrued Sick Leave at their current hourly rate of pay; and (2) apply up to 480 hours of accrued Sick Leave toward the monthly medical, dental and/or vision premium costs which occur following the employee's effective service retirement date through and including the date when the employee becomes eligible for Medicare.
 - b. Any remaining sick leave hours that are not paid off may be reported to CALPERS to be incorporated into the Employee's Retirement Service Credit balance.
3. The rate of pay shall be based upon the employee's current rate of pay.
4. Sick leave must be taken in fifteen-minute increments (e.g., if any employee is gone for twenty minutes, thirty will be recorded).
5. Employees may be granted leave with pay, or a leave without pay, when the absence is required because of illness or injury of a member of the immediate family.
6. Each day utilized for this leave shall be subtracted from sick leave entitlement.
7. The employer may require a justification for the need for this leave before approving the leave.
8. Employees may use a maximum equal to the current year's accrual in any given year of sick leave accrual for the purpose of family sick leave.
9. In unusual instances the City Administrator may extend family sick leave provisions.
 - a. For the purpose of this subsection "immediate family" shall be defined as that found within the adopted Personnel Rules and Regulations of the City of Sonora.

10. At the end of each fiscal year the employee shall have the option of accumulating unused sick leave or, in the alternative, may trade all unused sick leave from the previous fiscal year for additional vacation time.
 - a. In the event of a trade, not less than one hundred percent (100%) of the unused sick leave for the previous fiscal year can be traded.
 - b. If sick leave is traded for vacation time it shall be traded as two (2) days of sick leave for one (1) day of vacation or the equivalent.
 - c. The ceiling on vacation accrual shall remain valid in instances of a trade wherein said trade results in an excess of the ceiling.

Example: *An employee with 96.0 hours of unused sick leave from the previous fiscal year can trade said 96.0 hours for 48.0 hours of vacation. If an employee elects to trade sick leave it must be for the entire amount unused in the previous fiscal year. For instance, an employee accrues 96.0 hours in a fiscal year, takes 16.0 hours' sick leave, they would have to trade the entire balance of 80.0 hours from the previous fiscal year. An employee cannot trade sick leave past the last previous fiscal year, i.e., if they have a balance from two years prior, it cannot be traded.*

11. Employees with a minimum of five (5) years of continuous, full-time regular employment who terminate from the City, for other than service retirement, are eligible for a maximum payoff, at full salary, of 480.0 hours accumulated sick leave.
12. Employees who use 2 shifts (16.0 hours) or less of sick leave per fiscal year, shall be credited with 1 additional shift (8.0 hours) of Administrative Leave.
13. An employee may donate sick leave to another full-time benefitted employee on an hour-per-hour basis.
 - a. The employee requiring the sick leave donation must have exhausted all leave balances.
 - b. Employees donating sick leave must keep a minimum sick leave accrual balance of eighty (80.0) hours.
 - c. If an employee has less than 80.0 hours of sick leave accrual, that employee will not be eligible to donate sick leave.
 - d. All donors will remain confidential.

SECTION 9. ADMINISTRATIVE LEAVE

1. Bargaining unit employees shall receive 12 shifts (96.0 hours), annual administrative leave as of July 1st of each year during the term of this Agreement.
2. A new employee shall receive Administrative Leave on a pro-rated basis in a lump sum (26 pay periods+ 96.0 hours= 3.693 hours per pay period).
 - a. If an employee is in paid status for any portion of a pay period, s/he will be entitled to a full accrual.
 - b. For example, if an employee was hired during the 10th pay period of the fiscal year,

they would be entitled to 62.781 hours of Administrative Leave (17 pay periods x 3.693 = 62.781).

3. In no event shall a bargaining unit employee accrue Administrative Leave beyond a ceiling of two (2) years' worth of accruals.
4. Bargaining unit employees may, each calendar year, sell back to the City up to a total of four weeks of accrued administrative leave or vacation leave on the condition that the employee maintains a balance of one-year accrual of administrative leave as defined in Section 7.
 - a. Each employee may sell back no more than a total of four weeks (regardless of the combination of Administrative or Vacation Leave) during any calendar year.
 - b. Employees who elect to sell back Administrative Leave must submit an irrevocable election form before December 31st in the preceding calendar year specifying the number of hours of Administrative Leave that he or she will irrevocably elect to cash out in the following calendar year.
 - c. The form will be automatically processed and paid by January 31st of the following year. Employees who do not make an election, by submitting the irrevocable election form before December 31st of the current year, will not be able to sell back Administrative Leave benefits in the following calendar year.
 - d. The City Administrator may approve an IRS qualifying exception for cases of extreme hardship.

SECTION 10. BEREAVEMENT LEAVE

1. In the event of a death of a bargaining unit employee's immediate family or other close relative (See City's Personnel Rules & Regulations for a list), an employee may be granted leave of absence with pay not to exceed five (5) working days.
 - a. Time not worked because of such absence shall not adversely affect accrual of regularly assigned leave (e.g., vacation, sick leave, Administrative Leave, etc.)

SECTION 11. TEN PERCENT DIFFERENTIAL

1. All bargaining unit employees, shall be placed at a base salary step which is at least at least 10% more than the base salary step of any employee they supervise.

SECTION 12. HOLIDAYS

1. Bargaining unit employees are entitled to the following paid holidays per year:
 - January 1 - New Year's Day
 - Third Monday in January - Martin Luther King Day
 - Third Monday in February - President's Day
 - Last Monday in May - Memorial Day
 - June 19th - Juneteenth

- July 4 - Independence Day
 - First Monday in September - Labor Day
 - Second Monday in October - Columbus Day
 - November 11 - Veterans' Day
 - Thanksgiving Day & Friday following Thanksgiving Day
 - Christmas Eve & Christmas Day
 - Three (3) Floating Holidays to be taken at employee's option.
2. The City shall provide bargaining unit employees 128 hours annually in-lieu of Holiday or Float Pay.
 3. The City's payment of these one hundred and twenty-eight (128) hours shall fully compensate employees for the above-referenced thirteen holidays and three floating holidays even if an employee is required to work on any of the above referenced holidays.
 4. Any holiday not identified in this M.O.U. that is granted by the City Council to a 40.0 hour per week employee shall result in the City increasing the number of Holiday hours paid to bargaining unit employees by eight (8.0) hours for that fiscal year.
 5. Additional days designated by the Congress of the United States or by the Governor of California as legal holidays which are observed by the City shall also result in additional Holiday hours provided to each employee for that fiscal year.
 6. Any unused balance of the one hundred and twenty-eight (128) hours at the end of a fiscal year will be paid to the employee at the first full pay period in July of the following fiscal year.
 7. Employees will accrue one hundred and twenty-eight (128) hours of Holiday Pay at 4.92 hours per pay period.
 8. Use of the one hundred and twenty-eight (128) hours of Holiday Pay during a fiscal year will be deducted on an hour or hour basis.

SECTION 13. VACATION

1. Employees covered by this Agreement shall earn annual vacation equal to the highest negotiated MOU, which at the time of this agreement is as follows:

Vacation Accrual Schedule (Based on 8 Hours/Day)

<u>Years of Service</u>	<u>Days Accrued</u>	<u>Accrual Rate</u>
01 - 03	10	3.080
04- 10	15	4.620
11 - 15	20	6.150
16+	25	7.690

- 15 days will be the accrual rate after the third full year of employment.
- 20 days will be the accrual rate after the tenth full year of employment.

- 25 days will be the accrual rate after the fifteenth full year of employment.

Vacation accrual rate will be based on years of continuous service to the City or experience with another governmental agency when approved by the City Administrator.

2. In no event shall an employee accrue vacation beyond a ceiling of two (2) years of the employee's then-current accrual rate, with the exception that under extenuating circumstances, the City Administrator can grant the employee written approval to remove the ceiling for a specific time period; said time period may be extended by the City Administrator.
3. An employee may each calendar year sell back to the City up to a total of four weeks of accrued vacation leave or administrative leave on the condition that the employee maintains a balance of one-year accrual of vacation leave as defined in Section 14.
 - a. An employee may not sell back more than a total of four weeks (regardless of the combination of Administrative or Vacation Leave) during any calendar year.
4. Employees who elect to sell back vacation leave must submit an irrevocable election form before December 31st in the preceding calendar year specifying the number of hours of vacation leave that he/she will irrevocably elect to cash out in the following calendar year.
 - a. The form will be automatically processed and paid by January 31st. Employees who do not make an election, by submitting the irrevocable election form before December 31st of the current year, will not be able to sell back vacation leave benefits in the following calendar year.
 - b. The City Administrator may approve an IRS qualifying exception for cases of extreme hardship.

SECTION 14. CALPERS

1. The City shall provide miscellaneous employee's pension benefits through the California Public Employees' Retirement System's ("CalPERS").
2. The employee's retirement benefit formula and required contributions under CalPERS will depend upon the employee's date of membership with CalPERS.
 - a. Employees who became CalPERS members before January 1, 2013, and who are defined as "Classic Members" under the Public Employee Pension Reform Act ("PEPRA") will be enrolled in the following benefit formula: Two Point Seven Percent (2.7%) at Fifty-Five (55) Plan for Miscellaneous Members.
 - b. Employees who became members of CalPERS on or after January 1, 2013 and who are defined as "New Members" under PEPRA will be enrolled in the following benefit formula: Two Percent (2%) at Sixty-Two (62) for Miscellaneous Members.
3. PEPRA requires that all New Member employees pay a contribution rate of at least 50% of the total normal cost rate for their defined benefit plan. PEPRA also prohibits Employer Paid Member Contributions ("EPMC") for New Members. As such, all employees classified as New Members shall pay 100% of the employee share and the City shall pay 100% of the employer share of the pension contribution costs.

4. For employees classified as Classic Members, the employee shall likewise pay 100% of employee contribution costs.
5. All employees, whether Classic or New Members shall pay 100% of employee's contribution costs.

SECTION 15. REVIEW OF JOB DESCRIPTION

1. The City shall review the duties and responsibilities of the positions in classifications covered by this Agreement and re-write job descriptions as deemed appropriate by the City Administrator.

SECTION 16. WORKERS' COMPENSATION

1. Bargaining unit employees, with five (5) years' service, shall be allowed to borrow up to four (4) years of sick leave (96.0 hours x 4 years= 384.0 hours) to supplement Workers' Compensation payments. This would be after the employee has used his/her current sick leave balance.
2. Upon the employee returning to duty, repayment of sick leave will be paid back at an hour for hour exchange as the employee re-accrues sick leave.
 - a. If the employee terminates employment, including service retirement, said employee will be responsible for the repayment of the borrowed sick leave at his/her current rate of pay, at the time of separation from City service.
 - b. The amount of sick leave repayment still owed by the employee will be deducted from the final separation payroll check.
 - c. If there are no sufficient monies to cover the amount owed, the employee shall either immediately pay off any remaining unpaid amount or enter into an agreement with the City for such reimbursement.
 - d. In no event shall repayment exceed a period of six months.
3. If the employee is deemed permanently disabled, due to the work-related injury, any borrowed sick leave shall not be repaid.
4. If, after an employee returns from a workers' compensation leave, and has a credit in their sick leave balance, and then becomes ill, or requests family sick leave, and takes additional time off, such employee shall be allowed to take additional sick leave.
 - a. However, in no event shall employee be allowed to exceed a 480.0-hour credit.
5. Once all leave balances have been expended, the City shall maintain the employee's current medical, dental, vision, life insurance, and long-term disability at no additional cost to the employee, beyond his/her regular contribution, during any Workers' Compensation leave.

SECTION 17. AUTO ALLOWANCE

1. It is declared to be the policy of the City that bargaining unit employees who are required to be subject to call-out, or call-back, or who are required to travel inside or outside the City

limits in performing their employment functions shall be furnished with the use of a City owned and maintained vehicle for such travel.

2. The Administrative Services Officer will receive a permanent parking pass for the first level of the Terzich Parking Structure.

SECTION 18. CELL PHONES

1. Bargaining unit employees will be paid a monthly stipend of One Hundred Dollars (\$100.00) as a cellphone allowance, in lieu of being issued or using a City cellphone. Once this stipend is paid, it is the responsibility of the employee to maintain a cell phone available for business use.

SECTION 19. BENEFITS

1. It is agreed that bargaining unit employees shall be entitled to all benefits which are, or shall be, granted to employees under their jurisdiction, except where superseded by this Agreement.
2. If, during the term of this Agreement, the CITY grants employees in the SMEA bargaining unit an across-the-board increase or decrease to base salaries, COLAs, incentives, or other compensation or benefits; including but not limited to retirement or insurance benefit or contribution levels, or vacation/sick leave accruals as contained in the 2021-2025 SMEA MOU, employees covered by this Agreement shall receive a like-kind adjustment.

SECTION 20. WORK FURLOUGH

1. With a demonstration of a critical operating budget deficit, the City can implement a work furlough program, up to a 10% reduction in pay and a corresponding 10% reduction in time worked (hours).
2. With respect to pay, up to a 10% reduction shall be reflected bi-weekly, in each regular paycheck issued by the City.
3. Leave balances nor benefits will be affected by the reduction in hours.
4. Examples of a critical operating budget would include:
 - a. General Fund budget deficit reducing the General Fund Reserves to less than 20% of the General Fund budget for two or more years.
 - b. An economic slowdown that causes a five percent (5%) decrease in City General Fund revenues for two or more consecutive years, etc.

SECTION 21. FLEXIBLE WORK WEEK

1. Bargaining unit employees will have the option of working flexible work weeks as approved by the City Administrator.

SECTION 22. SAVING CLAUSE

1. If any provision of this Agreement should be held invalid by operation of law or by any court of competent jurisdiction, or if compliance with or enforcement of any provision should be restrained

by any tribunal, the remainder of this Agreement shall not be affected thereby, and the parties shall enter into a meet and confer session for the sole purpose of arriving at a mutually satisfactory replacement for such provision within a thirty (30) workday period.

SECTION 23. TERMINATION CLAUSE

1. Under the terms of this Agreement, bargaining unit employees to which this Memorandum of Understanding applies shall enjoy the same employment property rights afforded to City employees, who are afforded due process for termination and disciplinary actions.

SECTION 24. FULL AGREEMENT

1. This Agreement constitutes a full and complete agreement by the parties and contains all the matters upon which the parties' reached agreement.
2. Any matter not contained in this MOU has not been agreed upon and, if raised in negotiations, was dropped by the party raising it as part of a good faith attempt to reach agreement.
3. All rights, powers, functions, responsibilities, and authority of the City of Sonora except those expressly abridged, deleted, delegated, granted, or modified by this Agreement shall remain vested with the City.
4. This Agreement constitutes the sole, entire and existing Agreement, and supersedes all prior MOU's and undertakings, oral and written, expressed or implied, or practices between parties, including any rights or privileges established through informal understandings, customs, or long-established traditions.
5. Where this Agreement is silent, provisions of the adopted Personnel Rules and Regulations shall apply.
6. Except in cases of emergency, Association shall be given reasonable notice of any ordinance, resolution, rule or regulation - directly relating to matter within the scope of representation - proposed to be enacted by the City and shall be given the opportunity to meet with confidential bargaining unit representatives prior to enactment.

[Signature Page to Follow]

7. This Agreement shall be effective July 1st, 2022, through June 30th, 2025, as witnessed hereto by the following parties:

SONORA CONFIDENTIAL EMPLOYEES' ASSOCIATION

By: _____
Tracy Skelly, SCEA President

Date: _____

CITY OF SONORA

By: _____
Matt Hawkins, Mayor

Date: _____

By: _____
Melissa Eads, City Administrator

Date: _____

ATTEST:

City Clerk

Date: _____



CITY COUNCIL AGENDA REPORT

MEETING DATE: July 5, 2022
TO: City Council Members
FROM: Tracy Skelly, Administrative Analyst
SUBJECT: Disbursements in the amount of \$152,371.56 for payroll

RECOMMENDATION

Approval of disbursements in the amount of \$152,371.56 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, miscellaneous voluntary employee deductions, holiday pay and other adjustments, including retro-pay.

DISCUSSION

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

This payroll is the 27th payroll of 27 for FY21-22, we would have expected to expend 93.10% of the budgeted amount. In total, we have expended 92.07% of the Salaries and Wages for the FY 21/22 budget.

FISCAL IMPACT

Disbursements are part of the approved FY21-22 Budget.

**CITY COUNCIL OF THE CITY OF SONORA
STAFF REPORT**

MEETING DATE: July 5, 2022

TO: SONORA CITY COUNCIL

FROM: DOUGLAS L. WHITE, CITY ATTORNEY

SUBJECT: Ordinances regarding the Protection of Critical Infrastructure and Health and Hygiene of Camps

RECOMMENDATION:

1. Motion to waive reading of Urgency Ordinance No. 844, reading by title only, waiving further reading, and adoption of an Urgency Ordinance of the City Council of the City of Sonora Adding Sonora Municipal Code Chapter 9.61, Protection of Critical Infrastructure and Fire Severity Zone, of Title 9, Public Peace, Morals and Welfare.
2. Motion to waive reading of Urgency Ordinance No. 845, reading by title only, waiving further reading, and adoption of an Urgency Ordinance of the City Council of the City of Sonora Adding Sonora Municipal Code Chapter 9.62, Health and Hygiene, of Title 9, Public Peace, Morals and Welfare.
3. Waive reading, read by title only, and introduce for first reading an ordinance of the City Council of the City of Sonora Adding Sonora Municipal Code Chapter 9.61, Protection of Critical Infrastructure and Fire Severity Zone, of Title 9, Public Peace, Morals and Welfare.
4. Waive reading, read by title only, and introduce for first reading an ordinance of the City Council of the City of Sonora Adding Sonora Municipal Code Chapter 9.62, Health and Hygiene, of Title 9, Public Peace, Morals and Welfare.

DISCUSSION:

The Critical Infrastructure Protection Ordinance and Health and Hygiene Ordinance.

There is a shelter crisis in the City of Sonora (the “City”) due to a significant number of persons without the ability to obtain shelter. As a result, there has been an increase in homeless encampments within the City. Encampments pose an immediate threat to public health, safety and welfare. Encampments attract illegal dumping, rodents, fire hazards and contamination. Encampments around critical infrastructure pose a threat to City law enforcement, fire prevention, transportation and utility services due to risk of fire, contamination, blocked access or other causes that damage critical infrastructure. To protect public health, safety and welfare, the City must manage encampments to ensure healthy and hygienic communities. The City must also prevent camping and the use of camping paraphernalia near critical infrastructure.

The critical infrastructure protection ordinance will address the threat to public health, safety and welfare posed by encampments near critical infrastructure (the “Critical Infrastructure Protection Ordinance”). The Critical Infrastructure Protection Ordinance will declare it a public nuisance for any person to camp, occupy camp facilities, use camp paraphernalia, or store personal property within twenty-five (25) feet of critical infrastructure, within twenty-five (25) feet of a vehicular or pedestrian entrance or exit of critical infrastructure, in portions of right-of-way that are required by law to be free of obstructions to first responders, and in areas designated as fire severity zones. The Critical Infrastructure Protection Ordinance does not apply to camping on private property if authorized by the private property’s owner. Violations of the Critical Infrastructure Protection Ordinance will be subject to abatement after seventy-two (72) hours’ written notice. If conditions and violations are so severe that immediate action is required to prevent serious threat of harm, the City can pursue summary abatement without prior notice. Further, violations of the Critical Infrastructure Protection Ordinance will be subject to criminal, civil, and administrative penalties, in addition to any legally available remedies.

The health and hygiene ordinance will address the threat to public health, safety and welfare posed by encampments (the “Health and Hygiene Ordinance”). The Health and Hygiene Ordinance authorizes the Public Works Department to carry out clean and clear operations of camp sites to prevent the buildup of hazardous waste, illegal dumping, infectious waste, refuse, or solid waste. The clean and clear operations require seventy-two (72) hours’ notice to affected occupants. Any property left at the campsite during the clean and clear operations will be considered abandoned and subject to disposal. Unabandoned and temporarily unattended items will be collected for safe storage and retrieval by occupants unless the items are not safe for storage. Any items not safe for storage will immediately be discarded. Further, permanent closure of a campsite can occur if an existing or expected natural disaster or environmental harm poses a threat to the health and safety of the camp’s occupants.

Compliance with *Martin v. City of Boise*.

Due to the *Martin v. City of Boise* (“*Martin*”) decision, ordinances that prohibit camping in public places are unenforceable against homeless individuals when there is no practical alternative shelter available.¹ Given the City’s current lack of open shelter beds, the City is unlikely able to enforce an ordinance prohibiting camping in public places.

Ordinances prohibiting camping in public places at particular times or in particular locations, however, are still enforceable.² Accordingly, the Critical Infrastructure Protection Ordinance will likely survive a legal challenge under *Martin* since the Critical Infrastructure Protection Ordinance only prohibits camping within twenty-five (25) feet of critical infrastructure, in portions of right-of-way that are required by law to be free of obstruction to first responders, and areas designated as fire severity zones. Further, the Health and Hygiene Ordinance only authorizes permanent closure of an encampment site when there is an existing or expected natural disaster or environmental harm posed by a threat to the health and safety of a camp’s occupants.

Ordinances requiring the temporary vacating of an encampment in a public space on a regular basis for public health and safety purposes are also enforceable.³ Accordingly, the Health and Hygiene Ordinance will likely survive a legal challenge under *Martin*. The Health and Hygiene Ordinance provides for “clean and clear” operations to protect public health and safety.

¹ *Martin v. City of Boise* (9th Cir. 2019) 920 F.3d 584, 618.

² *Id.* at 616-17.

³ *Shipp v. Schaaf* (N.D. Cal. 2019) 379 F.Supp.3d 1033, 1037 (“*Shipp*”).
{CW114229.6}

Collecting Personal Property Located within Encampments.

When the City abates encampments by collecting personal property of the encampment's occupants, the United States Constitution's due process clause requires that the City take reasonable steps to give notice to the property owner.⁴ Further, the City must provide owners of taken property the opportunity to retrieve their property.⁵ Both the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance comply with the United States Constitution's due process clause by providing encampment occupants seventy-two (72) hours' written notice prior to abatement and clean and clear operations.⁶ The Critical Infrastructure Ordinance only authorizes summary abatement in the limited circumstance where conditions or violations are so severe that immediate action is required to prevent the serious threat of harm. Further, when the City abates pursuant to both the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance, the City will store taken unabandoned and temporarily unattended property for at least ninety (90) days for retrieval by property owners, unless such property is not safe for storage.⁷

Adoption as an Urgency Ordinance

Due to immediate threat to public health, safety and welfare of camping and using camping paraphernalia near critical infrastructure, and encampments, the City Council may adopt both the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance as urgency ordinances.⁸ As an urgency ordinance, both the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance will take effect immediately.⁹ To adopt the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance as urgency ordinances, the City Council must adopt each ordinance by **a four-fifths (4/5) vote of the City Council.**¹⁰

It is recommended that the City Council also adopt both the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance through the regular process. Should a court determine that camping and using camping paraphernalia near critical infrastructure and encampments do not pose an immediate threat to public health, safety and welfare, the City will have the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance in place. At this meeting, the City Council will consider introduction of the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance for first reading.¹¹ If introduction is approved, the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance will return for final adoption at a regular meeting of the City Council.¹² Only a majority vote of the City Council is required to adopt the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance through the regular process.¹³ The Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance will take effect thirty (30) days after adoption as non-urgency ordinances.¹⁴

⁴ *Lavan v. City of Los Angeles* (9th Cir. 2012) 693 F.3d 1022, 1032.

⁵ *Ibid.*

⁶ See *Shipp, supra*, at 379 F.Supp.3d at p. 1038.

⁷ See *ibid.*

⁸ See Gov. Code, § 36937, subd. (b).

⁹ *Ibid.*

¹⁰ *Ibid.*

¹¹ Gov. Code, § 36934.

¹² *Ibid.*

¹³ Gov. Code, § 36936.

¹⁴ Gov. Code, § 36937.

{CW114229.6}

FISCAL IMPACT:

The City will bear the cost of enforcing the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance. The Critical Infrastructure Protection Ordinance authorizes the City to recover the cost of abating camping and use of camping paraphernalia near critical infrastructure. Practically, however, the recovery of abatement cost can be difficult.

ENVIRONMENTAL:

The Ordinance is not a “project” under the California Environmental Quality Control Act.¹⁵

OPTIONS:

1. Adopt the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance as an urgency ordinance; and introduce the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance for first reading;
2. Continue the item for later consideration of the City Council with direction to City staff for additional analysis; or
3. Reject the proposed the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance.

ATTACHMENTS

The Critical Infrastructure Protection Urgency Ordinance

The Health and Hygiene Urgency Ordinance

The Critical Infrastructure Protection Ordinance (Non-Urgency)

The Health and Hygiene Ordinance (Non-Urgency)

¹⁵ Pub. Resources Code, § 21065.
{CW114229.6}

ORDINANCE NO. 844

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA, ADDING SONORA MUNICIPAL CODE CHAPTER 9.61, PROTECTION OF CRITICAL INFRASTRUCTURE AND FIRE SEVERITY ZONE, OF TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE.

WHEREAS, camping and use of camping paraphernalia near critical infrastructure poses an immediate threat to public health, safety and welfare due to potential destruction of, damage to, and interference with infrastructure critical to the provision of public services, such as law enforcement, fire prevention, transportation, and utilities, including communication, water and waste disposal; and

WHEREAS, destruction of, damage to, or interference with critical infrastructure is caused by fire, contamination, blocked access, or other causes; and

WHEREAS, the perpetual accumulation of debris creates a health and fire risk; and

WHEREAS, destruction of, damage to, or interference with critical infrastructure is often caused by persons whose activities are not permitted or authorized in, on, or near critical infrastructure; and

WHEREAS, the City of Sonora (the “City”), pursuant to the police powers delegated to it by the State Constitution, has the authority to enact laws that promote the public health, safety, and general welfare of its residents; and

WHEREAS, pursuant to California Government Code section 36937, the City may adopt an urgency ordinance if it is for the immediate preservation of the public peace, health or safety.

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

SECTION 1. Amendment. Chapter 9.61, Protection of Critical Infrastructure and Fire Severity Zone shall be added to Title 9, Public Peace, Morals and Welfare of the Sonora Municipal Code as follows:

9.61.010 Findings and purpose.

The city council finds as follows: (1) an immediate threat to the public health, safety, and welfare is the potential destruction of, damage to, or interference with, infrastructure that is critical to the provision of public services such as law enforcement, fire prevention, transportation, and utilities, including communication, water, and waste disposal; (2) destruction of, damage to, or interference with, critical infrastructure is caused by fire, contamination, blocked access, or other causes; and (3) destruction of, damage to, or interference with, critical infrastructure is often caused by persons whose activities are not permitted or authorized in, on, or near critical infrastructure.

The purpose of this chapter is to mitigate the threat of fire and other potential causes of destruction and damage to and interference with critical infrastructure to protect the health, safety, and welfare of the public, by authorizing the removal of persons and their personal property in, on, or near critical infrastructure.

9.61.020 Definitions.

When used in this chapter, the following words and phrases have the following meanings:

- A. "Camp" and "camping" mean the placement on public or private property for the purpose of making a living accommodation for one or more nights of tents, tarpaulins, temporary shelters, house trailers, mobile homes, motor vehicles or parts thereof, trailers, cooking facilities, cots, ground covers, bedding, hammocks, backpacks, sleeping bags and other equipment of a similar nature used to live temporarily in the outdoors.
- B. "Camp facilities" include, but are not limited to, tents, huts, or temporary shelters.
- C. "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-city designated cooking facilities and similar equipment.
- D. "Critical infrastructure" means real property or a facility, whether privately or publicly owned, that the City Administrator designates as being so vital and integral to the operation or functioning of the city or in need of protection that its damage, incapacity, disruption, or destruction would have a debilitating impact on the public health, safety, or welfare. Critical infrastructure may include, but is not limited to, government buildings, such as fire stations, police stations, jails, or courthouses; hospitals; schools; wastewater facilities, structures, such as antennas, bridges, roads, train tracks, waterways, drainage systems, or levees; or systems, such as computer networks, public utilities, electrical wires, natural gas or propane pipes, telecommunication centers, or water sources.
- E. "Facility" means a building, structure, equipment, system, or asset.
- F. "Fire prevention official" means the Fire Chief, or designee.
- G. "Garbage" includes all kitchen and table food waste, and animal or vegetable waste that attends or results from the storage, preparation, cooking or handling of, foodstuffs.
- H. "Hazardous waste" has the same meaning as in California Public Resources Code Section 40141.
- I. "Infectious waste" has the same meaning as in California Code of Regulations, Title 14, Section 17225.36.
- J. "Refuse" includes garbage and rubbish.
- K. "Solid waste or wastes" includes all putrescible and non-putrescible solid and semisolid wastes, such as refuse, garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes and other discarded solid and semisolid wastes, and also includes liquid wastes disposed of in conjunction with solid waste disposal sites.
- L. "Fire Severity Zone" California law requires CAL FIRE to identify areas based on the severity of the fire danger expected to prevail there. These zones or "zones" are based on factors such as

fuel, slope, and fire weather. There are three zones according to the increased fire hazard: medium, high and very high.

9.61.030 Relation to Other Laws.

Nothing in this chapter is meant to preempt or otherwise replace the enforcement of violations under the Sonora Municipal Code or as otherwise permitted under law.

9.61.040 Prohibited activities.

A. It is unlawful and a public nuisance for any person to camp, occupy camp facilities, or use camp paraphernalia at the following locations:

1. Critical infrastructure;
2. Within twenty-five feet of critical infrastructure;
3. Within twenty-five feet of a vehicular or pedestrian entrance or exit of critical infrastructure;
4. On those portions of a right-of-way that are required by local, state, or federal law to be free of obstruction to first responders, including, but not limited to, members of law enforcement, fire prevention, or emergency medical services agencies; or
5. Areas designated as a Fire Severity Zone.

B. It is unlawful and a public nuisance for any person to store personal property, including camp facilities and camp paraphernalia, in the following locations without the written consent of the owner, except as otherwise provided by resolution of the city council:

1. Critical infrastructure;
2. Within twenty-five feet of critical infrastructure;
3. Within twenty-five feet of a vehicular or pedestrian entrance or exit of critical infrastructure;
4. On those portions of a right-of-way that are required by local, state, or federal law to be free of obstruction to first responders, including, but not limited to, members of law enforcement, fire prevention, or emergency medical services agencies; or
5. Areas designated as a Fire Severity Zone.

C. It is not intended by this section to prohibit overnight camping on private residential property by friends or family of the property owner, so long as the owner consents and the overnight camping is limited to the period that the owner has given their consent. All overnight camping on private residential property within the City is subject to applicable building and fire codes under the Sonora Municipal Code and prohibitions on the use of trailers and mobile homes as set forth in Title 17 of the Sonora Municipal Code.

D. Nothing in this chapter is intended to prohibit or make unlawful the activities of an owner of private property or other lawful user of private property that are normally associated with and incidental to the lawful and authorized use of private property for residential or other purposes; and nothing is intended to prohibit or make unlawful the activities of a property owner or other lawful user if such activities are expressly authorized by Title 17 or other laws, ordinances, and regulations.

9.61.050 Abatement.

A. Any violation of Section 9.60.040 may result in abatement of an occupant's personal property after providing them with no less than seventy-two (72) hour written notice that the occupant's camp, camp paraphernalia, or camp facility is located in or on a designated Critical Infrastructure or a Fire Severity Zone.

B. Summary abatement without prior notice is warranted when conditions or violations are so severe that immediate action is required to prevent the serious threat of harm.

C. Abatement pursuant to subsections A or B may include, but is not limited to, removal of camp facilities, camp paraphernalia, personal property, garbage, hazardous waste, infectious waste, junk, or refuse; and securing the perimeter of the property with fencing, gates, or barricades to prevent further occurrences of the nuisance activity.

D. Regardless of the city's authority to conduct abatement pursuant to this section, every owner, occupant, or lessee of real property, and every holder of any interest in real property, is required to maintain the property in compliance with the Sonora Municipal Code, and applicable provisions of state and federal law; and is liable for violations thereof.

E. The cost of abatement, including all administrative costs of any action taken hereunder, may be assessed against the subject premises as a lien, made a personal obligation of the owner, or both, in accordance with procedures in Section 1.08.090.

9.61.060 Interference.

In accordance with California Penal Code § 148, every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety Code, in the discharge or attempt to discharge any duty of his or her office or employment to enforce this Chapter shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

9.61.070 Violation—Penalty.

A. In addition to any other remedy allowed by law, any person who violates a provision of this chapter is subject to criminal, civil, and administrative penalties pursuant to Chapters 1.08 and 1.20.

B. Violations of this chapter are hereby declared to be a public nuisance.

C. All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy to enforce this chapter.

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 and shall continue to be in full force and effect.

Section 3. Urgency Finding. The City hereby finds, determines and declares that this ordinance is necessary to the immediate preservation of the public peace, health or safety, due to potential destruction of, damage to, and interference with infrastructure critical to the provision of public services, such as law enforcement, fire prevention, transportation, and utilities, including communication, water and waste disposal. Therefore, the City further finds, determines and declares that this ordinance takes effect immediately upon adoption pursuant to the authority conferred upon the City Council by California Government Code section 36937.

The foregoing ordinance was introduced, adopted, approved and ordered published in full by a four-fifths vote at a meeting of the City Council of the City of Sonora held on the XX day of XX 2022, and said ordinance was thereupon adopted by the following roll call vote.

AYES:

NOES:

EXCUSED:

ABSTAIN:

ATTEST:

APPROVED:

Tracy L. Skelly,
City Clerk

Matt Hawkins,
Mayor

ORDINANCE NO. 845

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA, ADDING SONORA MUNICIPAL CODE CHAPTER 9.62, HEALTH AND HYGIENE, OF TITLE 9, PUBLIC PEACE, MORALS AND WELFARE.

WHEREAS, a shelter crisis exist due to a significant number of persons without the ability to obtain shelter; and

WHEREAS, homeless encampments attract illegal dumping, rodents, fire hazards, and contamination of the surrounding area; and

WHEREAS, the perpetual accumulation of debris creates a health and fire risk; and

WHEREAS, the shelter crisis is an immediate threat to the health, safety and welfare of the public, including encampment occupants; and

WHEREAS, until more shelter becomes available, managing encampments is necessary to maintain healthy and hygienic communities; and

WHEREAS, the City of Sonora (the “City”), pursuant to the police powers delegated to it by the State Constitution, has the authority to enact laws that promote the public health, safety, and general welfare of its residents; and

WHEREAS, pursuant to California Government Code section 36937, the City may adopt an urgency ordinance if it is for the immediate preservation of the public peace, health or safety.

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

SECTION 1. Amendment. Chapter 9.62, Health and Hygiene, shall be added to Title 9, Public Peace, Morals and Welfare of the Sonora Municipal Code as follows:

9.62.010 Findings and purpose.

The city council finds as follows: (1) a shelter crisis exists due to a significant number of persons without the ability to obtain shelter; (2) homeless encampments attract illegal dumping, rodents, fire hazards, and contamination of the surrounding area; (3) the shelter crisis is an immediate threat to the health, safety, and welfare of the public, including encampment occupants; (4) until more shelter becomes available, managing encampments is necessary to maintain healthy and hygienic communities.

The purpose of this chapter is to alleviate the hazardous conditions of encampments by authorizing the Public Works Department, or City authorized agent, to conduct temporary clean and clear operations and permanent encampment closures as necessary to protect the public welfare, health and safety.

9.62.020 Definitions.

When used in this chapter, the following words and phrases have the following meanings:

- A. "Abandoned" shall mean any property that based on words, act or other objective indications, it is reasonable to conclude that a person has relinquished ownership of the property.
- B. "Camp" and "camping" mean the placement on public or private property for the purpose of making a living accommodation for one or more nights of tents, tarpaulins, temporary shelters, house trailers, motor vehicles or parts thereof, trailers, cooking facilities, cots, ground covers, bedding, hammocks, backpacks, sleeping bags and other equipment of a similar nature used to live temporarily in the outdoors.
- C. "Camp facilities" include, but are not limited to, tents, huts, or temporary shelters.
- D. "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-city designated cooking facilities and similar equipment.
- E. "Clean and Clear" means the temporary closure of an encampment to all occupants to remove hazardous materials, refuse, or other types of waste.
- F. "Environmental" means relating to the natural or artificial conditions of the environment of the area of concern.
- G. "Fire Hazard" has the same meaning as in Section 14.01.170.
- H. "Hazardous waste" has the same meaning as in California Public Resources Code Section 40141.
- I. "Illegal Dumping" has the same meaning as in Section 8.16.040.
- J. "Infectious waste" has the same meaning as in California Code of Regulations, Title 14, Section 17225.36.
- K. "Natural Disaster" includes floods, earthquakes, wildfires, and other serious environmental events that create emergencies that endanger the safety of the city's population.
- L. "Refuse" includes garbage and rubbish.
- M. "Routine" means occurring repeatedly on a weekly, monthly, or annual basis at any interval (bi-weekly, bi-monthly, etc.)
- N. "Solid waste or wastes" includes all putrescible and non-putrescible solid and semisolid wastes, such as refuse, garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial

appliances, manure, vegetable or animal solid and semisolid wastes and other discarded solid and semisolid wastes, and also includes liquid wastes disposed of in conjunction with solid waste disposal sites.

9.62.030 Relation to Other Laws

Nothing in this chapter is meant to preempt or otherwise replace the enforcement of violations under the Sonora Municipal Code or as otherwise permitted under law.

9.62.040 Abatement

- A. The Public Works Department is authorized to carry out both one-time or routine Clean and Clear operations at camping locations to prevent the buildup of hazardous waste, illegal dumping, infectious waste, refuse, or solid waste.
- B. Clean and Clear operations require that affected occupants receive notice of the action at least seventy-two (72) hours prior to its scheduled time, in accordance with Sonora's Encampment Management Policy.
- C. Any property left at the campsite during the Clean and Clear operation shall be considered abandoned and subject to disposal. City officials will collect and log any unabandoned and temporarily unattended items that a safe for storage for retrieval by occupants after the operation ends. The city shall secure any collected belongings for no less than ninety (90) days.
- D. Any items that are not safe for storage, including but not limited to food, food wrappers, soiled items, or items used for personal hygiene (not including medication), may be immediately discarded. Additionally, property that is hazardous or poses and immediate threat to public health and safety may also be discarded.
- E. Permanent closure of a campsite is warranted where an existing or expected natural disaster or environmental harm poses a threat to the health and safety of a camp's occupants. Permanent closure entails the same requirements of this Section, unless an emergency makes notice and logging personal property infeasible.

9.62.50 Interference.

In accordance with California Penal Code § 148, every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety Code, in the discharge or attempt to discharge any duty of his or her office or employment to enforce this Chapter shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

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 and shall continue to be in full force and effect.

Section 3. Urgency Finding. The City hereby finds, determines and declares that this ordinance is necessary to the immediate preservation of the public peace, health or safety, due to the illegal dumping, rodents, fire hazards, and contamination caused the shelter crisis. Until more shelter becomes available, managing encampments is necessary to maintain healthy and hygienic communities. Therefore, the City further finds, determines and declares that this ordinance takes effect immediately upon adoption pursuant to the authority conferred upon the City Council by California Government Code section 36937.

The foregoing ordinance was introduced, adopted, approved and ordered published in full by a four-fifths vote at a meeting of the City Council of the City of Sonora held on the XX day of XX 2022, and said ordinance was thereupon adopted by the following roll call vote.

AYES:

NOES:

EXCUSED:

ABSTAIN:

ATTEST:

APPROVED:

Tracy L. Skelly,
City Clerk

Matt Hawkins,
Mayor

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA, ADDING SONORA MUNICIPAL CODE CHAPTER 9.61, PROTECTION OF CRITICAL INFRASTRUCTURE AND FIRE SEVERITY ZONE, OF TITLE TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE.

WHEREAS, camping and use of camping paraphernalia near critical infrastructure poses an immediate threat to public health, safety and welfare due to potential destruction of, damage to, and interference with infrastructure critical to the provision of public services, such as law enforcement, fire prevention, transportation, and utilities, including communication, water and waste disposal; and

WHEREAS, destruction of, damage to, or interference with critical infrastructure is caused by fire, contamination, blocked access, or other causes; and

WHEREAS, the perpetual accumulation of debris creates a health and fire risk; and

WHEREAS, destruction of, damage to, or interference with critical infrastructure is often caused by persons whose activities are not permitted or authorized in, on, or near critical infrastructure.

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

SECTION 1. Amendment. Chapter 9.61, Protection of Critical Infrastructure and Fire Severity Zones shall be added to Title 9, Public Peace, Morals and Welfare of the Sonora Municipal Code as follows:

9.61.010 Findings and purpose.

The city council finds as follows: (1) an immediate threat to the public health, safety, and welfare is the potential destruction of, damage to, or interference with, infrastructure that is critical to the provision of public services such as law enforcement, fire prevention, transportation, and utilities, including communication, water, and waste disposal; (2) destruction of, damage to, or interference with, critical infrastructure is caused by fire, contamination, blocked access, or other causes; and (3) destruction of, damage to, or interference with, critical infrastructure is often caused by persons whose activities are not permitted or authorized in, on, or near critical infrastructure.

The purpose of this chapter is to mitigate the threat of fire and other potential causes of destruction and damage to and interference with critical infrastructure to protect the health, safety, and welfare of the public, by authorizing the removal of persons and their personal property in, on, or near critical infrastructure.

9.61.020 Definitions.

When used in this chapter, the following words and phrases have the following meanings:

A. "Camp" and "camping" mean the placement on public or private property for the purpose of making a living accommodation for one or more nights of tents, tarpaulins, temporary shelters,

house trailers, mobile homes, motor vehicles or parts thereof, trailers, cooking facilities, cots, ground covers, bedding, hammocks, backpacks, sleeping bags and other equipment of a similar nature used to live temporarily in the outdoors.

B. "Camp facilities" include, but are not limited to, tents, huts, or temporary shelters.

C. "Camp paraphernalia" includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-city designated cooking facilities and similar equipment.

D. "Critical infrastructure" means real property or a facility, whether privately or publicly owned, that the City Administrator designates as being so vital and integral to the operation or functioning of the city or in need of protection that its damage, incapacity, disruption, or destruction would have a debilitating impact on the public health, safety, or welfare. Critical infrastructure may include, but is not limited to, government buildings, such as fire stations, police stations, jails, or courthouses; hospitals; schools; wastewater facilities; structures, such as antennas, bridges, roads, train tracks, waterways, drainage systems, or levees; or systems, such as computer networks, public utilities, electrical wires, natural gas or propane pipes, telecommunication centers, or water sources.

E. "Facility" means a building, structure, equipment, system, or asset.

F. "Fire prevention official" means the Fire Chief, or designee.

G. "Garbage" includes all kitchen and table food waste, and animal or vegetable waste that attends or results from the storage, preparation, cooking or handling of, foodstuffs.

H. "Hazardous waste" has the same meaning as in California Public Resources Code Section 40141.

I. "Infectious waste" has the same meaning as in California Code of Regulations, Title 14, Section 17225.36.

J. "Refuse" includes garbage and rubbish.

K. "Solid waste or wastes" includes all putrescible and non-putrescible solid and semisolid wastes, such as refuse, garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes and other discarded solid and semisolid wastes, and also includes liquid wastes disposed of in conjunction with solid waste disposal sites.

L. "Fire Severity Zones" California law requires CAL FIRE to identify areas based on the severity of the fire danger expected to prevail there. These zones or "zones" are based on factors such as fuel, slope, and fire weather. There are three zones according to the increased fire hazard: medium, high and very high.

9.61.030 Relation to Other Laws.

Nothing in this chapter is meant to preempt or otherwise replace the enforcement of violations under the Sonora Municipal Code or as otherwise permitted under law.

9.61.040 Prohibited activities.

A. It is unlawful and a public nuisance for any person to camp, occupy camp facilities, or use camp paraphernalia at the following locations:

1. Critical infrastructure;
2. Within twenty-five feet of critical infrastructure;
3. Within twenty-five feet of a vehicular or pedestrian entrance or exit of critical infrastructure;
4. On those portions of a right-of-way that are required by local, state, or federal law to be free of obstruction to first responders, including, but not limited to, members of law enforcement, fire prevention, or emergency medical services agencies; or
5. Areas designated as a Fire Severity Zone.

B. It is unlawful and a public nuisance for any person to store personal property, including camp facilities and camp paraphernalia, in the following locations without the written consent of the owner, except as otherwise provided by resolution of the city council:

1. Critical infrastructure;
2. Within twenty-five feet of critical infrastructure;
3. Within twenty-five feet of a vehicular or pedestrian entrance or exit of critical infrastructure;
4. On those portions of a right-of-way that are required by local, state, or federal law to be free of obstruction to first responders, including, but not limited to, members of law enforcement, fire prevention, or emergency medical services agencies; or
5. Areas designated as a Fire Severity Zone.

C. It is not intended by this section to prohibit overnight camping on private residential property by friends or family of the property owner, so long as the owner consents and the overnight camping is limited to the period that the owner has given their consent. All overnight camping on private residential property within the City is subject to applicable building and fire codes under the Sonora Municipal Code and prohibitions on the use of trailers and mobile homes as set forth in Title 17 of the Sonora Municipal Code.

D. Nothing in this chapter is intended to prohibit or make unlawful the activities of an owner of private property or other lawful user of private property that are normally associated with and incidental to the lawful and authorized use of private property for residential or other purposes; and nothing is intended to prohibit or make unlawful the activities of a property owner or other

lawful user if such activities are expressly authorized by Title 17 or other laws, ordinances, and regulations.

9.61.050 Abatement.

- A. Any violation of Section 9.60.040 may result in abatement of an occupant's personal property after providing them with no less than seventy-two (72) hour written notice that the occupant's camp, camp paraphernalia, or camp facility is located in or on a designated Critical Infrastructure or a Fire Severity Zone.
- B. Summary abatement without prior notice is warranted when conditions or violations are so severe that immediate action is required to prevent the serious threat of harm.
- C. Abatement pursuant to subsections A or B may include, but is not limited to, removal of camp facilities, camp paraphernalia, personal property, garbage, hazardous waste, infectious waste, junk, or refuse; and securing the perimeter of the property with fencing, gates, or barricades to prevent further occurrences of the nuisance activity.
- D. Regardless of the city's authority to conduct abatement pursuant to this section, every owner, occupant, or lessee of real property, and every holder of any interest in real property, is required to maintain the property in compliance with the Sonora Municipal Code, and applicable provisions of state and federal law; and is liable for violations thereof.
- E. The cost of abatement, including all administrative costs of any action taken hereunder, may be assessed against the subject premises as a lien, made a personal obligation of the owner, or both, in accordance with procedures in Section 1.08.090.

9.61.060 Interference.

In accordance with California Penal Code § 148, every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety Code, in the discharge or attempt to discharge any duty of his or her office or employment to enforce this Chapter shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

9.61.070 Violation—Penalty.

- A. In addition to any other remedy allowed by law, any person who violates a provision of this chapter is subject to criminal, civil, and administrative penalties pursuant to Chapters 1.08 and 1.20.
- B. Violations of this chapter are hereby declared to be a public nuisance.
- C. All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy to enforce this chapter.

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 and shall continue to be in full force and effect.

Section 3. Effective Date and Publication. 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.

This Ordinance was introduced at a regular meeting of the City Council held on the ____ of _____, 2022, and passed and adopted as Ordinance No. ____ at a regular meeting of City Council held on the ____ of _____, 2022 by the following vote:

AYES:

NOES:

EXCUSED:

ABSTAIN:

ATTEST:

APPROVED:

Tracy L. Skelly,
City Clerk

Matt Hawkins,
Mayor

ORDINANCE NO. #####

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA, ADDING SONORA MUNICIPAL CODE CHAPTER 9.62, HEALTH AND HYGIENE, OF TITLE 9, PUBLIC PEACE, MORALS AND WELFARE.

WHEREAS, a shelter crisis exist due to a significant number of persons without the ability to obtain shelter; and

WHEREAS, homeless encampments attract illegal dumping, rodents, fire hazards, and contamination of the surrounding area; and

WHEREAS, the perpetual accumulation of debris creates a health and fire risk; and

WHEREAS, the shelter crisis is an immediate threat to the health, safety and welfare of the public, including encampment occupants; and

WHEREAS, until more shelter becomes available, managing encampments is necessary to maintain healthy and hygienic communities.

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

SECTION 1. Amendment. Chapter 9.62, Health and Hygiene, shall be added to Title 9, Public Peace, Morals and Welfare of the Sonora Municipal Code as follows:

9.62.010 Findings and purpose.

The city council finds as follows: (1) a shelter crisis exists due to a significant number of persons without the ability to obtain shelter; (2) homeless encampments attract illegal dumping, rodents, fire hazards, and contamination of the surrounding area; (3) the shelter crisis is an immediate threat to the health, safety, and welfare of the public, including encampment occupants; (4) until more shelter becomes available, managing encampments is necessary to maintain healthy and hygienic communities.

The purpose of this chapter is to alleviate the hazardous conditions of encampments by authorizing the Public Works Department, or City authorized agent, to conduct temporary clean and clear operations and permanent encampment closures as necessary to protect the public welfare, health and safety.

9.62.020 Definitions.

When used in this chapter, the following words and phrases have the following meanings:

- A. "Abandoned" shall mean any property that based on words, act or other objective indications, it is reasonable to conclude that a person has relinquished ownership of the property.
- B. "Camp" and "camping" mean the placement on public or private property for the purpose of making a living accommodation for one or more nights of tents, tarpaulins, temporary shelters, house trailers, motor vehicles or parts thereof, trailers, cooking facilities, cots,

ground covers, bedding, hammocks, backpacks, sleeping bags and other equipment of a similar nature used to live temporarily in the outdoors.

- C. “Camp facilities” include, but are not limited to, tents, huts, or temporary shelters.
- D. “Camp paraphernalia” includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, or non-city designated cooking facilities and similar equipment.
- E. “Clean and Clear” means the temporary closure of an encampment to all occupants to remove hazardous materials, refuse, or other types of waste.
- F. “Environmental” means relating to the natural or artificial conditions of the environment of the area of concern.
- G. “Fire Hazard” has the same meaning as in Section 14.01.170.
- H. "Hazardous waste" has the same meaning as in California Public Resources Code Section 40141.
- I. “Illegal Dumping” has the same meaning as in Section 8.16.040.
- J. “Infectious waste" has the same meaning as in California Code of Regulations, Title 14, Section 17225.36.
- K. “Natural Disaster” includes floods, earthquakes, wildfires, and other serious environmental events that create emergencies that endanger the safety of the city’s population.
- L. "Refuse” includes garbage and rubbish.
- M. “Routine” means occurring repeatedly on a weekly, monthly, or annual basis at any interval (bi-weekly, bi-monthly, etc.)
- N. "Solid waste or wastes” includes all putrescible and non-putrescible solid and semisolid wastes, such as refuse, garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes and other discarded solid and semisolid wastes, and also includes liquid wastes disposed of in conjunction with solid waste disposal sites.

9.62.030 Relation to Other Laws

Nothing in this chapter is meant to preempt or otherwise replace the enforcement of violations under the Sonora Municipal Code or as otherwise permitted under law.

9.62.040 Abatement

- A. The Public Works Department is authorized to carry out both one-time or routine Clean and Clear operations at camping locations to prevent the buildup of hazardous waste, illegal dumping, infectious waste, refuse, or solid waste.
- B. Clean and Clear operations require that affected occupants receive notice of the action at least seventy-two (72) hours prior to its scheduled time, in accordance with Sonora's Encampment Management Policy.
- C. Any property left at the campsite during the Clean and Clear operation shall be considered abandoned and subject to disposal. City officials will collect and log any unabandoned and temporarily unattended items that a safe for storage for retrieval by occupants after the operation ends. The city shall secure any collected belongings for no less than ninety (90) days.
- D. Any items that are not safe for storage, including but not limited to food, food wrappers, soiled items, or items used for personal hygiene (not including medication), may be immediately discarded. Additionally, property that is hazardous or poses and immediate threat to public health and safety may also be discarded.
- E. Permanent closure of a campsite is warranted where an existing or expected natural disaster or environmental harm poses a threat to the health and safety of a camp's occupants. Permanent closure entails the same requirements of this Section, unless an emergency makes notice and logging personal property infeasible.

9.62.050 Interference.

In accordance with California Penal Code § 148, every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety Code, in the discharge or attempt to discharge any duty of his or her office or employment to enforce this Chapter shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

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 and shall continue to be in full force and effect.

Section 3. Effective Date and Publication. 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.

This Ordinance was introduced at a regular meeting of the City Council held on the ____ of _____, 2022, and passed and adopted as Ordinance No. ____ at a regular meeting of City Council held on the ____ of _____, 2022 by the following vote:

AYES:

NOES:

EXCUSED:

ABSTAIN:

ATTEST:

APPROVED:

Tracy L. Skelly,
City Clerk

Matt Hawkins,
Mayor

**CITY COUNCIL OF THE CITY OF SONORA
STAFF REPORT**

MEETING DATE: JULY 5, 2022

TO: SONORA CITY COUNCIL

FROM: DOUGLAS L. WHITE, CITY ATTORNEY

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA ESTABLISHING AN ENCAMPMENT MANAGEMENT POLICY FOR THE CITY OF SONORA ADDRESSING PUBLIC HEALTH AND SAFETY CONCERNS AND VULNERABILITIES TO CRITICAL INFRASTRUCTURE CAUSED BY THE GROWING HOMELESSNESS CRISIS IN SONORA

RECOMMENDATION:

Consider and adopt a resolution establishing an Encampment Management Policy for the City of Sonora addressing public health and safety concerns and vulnerabilities to critical infrastructure caused by the growing homelessness crisis in Sonora.

BACKGROUND:

The City of Sonora (the “City”) has adopted two (2) ordinances to address the public health and safety concerns and vulnerabilities to critical infrastructure caused by the City’s growing homelessness crisis. The City has adopted an ordinance that prohibits any person to camp, occupy camp facilities, use camp paraphernalia, or store personal property within twenty-five (25) feet of critical infrastructure; within twenty-five (25) feet of a vehicular or pedestrian entrance or exit of critical infrastructure; in portions of right of way that are required by law to be free of obstruction to first responders; and in areas designated as fire severity zones (the “Critical Infrastructure Ordinance”). Violations of the Critical Infrastructure Protection Ordinance will be subject to abatement after seventy-two (72) hours’ written notice. If conditions and violations are so severe that immediate action is required to prevent a serious threat of harm, the City can pursue summary abatement without prior notice.

The City has also adopted an ordinance that authorizes the Public Works Department to carry out clean and clear operations of camp sites to prevent the buildup of hazardous waste, illegal dumping, infectious waste, refuse, or solid waste (the “Health and Hygiene Ordinance”). The clean and clear operations require seventy-two (72) hours’ notice to affected occupants. Any property left at the campsite during the clean and clear operations will be considered abandoned and subject to disposal. Unabandoned and temporarily unattended items will be collected for safe storage and retrieval by occupants unless the items are not safe for storage. Any items not safe for storage will immediately be discarded. Further, permanent closure of a campsite can occur if an existing or expected natural disaster or environmental harm poses a threat to the health and safety of the camp’s occupants.

DISCUSSION:

The resolution will adopt a notice and referral policy to enforce the Critical Infrastructure Ordinance and Health and Hygiene Ordinance (the “Resolution”). The notice and referral policy aims to prevent homelessness in the City by providing unsheltered individuals information regarding accessible services and the rights they process. As part of the notice and referral policy, the City will provide occupants of an encampment with at least 72 hours’ written notice before taking any non-emergency action. The City will also provide occupants with timely information as to local homeless services and shelters. Additionally, the City will provide occupants with ways to be heard before the City’s action proceeds as planned. The policy provides that the City will not prevent occupants from retrieving their belongings before vacating the encampment site nor will the City confiscate an occupant’s belongings if the occupant is present, absent a reasonable belief that the belongings are an immediate threat to public health and safety or are evidence of a crime or contraband. After taking action regarding the encampment, the City will itemize and collect any unabandoned and temporarily unattended belongings and post notices of items taken and information regarding how to retrieve the items taken. The notice will also provide information regarding how to request a post-abatement hearing if necessary for any occupant who believes that City action caused them undue hardship.

In an emergency where conditions are so severe that immediate action is required, the Critical Infrastructure Ordinance authorizes summary abatement without prior notice. The Resolution adopts a policy for situations where the City exercises its summary abatement powers. Under the policy, whenever the City exercises its summary abatement powers, it must provide the occupants with a post-abatement hearing to contest the validity of the summary abatement. The policy requires the City to collect all evidence necessary to prove that an emergency exists before summarily abating. The City will store all collected unabandoned and temporarily unattended personal property items for retrieval by its property owner. When an emergency exists, the City will provide some form of notice and referral if feasible.

The Resolution also adopts a policy for designation of critical infrastructure. Under the policy, the City Administrator will designate certain property as critical infrastructure based on whether certain infrastructure is so vital and integral to the operation or functioning of the City or in need of protection that its damage, incapacity, disruption, or destruction would have a debilitating impact on the public health, safety, or welfare. The City will provide notice prior to designating certain infrastructure as critical infrastructure. In an emergency, the City Administrator may make a temporary designation without prior notice.

Last, the Resolution adopts a policy for designation of Fire Severity Zones. California law requires CAL FIRE to identify areas based on the severity of the fire danger expected to prevail there. These zones or "zones" are based on factors such as fuel, slope, and fire weather. There are three zones according to the increased fire hazard: medium, high and very high. The City will provide notice of areas designated as a Fire Severity Zone by posting notice around the protected area.

FISCAL IMPACT:

The City will bear the cost of enforcing the Critical Infrastructure Protection Ordinance and the Health and Hygiene Ordinance. The Critical Infrastructure Protection Ordinance authorizes the

City to recover the cost of abating camping and use of camping paraphernalia near critical infrastructure. Practically, however, the recovery of abatement costs can be difficult.

OPTIONS:

1. Adopt the Resolution.
2. The City Council may continue the item and request additional information and analysis from staff; or
3. Reject the Resolution.

ATTACHMENTS:

Resolution

Encampment Management Policy

Encampment Management Policy City of Sonora

I. Introduction

The City Council for the City of Sonora (the “City”) has adopted Ordinance No. _____ and No. _____ which, among other things, address public health and safety concerns and vulnerabilities to critical infrastructure caused by the growing homelessness crisis in Sonora. To enforce the new ordinances, the City Council is implementing a policy of *notice and referral* that aims to prevent homelessness in Sonora by providing unsheltered individuals more information as to accessible services and the rights they possess. Described in further detail below, this approach is intended to provide City staff with guidance and tools to carry out the encampment management policy in a manner consistent with the City’s Municipal Code.

The *notice and referral* policy involves two cooperative actions:

1. *Notice*: Provide the encampment with at least 72-hour notice before taking any non-emergency action that might interfere with their property.
2. *Referral*: Provide individuals with timely information as to local homeless services and shelters. Additionally, provide them with ways to be heard before the City’s action proceeds as planned.

Affordable housing development strategies are not addressed in this particular policy; however, it is important to acknowledge that the strategies outlined in this policy fall within a broader framework to ultimately encourage unsheltered individuals and families to transition from homelessness to permanent housing.

II. Noticing

The *notice and referral* policy is continuous throughout the encampment management process. The following section explains how the policy changes during the various stages of intervention.

A. Pre-Intervention

In non-emergency interventions under either Ordinance No. _____ or No. _____ the City should provide at minimum 72-hour notice that City officials plan to take action in the encampment at a specified time and location. The 72-hour notice will be provided in writing, posted around the site in multiple languages, and, as feasible, verbally to those encamped in the targeted area. The written notice shall include the purpose of the action taken, authority to do so, and information for appealing the decision to take the relevant action in the camp before it occurs.

On the day of the intervention but prior to its scheduled commencement, designated officers, as authorized by the City Administrator, shall notify the area occupants that the relevant department

action is occurring at the scheduled time and provide information as to relevant community services that are accessible to the occupants. Unless the Sonora Police Department is the city department responsible for undertaking the action, law enforcement officials should provide support to the designated City official or officials during any pre-intervention interactions with individuals in encampments. Generally, the role of the Sonora Police Department is to accompany other city officials in the action to ensure that it is done safely and correctly according to this policy.

B. Post-Intervention

Notice of items taken during any scheduled intervention event and information on how to retrieve those items shall be posted in the same locations that the pre-intervention notices were placed. The notice shall include relevant information for retrieving collected items, accessible community services, and also how to request a post-abatement hearing if necessary for any occupant who believes that the intervention caused them undue hardship. The post-intervention notice shall remain posted for no less than seven (7) days after the intervention.

The following sections explain in further detail the procedure for which the Sonora City Council has adopted for enforcing its new ordinances.

III. Designation of Encampment Sensitivity Areas

Ordinance No. _____ serves to protect the City of Sonora from the threats to public health and safety that are caused by fire hazards and interference with Sonora's critical infrastructure. The following subsections outline the process for the designation of critical infrastructure consistent with Ordinance No. _____.

A. Critical Infrastructure

The City Administrator may designate, in consideration of their professional experience and expertise, real property or a facility, whether privately or publicly owned, as "Critical Infrastructure" according to the following criteria: being so vital and integral to the operation or functioning of the city or in need of protection that its damage, incapacity, disruption, or destruction would have a debilitating impact on the public health, safety, or welfare. Examples of Critical Infrastructure include, but are not limited to, government buildings, such as fire stations, police stations, jails, or courthouses; hospitals; schools; wastewater facilities; structures, such as antennas, bridges, roads, train tracks, waterways, drainage systems, or levees; or systems, such as computer networks, public utilities, electrical wires, natural gas or propane pipes, telecommunication centers, or water sources.

To designate Critical Infrastructure, the City Administrator shall provide public notice before the designation takes effect. Notice shall include a description of the area to be protected, the reason

for the designation according to the criteria above in light of their experience and expertise, and the opportunity for the public to be heard before the designation takes effect. Designation may be precautionary and need not depend on the presence of unauthorized activities at the time of designation.

If presented with an imminent and severe threat to public health and safety by activity in or on Critical Infrastructure not yet designated as such, the City Administrator may make a temporary emergency designation that takes effect immediately without prior public notice. In the event of an emergency designation of Critical Infrastructure, notice shall still be posted including all of the information described above in addition to the length of time that the emergency designation shall be in effect.

B. Fire Severity Zones

The Board of Forestry designates Fire Severity Zones. The fire hazard severity zone map was developed using a scientifically and field-tested model that assigns hazard scores based on factors that influence fire likelihood and fire behavior. Many factors were considered, such as fire history, existing and potential fuel (natural vegetation), predicted flame length, embers, topography and typical fire weather in the area. There are three levels of hazard in the National Area of Responsibility: Moderate, High and Very High. The notice of an area's designation as a Fire Severity Zone shall be posted contemporaneously with its designation and remain posted for the duration of its protection. The notice shall include a description of the protected area, and the types of activities made prohibited.

IV. Types of Interventions

The City will not cite or arrest any individual solely for camping, or otherwise for the state of being homeless, and will make reasonable efforts to allow and, where feasible, assist the encamped individual with gaining compliance with the encampment standards outlined in this policy.

A. Non-Emergency Interventions

Upon designation of Critical Infrastructure and Fire Severity Zones taking effect, encampment closure, in the absence of an emergency, under Ordinance No. _____ is considered a non-emergency intervention that requires abiding by the notice and referral protocol. Temporary and permanent closure under Ordinance No. _____ is also considered a non-emergency intervention that must abide by the same notice and referral protocol included below:

- Notice to vacate that includes the area's designation as Critical Infrastructure, a Fire Severity Zone, or an encampment requiring temporary or permanent closure for public

health purposes shall be posted in multiple visible locations at the area at least 72 hours prior to its closure.

- City personnel shall not prevent occupants from retrieving their belongings before vacating the encampment site. In the event of temporary closure under Ordinance No. _____ City personnel shall not prevent occupants from returning to the encampment site after the health & hygiene intervention concludes.
- City personnel shall not confiscate or remove belongings from the site when the occupant is present, absent a reasonable belief that the belongings are an immediate threat to public health and safety or are evidence of a crime or contraband. Belongings that are considered to be clearly trash or are unsafe for storage, such as food or food wrappers, soiled items, or used personal hygiene items, not including medication, may be immediately discarded if left behind by an occupant.
- City personnel shall itemize unabandoned and temporarily unattended belongings collected and include the location, date, and time of collection on an itemization form. City personnel is not required to collect or itemize abandoned items.
- For purposes of this encampment management policy, unabandoned and temporarily unattended and belongings are those where City personnel may reasonably conclude that an individual desires to continue ownership of property. For example, is the property organized and packed in a manner that indicates ownership or the desire of an individual to collect the item. Additionally, are the items food, blankets, clothing, identification documents, or other items of value; how are the items placed or kept; were the items left in the care of another person; and how long the property has been left unattended. City personnel may inquire individuals nearby whether they can identify the owner of the property or whether they have any knowledge about the property owner's intentions concerning the property.
- For purposes of this encampment management policy, abandoned items are generally those which staff reasonably believe to be abandoned based on the totality of the circumstances. Abandonment is primarily a question of objective intent, but there is no definitive set of criteria for determining whether property is abandoned or unattended. Abandonment depends on whether "through words, act or other objective indications, a person has relinquished a reasonable expectation of privacy in the property at the time of the search or seizure." For example, the longer items are left unattended the more likely they are abandoned.
- A notice of collected property shall be posted where the original notice to vacate was previously posted and will contain the relevant city department's contact information for retrieving items from storage. An appointment may be required for individuals to retrieve their belongings.
- Items collected during non-emergency interventions will be stored safely for at least ninety (90) days.

B. Emergency Intervention

Public safety emergencies requiring a fire, medical or police response should be immediately reported to 911, and those departments shall respond according to the ordinances, codes, statutes, or regulations under which they operate and are authorized to enforce. The status of being unsheltered does not alter the applicability of generally enforced state codes and local ordinances.

For example, Municipal Code Section 8.32 prohibits open burning in public and private areas. Violation of the prohibition on unlawful open burning is not subject to the same notice and referral protocol described in this policy. Unsheltered individuals are not immune based on their status to criminal prosecution for conduct in violation of such ordinances.

Summary emergency abatement may be necessary in certain circumstances. For instance, among other possibilities, in the event of an emergency designation of Critical Infrastructure by the City Administrator, or serious violations that pose an imminent risk of harm, summary abatement can be utilized. A summary abatement situation exists when conditions are so severe that immediate action is required. Such a scenario could occur with a sewage leak, structural damage caused by a fire, a flood or other natural disaster, but it could also occur when conditions exist that pose a high risk of harm to persons, including curious children. Whenever a city exercises its summary abatement powers, it must provide the party responsible for the nuisance with a post-abatement hearing to contest the validity of the summary abatement. Consequently, as a practical matter, the City must collect all evidence that will be necessary to prove its case before summarily abating a nuisance. Following the requirement to collect all evidence and provide for a post-abatement hearing, the relevant City department shall also store all collected unabandoned and temporarily unattended personal property items for ninety (90) days.

In the event of a summary abatement, the City will still make efforts to provide some form of *notice and referral*, such as contacting community social services for outreach workers to accompany city officials to the site and share information verbally or in writing, if such notice is feasible. For certain public health or public safety interventions, like fires, the City may be unable to provide prior notice due to the nature of the emergency.

V. Referral to Services and City Officials

Included below is the contact information for some community services for unsheltered individuals. This information, in addition to contact information for every relevant department participating in the management of encampments should be included in the notices given to occupants.

- Amador Tuolumne Community Action Agency (Sonora Office)

- 427 N. highway 49, Suite 305, Sonora, CA 95370
 - Sonora Office #: 209-533-1397
 - Homeless Shelter #: 209-694-8698
- Center for a Nonviolent Community
 - 542 W. Stockton St., Sonora, CA 95370
 - Main Office #: 209-588-9305
 - Crisis Line #: 209-533-3401
- Lambert Community Center
 - 347 W. Jackson St., Sonora, CA 95370
 - Main Office #: 209-533-4879

RESOLUTION 07-05-2022-C

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA ESTABLISHING AN ENCAMPMENT MANAGEMENT POLICY FOR THE CITY OF SONORA ADDRESSING PUBLIC HEALTH AND SAFETY CONCERNS AND VULNERABILITIES TO CRITICAL INFRASTRUCTURE CAUSED BY THE GROWING HOMELESSNESS CRISIS IN SONORA

WHEREAS, The City Council for the City of Sonora (the “City”) has adopted Ordinance No. _____ and No. _____ which, among other things, address public health and safety concerns and vulnerabilities to critical infrastructure caused by the growing homelessness crisis in Sonora; and

WHEREAS, to enforce the new ordinances, the City Council desires to enact a policy of notice and referral that aims to prevent homelessness in Sonora by providing unsheltered individuals more information as to accessible services and the rights they possess (“Policy”); and

WHEREAS, this approach is intended to provide City staff with guidance and tools to carry out the Policy in a manner consistent with the City’s Municipal Code.

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. CEQA. The City Council finds that this action is not a project subject to the California Environmental Act (“CEQA”) because it involves only general policy and procedure making and does not have the potential for resulting in either a direct or physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. (CEQA Guidelines, §§ 15002(d), 15378, 15061(b)(3).)

Section 3. Policy. The Encampment Management Policy, attached as Exhibit A of this Resolution, is hereby adopted. The City Administrator or their designee, in consultation with the City Attorney, may subsequently amend the Policy and adopt additional guidelines as necessary to implement the Policy’s stated purpose.

Section 4. Effective. This Resolution will become effective immediately upon adoption.

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 **July 5, 2022**, by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and dated:

Matt Hawkins

Mayor of the City of Sonora

ATTEST:

Tracy L. Skelly

City Clerk



City of Sonora and Police Department
non-emergency phone number:

209-532-8141

Item 12.

BUSINESS TOOLKIT FOR HOMELESS INTERACTIONS

It's important to understand that homeless persons are members of our community and should be extended the same level of consideration as housed populations. Avoid applying stereotypes, stigmas, and myths. People experiencing homelessness should not be defined by their housing status, as homelessness can be caused by uncontrollable circumstances and a lack of housing opportunities.

• WHEN A HOMELESS PERSON IS AT YOUR BUSINESS

- Make eye contact and treat everyone with respect.
- If a homeless person is in your establishment to make a purchase, you should treat them like any other customer.
- Establish an amicable relationship and ask their name.
- If someone is being disruptive, homeless or not, try to deescalate the situation if you are comfortable doing so.
- Politely ask unwanted persons to leave, deflecting your request to a third party (e.g., the property owner).
- Let people know your boundaries and call the Police Department to report illegal activity.
- If anyone is interfering with your ability to do business and will not leave, call the non-emergency number of the Police Department to request assistance.
- If someone is threatening harm to themselves or others, acting violent or reckless, or appearing to be experiencing a crisis, ask them to leave clearly and politely and call 911.
- If you feel calling the police may agitate the person further, call 911 and pretend you are talking to a friend or coworker while trying to help the dispatcher understand the problem and your exact location.

• PREP YOUR BUSINESS FOR UNWANTED ACTIVITY

- Install motion-sensitive security lights.
- Lock or turn off exterior power outlets.
- Install security cameras and signs indicating the area is under surveillance. Recommend security cameras with features that include 30-day storage and high resolution (1080p) with color night vision. Common format offloading requiring no proprietary software is the best for police department's ability to use the video to investigate cases.
- Keep trash bins, storage areas, and gates locked.
- Immediately report unwanted occupation of privately-owned areas under your control.
- Keep the area in front of your business clean. Doing this will encourage others to respect the space.
- Report all suspicious activity to the Police Department as it is occurring, regardless of whether or not it directly impacts your business.



City of Sonora and Police Department
non-emergency phone number:

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Item 12.

BUSINESS TOOLKIT FOR HOMELESS INTERACTIONS

• WHAT TO AVOID

- Offering food, goods, or money. It encourages repeat requests and panhandling and could potentially contribute to unhealthy lifestyles. There are local professional organizations that specialize in the charitable distribution of goods.
- Allowing anyone to camp on your property for any amount of time. Agreeing to this activity could establish certain rights and make evicting unwanted guests problematic.
- Allowing anyone to store personal belongings or shopping carts on your property.
- Indicating you are alone in the business. Consider announcing that your associate will return momentarily.

• LOCAL SERVICES

Find an organization that you want to support and help by directing people experiencing homelessness or mental health challenges to them. Below are some trusted organizations.

- Amador Tuolumne Community Action Agency (ATCAA)
427 N. Highway 49, Suite 305, Sonora; Ph# 209-533-1397.
- Lambert Community Center
347 W. Jackson Street, Sonora; Ph# 209-533-4879.
- Tuolumne County behavioral health Crisis Assessment Intervention Program (CAIP)
105 Hospital Road, Sonora; Ph# 800-630-1130, or 209-533-7000 for Holidays/After Hours.
- Mother Lode Job Training
197 Mono Way Suite B, Sonora; Ph# 209-533-3396.

• FAQ ABOUT LAWS AND HOMELESSNESS

Is it illegal to loiter?

The state statute defines loitering as lingering or prowling with the specific intent to commit a crime. Loitering in its common meaning is not unlawful.

Can I have someone arrested for trespassing?

Yes, but there is a process for advising a trespasser and ultimately enforcing the violation by arrest if the problem persists. In December 2019, the City of Sonora passed a trespass ordinance. It's important to note that this was not a homelessness enforcement ordinance but a tool for local business owners to manage the environment of their locations. Most businesses are classified as privately owned land/properties open to the general public, and existing state laws are deficient in addressing the specific needs of business owners/operators. Sonora's ordinance provides a tool for business owners experiencing disruptive and meddlesome patrons. Again, we strongly recommend you focus on the conduct and behavior of the person rather than their status. The Police Department will not assist with trespass enforcement if the basis for the request is unlawful or unethical. More about Sonora's Trespass on Private Property or Business Premises ordinance (Municipal Code 9.60) can be found online.



City of Sonora and Police Department
non-emergency phone number:

209-532-8141

Item 12.

BUSINESS TOOLKIT FOR HOMELESS INTERACTIONS

• FAQ ABOUT LAWS AND HOMELESSNESS (CONTINUED)

Does it take an eviction process to make an unwanted camper leave my property?

No. As long as there has been no verbal or written agreement for someone to stay for a specified amount of time. Under these circumstances, once someone refuses your request to leave, it becomes an illegal trespass. As a matter of process, however, if someone has established a hasty encampment, they will be given a reasonable amount of time to vacate before our officers cite or arrest. A reasonable amount of time can range from a few hours to a couple of days, depending on the persons' ability and opportunity to relocate.

What happens to the items left behind once an encampment has been vacated?

Property that has been clearly abandoned can be discarded. Items left in an area that has not been fully vacated should be considered personal property. An effort should be made to notify the owner of the personal property that it will be kept no longer than 18 days, after which it can be disposed of so long as the value is less than \$300. Personal property that would be unsafe or hazardous to store may be discarded immediately.

Is it unlawful to camp in public areas?

In 2014 the City of Sonora passed an ordinance prohibiting camping on public property, but court rulings have since held that to enforce no-camping ordinances, cities must be able to identify that there is an available place to sleep before issuing citations or taking other action such as arresting individuals on public property. It is problematic to have violators move off of public property when we can't cite them.

Case law also requires cities and counties to give transients due process to remove their property. That includes posting notification requiring the removal of the property and giving them time to remove it. If the police have to remove the property, they are bound by found property laws, requiring officers to collect, inventory, and hold the property securely for the owner's retrieval within 90 days.

However, when someone is camping on private property, the owner or agent needs to decide to have unwanted campers trespassed and removed. Property owners would be responsible for covering the costs of cleanup.

Is panhandling illegal?

Several court cases in California have determined that panhandling is a free speech right protected by the first amendment. As a result, ordinances against general panhandling in many cities have been struck down, and cities can be held financially liable for damages.

The Sonora City Council has passed an ordinance outlawing Aggressive Solicitation, which focuses on conduct rather than the person's status and requires that we show a reasonable relationship between the prohibition and the behavior being regulated. Passively displaying a sign is not unlawful. More about Sonora's Aggressive Solicitation ordinance (Municipal Code 9.54) can be found online.



City of Sonora and Police Department
non-emergency phone number:

209-532-8141

Item 12.

BUSINESS TOOLKIT FOR HOMELESS INTERACTIONS

• FAQ ABOUT LAWS AND HOMELESSNESS (CONTINUED)

What are the consequences for drug use or committing theft and vandalism?

State legislation and federal court rulings, especially AB 109 (Public Safety Realignment Act of 2011) and Propositions 47 (Safe Neighborhoods and Schools Act/Criminal Sentencing) and Proposition 57 (Californians for Public Safety and Rehabilitation/Non-Violent Felonies), have drastically changed the way those committing low-level crimes are dealt with in California. Although these legislative changes were promoted as public safety measures, often, people are being released into communities without rehabilitation, employment, or meaningful parole supervision. Because legislation also pushes the responsibility for incarceration down to the county facilities, our jails, which are already at capacity, have all but ceased accepting or holding individuals in custody for misdemeanor nuisance crimes such as theft, vandalism, and drug possession.

Do we need more Police Officers?

We can always benefit from more police officers, and there is no doubt issues surrounding homelessness have a significant impact on policing resources. However, we cannot arrest ourselves out of the situation, and it will take a community effort to identify sustainable solutions.

Why is there so much homelessness in our area?

There is a number of factors contributing to the homelessness epidemic as a whole; AB 109 and Prop 47 have exasperated the problem by removing consequences for "low level" crimes. The limited availability of mental health services, drug treatment programs, and affordable housing significantly contributes to homelessness. Additionally, the outreach and support services offered in Sonora and the surrounding community attract unsheltered individuals to the area.



CITY COUNCIL AGENDA REPORT

MEETING DATE: July 5, 2022

TO: City Council Members

FROM: Tracy Skelly, Deputy City Clerk

SUBJECT: Consideration to Adopt Resolution 07-05-2022-A - Certifying the Results and Declaring those Elected for the 2022 General Municipal Election

RECOMMENDATION

City Staff recommends the adoption of Resolution 07-05-2022-A certifying the results and declaring those elected for the June 7, 2022, General Municipal Election for City Officers.

DISCUSSION

The City General Municipal Election was held Tuesday, June 7, 2022, for the election of two members to the office of City Council. The Elections Code requires that the votes be canvassed and certified by the elections official. As a consolidated election, this task is performed for the City by the County Clerk & Auditor-Controller. Upon the receipt of the election results, the City elections official (City Clerk) shall certify the results to the governing body (City Council). Before installing the new officers, the governing body shall adopt a resolution declaring elected persons receiving the highest number of votes cast for each office.

The City has received the certification and the canvass of votes for the election from the County Clerk & Auditor-Controller (see attached). The City Clerk verifies these results at which time the City Council needs to adopt Resolution 07-05-2022-A enumerating the results of the June 7, 2022, General Municipal Election and declaring those elected.

FISCAL IMPACT

No fiscal impact to the General Fund.

RESOLUTION 07-05-2022-A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONORA CERTIFYING THE RESULTS AND DECLARING THOSE ELECTED IN THE JUNE 2022 GENERAL MUNICIPAL ELECTION

WHEREAS, A General Municipal Election was held in the City of Sonora, June 7, 2022, for the purpose of electing two Council Members to the City; and

WHEREAS, said results of the canvass of said General Municipal Election were presented to the City Council of the City of Sonora as attached in Exhibit A; and

WHEREAS, the Notice of Election was given in time, form and manner as provided by law; that candidates were nominated to fill the vacancies as provided by law; that voting precincts were properly established, and that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the State of California relating to general law cities.

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

The City Council of the City of Sonora does hereby certify the results of said General Municipal Election and declares elected Suzanne Cruz and Andy Merrill to the office of City Council effective this date, where each Council member will serve a four-year term accordingly.

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 July 5, 2022, by the following votes:

AYES: _____

NOES: _____

ABSENT: _____

Signed and dated:

Matt Hawkins

Mayor of the City of Sonora

ATTEST: _____

Tracy Skelly

Deputy City Clerk

**COUNTY OF TUOLUMNE****Elections Department**

June 21, 2022

We, the undersigned, hereby certify that we have canvassed the votes cast for the June 7, 2022 Primary Election, and find the results to be in accordance with the attached Certification of Election Results.

A handwritten signature in cursive script, reading "Deborah Bautista", written over a horizontal line.

Deborah Bautista

County Clerk/Auditor-Controller

A handwritten signature in cursive script, reading "Mary Bolles", written over a horizontal line.

Mary Bolles

A handwritten signature in cursive script, reading "Leonides Russell", written over a horizontal line.

Leonides Russell

A handwritten signature in cursive script, reading "Kristine L. Childres", written over a horizontal line.

Kristine L. Childres

A handwritten signature in cursive script, reading "Linda Monroe", written over a horizontal line.

Linda Monroe

A handwritten signature in cursive script, reading "Jane Braga", written over a horizontal line.

Jane Braga

A handwritten signature in cursive script, reading "Robert G. Bergstrom", written over a horizontal line.

Robert G. Bergstrom



COUNTY OF TUOLUMNE

Elections Department

June 22, 2022

I hereby certify that we have canvassed the votes cast for the June 7, 2022 Gubernatorial Primary Election, and find the results to be in accordance with the attached Certification of Election Results.

A handwritten signature in cursive script that reads "Deborah Bautista". The signature is written in dark ink and is positioned above a horizontal line.

Deborah Bautista
County Clerk/Auditor-Controller

HELP AMERICA VOTE ACT OF 2002

CERTIFICATION OF ELECTIONS OFFICIAL

STATE OF CALIFORNIA

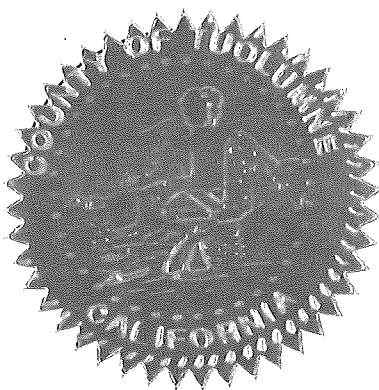
COUNTY OF Tuolumne

} ss.

Pursuant to the statewide voter registration list requirements set forth in the Help America Vote Act of 2002 (HAVA) 52 U.S.C. § 21083),

I, Deborah Bautista, County Clerk/Registrar of Voters for the County of Tuolumne, State of California, hereby certify that I complied with all provisions of Chapter 2 of Division 7 of Title 2 of the California Code of Regulations for the Federal election held on the 7th day of June 2022, in the County of Tuolumne, State of California and all elections consolidated therewith.

I hereby set my hand and official seal this 22nd day of June, 2022, at the County of Tuolumne



Deborah Bautista
County Clerk/Registrar of Voters
County of Tuolumne
State of California

HAVA Certification of Elections Official
(6/2022)

**CERTIFICATION OF
COUNTY CLERK/REGISTRAR OF VOTERS OF THE
RESULTS OF THE CANVASS
OF THE JUNE 7, 2022,
PRIMARY ELECTION**

STATE OF CALIFORNIA

COUNTY OF Tuolumne

} ss.

I, Deborah Bautista, County Clerk/Registrar of Voters of County of Tuolumne, do hereby certify that, in pursuance of the provisions of Elections Code section 15300, et seq., I did canvass the results of the votes cast in the Primary Election held in said County on June 7, 2022, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast, to which this certificate is attached is full, true, and correct.

I hereby set my hand and official seal this 22nd day of June, 2022, at the County of Tuolumne



Deborah Bautista
County Clerk/Registrar of Voters
County of Tuolumne
State of California

Canvass Certification of Elections Official
(6/2022)

Official Canvass of Votes for Qualified Write-In Candidates
County Vote Reporting Form
June 7, 2022, Primary Election

County Name Tuolumne
Contact Name Deborah Bautista Contact Phone (209) 533-5552

As part of the Statement of Vote, you must report the total number of votes received for each qualified write-in candidate. If your Official Canvass does not provide a breakdown of this information, please use this form to report the votes to the Secretary of State, Elections Division.

All qualified write-in candidates are listed.
For each candidate, please indicate total number of votes, zero votes, or N/A.

GOVERNOR

GURINDER BHANGOO	Republican	0
JEFF SCOTT	American Independent	0

LIEUTENANT GOVERNOR

JAMES ORLANDO OGLE	No Party Preference	0
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SECRETARY OF STATE

DESMOND A SILVEIRA	No Party Preference	0
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BOARD OF EQUALIZATION MEMBER DISTRICT 3

G. RICK MARSHALL	Republican	N/A
------------------	------------	-----

UNITED STATES SENATOR (FULL TERM)

LIJUN (LILY) ZHOU	Republican	0
IRENE RATLIFF	No Party Preference	0
MARC ALEXANDER ROTH	No Party Preference	0
MARK A. RUZON	No Party Preference	0

UNITED STATES SENATOR (PARTIAL/UNEXPIRED TERM)

JOHN THOMPSON PARKER	Peace and Freedom	0
IRENE RATLIFF	No Party Preference	0

UNITED STATES REPRESENTATIVE DISTRICT 4

SETH T NEWMAN	No Party Preference	N/A
---------------	---------------------	-----

UNITED STATES REPRESENTATIVE DISTRICT 6

CHRIS RICHARDSON	Green	N/A
------------------	-------	-----

<u>UNITED STATES REPRESENTATIVE DISTRICT 8</u>		N/A
DEMNLUS JOHNSON	Democratic	_____
<u>UNITED STATES REPRESENTATIVE DISTRICT 10</u>		N/A
KATHERINE PICCININI	Republican	_____
<u>UNITED STATES REPRESENTATIVE DISTRICT 16</u>		N/A
TRAVIS ANDREW ODEKIRK	Democratic	_____
<u>UNITED STATES REPRESENTATIVE DISTRICT 31</u>		N/A
ERSKINE L. LEVI	No Party Preference	_____
<u>UNITED STATES REPRESENTATIVE DISTRICT 45</u>		N/A
HILAIRE FUJI SHIOURA	No Party Preference	_____
<u>UNITED STATES REPRESENTATIVE DISTRICT 51</u>		N/A
BARRETT HOLMAN LEAK	Democratic	_____
<u>STATE SENATE DISTRICT 8</u>		N/A
SUSAN MASON	Republican	_____
<u>STATE SENATE DISTRICT 24</u>		N/A
EDWIN P DUTERTE	Republican	_____
KRISTINA IRWIN	Republican	_____
<u>STATE SENATE DISTRICT 26</u>		N/A
CLAUDIA AGRAZ	Republican	_____
<u>STATE ASSEMBLY MEMBER DISTRICT 3</u>		N/A
JEANENNE H. HOSTON	Democratic	_____
<u>STATE ASSEMBLY MEMBER DISTRICT 4</u>		N/A
SUSAN G PELICAN	No Party Preference	_____
<u>STATE ASSEMBLY MEMBER DISTRICT 8</u>		6
THOMAS EDWARD NICHOLS	Libertarian	_____
<u>STATE ASSEMBLY MEMBER DISTRICT 9</u>		N/A
MUSHTAQ A TAHIRKHELI	Democratic	_____
<u>STATE ASSEMBLY MEMBER DISTRICT 11</u>		N/A
JAMES BERG	No Party Preference	_____
<u>STATE ASSEMBLY MEMBER DISTRICT 12</u>		N/A
ANDREW ALAN PODSHADLEY	Republican	_____
<u>STATE ASSEMBLY MEMBER DISTRICT 13</u>		N/A
JESSICA WAGNER	Republican	_____

	<u>STATE ASSEMBLY MEMBER DISTRICT 14</u>	N/A
RICHARD KINNEY	Republican	
	<u>STATE ASSEMBLY MEMBER DISTRICT 18</u>	N/A
MINDY PECHENUK	Republican	
	<u>STATE ASSEMBLY MEMBER DISTRICT 27</u>	N/A
RANDALL PELLISSIER	Libertarian	
	<u>STATE ASSEMBLY MEMBER DISTRICT 41</u>	N/A
MICHAEL MCMAHON	Republican	
	<u>STATE ASSEMBLY MEMBER DISTRICT 43</u>	N/A
SIKA MASSAQUOI	Republican	
	<u>STATE ASSEMBLY MEMBER DISTRICT 48</u>	N/A
RYAN MAYE	Republican	
	<u>STATE ASSEMBLY MEMBER DISTRICT 54</u>	N/A
ELAINE ALANIZ	Republican	
	<u>STATE ASSEMBLY MEMBER DISTRICT 59</u>	N/A
DAVID NARANJO	Libertarian	
LEON Q. SIT	No Party Preference	
	<u>STATE ASSEMBLY MEMBER DISTRICT 65</u>	N/A
LYDIA GUTIERREZ	Republican	
	<u>STATE ASSEMBLY MEMBER DISTRICT 71</u>	N/A
ALBIA COOPER MILLER	Democratic	

Please return this document with your Official Canvass to be received **no later than July 8, 2022**, to:

Kirsten Larsen
 Secretary of State, Elections Division
 1500 11th Street, Fifth Floor
 Sacramento, CA 95814
 PHONE: (916) 653-9154
 FAX: (916) 651-6460
post-electionreporting@sos.ca.gov

If you have any questions, please call Kirsten at the number listed above. Thank you.



Voting Technology Incident Reporting Form

Use the following form to report any voting technology incident that occurred during use. Voting technology incidents include, but are not limited to, issues such as paper jams, printing errors, or any defect, fault or failure pursuant to Election Code sections 19215 and 19290, and California Code of Regulations section 20161.

A. Election Official:

☒ No Incidents to Report

Jurisdiction

Tuolumne

Name

Deborah Bautista

Title

Registrar of Voters

Phone Number

(209) 533-5552

Email

dbautista@co.tuolumne.ca.us

Reported to Vendor

Yes ☐

No ☐

B. Product Description:

Vendor Name

Type of Voting Technology

☐

Ballot Marking Device

☐

Ballot on Demand

☐

Central Scanner/Tabulator

☐

Precinct Tabulator

☐

RAVBM

☐

ePollbook

☐

Other

System Model

Hardware & Software Versions

Unit Serial Numbers

C. Description of Incident(s):

Date of Occurrence

Voting Location

Election Name

Date of Election

Description of Each Incident. Attach Additional Sheets if Necessary.



Remote Accessible Vote by Mail (RAVBM) Reporting Form

Print Form

Item 13.

For any election that a California jurisdiction uses a remote accessible vote by mail system, the jurisdiction shall provide a report to the Secretary of State, within 30 calendar days of certifying the election results, listing the number of voters that used the system and all technical issues reported (if any), along with any mitigations.

A. Election Official:

Jurisdiction

Tuolumne

Name

Deborah Bautista

Title

Registrar of Voters

Contact Phone Number

(209) 533-5552

Contact Email

dbautista@co.tuolumne.ca.us

B. Product Description:

RAVBM URL or Online Address

<https://ravbm.uocava.com/tuolumne/SelectLanguage>

Type of RAVBM

☐

Democracy Live

☐

LA County VSAP ISB

☒

Dominion

☐

Five Cedars Group

RAVBM Technical Assistance Telephone Number

1-866-654-8683

Number of Voters that Registered to use RAVBM

106

Number of Voters that Voted using the RAVBM

16

C. Description of RAVBM Usage:

Election Name

Gubernatorial Primary Election

Dates RAVBM was Available

04/19/2022

Date of Election

June 7, 2022

Description of Technical Issues and Mitigations if Any. Attach Additional Sheets if Necessary.

No known issues

REPORT OF 1% MANUAL TALLY

[Elections Code section 15360]

County: Tuolumne

Election: June 7, 2022 Gubernatorial Primary

Manual tally method used: ☐ One Part [section 15360(a)(1)]

☒ Two Part [section 15360(a)(2)]

Date and time notice provided (attach copy of the notice):

Notice Published 06/08/2022, Union Democrat

Internet website where additional information about the manual tally is posted, if applicable:

N/A

Date and time the manual tally commenced, beginning with the random selection of precincts and batches (must be after the close of the polls on Election Day):

Random selection, 06/21/2022 at 8:30 am / Tally 06/21/2022 at 10 am

Date and time the manual tally finished:

Finished 06/21/2022 at 4:30 pm

Estimated number of members of the public who observed the process:

0

Total number of ballots counted in this election (official canvass numbers):

Polling place / vote center ballots (including provisionals)	389
Vote-by-mail ballots	16,703

Total number of ballots manually tallied:

Polling place / vote center ballots (including provisionals)	0
Vote-by-mail ballots	225

Precincts in the county for this election (attach list describing all precincts with the number of ballots in each, indicating whether ballots are polling place / vote center, vote-by-mail, or provisional):

Total number of precincts in the election	N/A
Total number of precincts selected for the manual tally	N/A

Batches of vote-by-mail or provisional ballots (attach list describing each batch with the number of ballots in each, indicating whether ballots are polling place / vote center, vote-by-mail, or provisional):

Total number of batches in the election	222
Total number of batches selected for the manual tally	4

Method used to choose precincts and batch of ballots to manually tally (include description of random selection method):

Random lot. Each number was placed in a basket and chosen at random.

attach additional pages if necessary

Description of any discrepancies noted (include details about each discrepancy and how each was resolved; also include anything unusual observed during the manual tally process or anything that may improve the manual tally process):

No discrepancies found

attach additional pages if necessary

This report is submitted pursuant to Elections Code section 15360(f).

Submitted on this date: 06/22/2022 by:

Elections Official Name: Deborah Bautista Signature: _____



COUNTY OF TUOLUMNE

Elections Department

June 22, 2022

One Percent Post Election Manual Tally Report

June 7, 2022 Gubernatorial Primary Election

The Tuolumne County 1% Post Election Manual Tally identified no discrepancies between the machine count and the manual tally. Election Code 15360 (e)

- Ballots voted in vote-by-mail batches B-13 and A-14, and drop off A-51 were drawn and used for all federal, state, and local races, and local measures.
- Ballots voted in drop-off batch B-6 was drawn and used for City of Sonora Councilmembers.

A handwritten signature in cursive script that reads "Deborah Bautista". The signature is written in dark ink and is positioned above a horizontal line.

Deborah Bautista
County Clerk/Auditor-Controller

Notice of Time and Place of Selection of Precincts and/or Batches, and Manual Tally of
the One Percent in Connection with The
June 7, 2022 California Direct Primary Election

NOTICE IS HEREBY GIVEN that, pursuant to Elections Code §15360, the elections official is required to conduct a public manual tally of the ballots tabulated by voting system devices, including vote by mail voters' ballots, in one percent of the precincts or batches chosen at random by the elections official. In addition to the one percent manual tally, the elections official shall, for each race not included in the initial group of precincts or batches selected at random, count one additional precinct or batch, and the additional precinct(s) shall apply only to the race(s) not previously counted.

NOTICE IS ALSO HEREBY GIVEN that the elections official shall provide at least a five-day public notice of the time and place of the selection of the precincts to be tallied and time and place of the manual tally prior to conducting the selection and tally. Selection of the precincts or batches to be tallied shall occur on Tuesday, June 21, 2022 at 8:30 am. at the Tuolumne County Elections Office, located at 2 South Green Street, Sonora, CA 95370. The manual tally of the precincts selected shall commence no earlier than Tuesday, June 21, 2022 at 10 am. at the Tuolumne County Elections Office, located at 2 South Green Street, Sonora, CA 95370.

Dated: 06/02/2022

s:/Deborah Bautista, County Clerk

Election Summary Report

General Election

Tuolumne

June 07, 2022

Summary for: All Contests, All Districts, All Tabulators, All Counting Groups
Official Results

Elector Group	Counting Group	Voters Cast	Registered Voters	Turnout
Total	Vote by Mail	16,703		47.42%
	Vote Center	389		1.10%
	Total	17,092	35,221	48.53%

Precincts Reported: 39 of 39 (100.00%)

Voters Cast: 17,092 of 35,221 (48.53%)

GOVERNOR (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,703	389	17,092 / 35,221	48.53%
Undervotes		416	6	422	
Overvotes		39	2	41	
Candidate	Party	Vote by Mail	Vote Center	Total	
GAVIN NEWSOM	DEM	6,000	58	6,058	36.43%
BRIAN DAHLE	REP	5,353	143	5,496	33.05%
SHAWN COLLINS	REP	895	34	929	5.59%
MICHAEL SHELLENBERGER	NPP	543	23	566	3.40%
JENNY RAE LE ROUX	REP	504	13	517	3.11%
LEO S. ZACKY	REP	482	9	491	2.95%
ANTHONY TRIMINO	REP	355	22	377	2.27%
MAJOR WILLIAMS	REP	353	20	373	2.24%
ROBERT C. NEWMAN II	REP	341	12	353	2.12%
RONALD A. ANDERSON	REP	266	7	273	1.64%
REINETTE SENUM	NPP	218	3	221	1.33%
DANIEL R. MERCURI	REP	137	8	145	0.87%
JOEL VENTRESCA	DEM	139	1	140	0.84%
DAVID LOZANO	REP	119	2	121	0.73%
RON JONES	REP	108	7	115	0.69%
LUIS JAVIER RODRIGUEZ	GRN	102	1	103	0.62%
HEATHER COLLINS	GRN	63	3	66	0.40%
ANTHONY "TONY" FANARA	DEM	58	5	63	0.38%
CRISTIAN RAUL MORALES	REP	48	2	50	0.30%
WOODROW "WOODY" SANDERS III	NPP	31	2	33	0.20%
FREDERIC C. SCHULTZ	NPP	31	1	32	0.19%
LONNIE SORTOR	REP	26	1	27	0.16%
SERGE FIANKAN	NPP	26	1	27	0.16%
ARMANDO "MANDO" PEREZ-SERRATO	DEM	22	3	25	0.15%
BRADLEY ZINK	NPP	15	0	15	0.09%
JAMES G. HANINK	NPP	13	0	13	0.08%
Write-in		0	0	0	0.00%
Total Votes		16,248	381	16,629	
		Vote by Mail	Vote Center	Total	
GURINDER BHANGOO	WRITE-IN	0	0	0	0.00%
JEFF SCOTT	WRITE-IN	0	0	0	0.00%

LIEUTENANT GOVERNOR (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,703	389	17,092 / 35,221	48.53%
Undervotes		906	8	914	
Overvotes		6	0	6	
Candidate	Party	Vote by Mail	Vote Center	Total	
ELENI KOUNALAKIS	DEM	5,699	59	5,758	35.60%
ANGELA E. UNDERWOOD JACOBS	REP	3,979	128	4,107	25.40%
DAVID FENNELL	REP	3,581	115	3,696	22.85%
CLINT W. SAUNDERS	REP	1,464	53	1,517	9.38%
JEFFREY HIGHBEAR MORGAN	DEM	523	8	531	3.28%
DAVID HILLBERG	NPP	227	7	234	1.45%
WILLIAM CAVETT "SKEE" SAACKE	DEM	191	8	199	1.23%
MOHAMMAD ARIF	PF	127	3	130	0.80%
Write-in		0	0	0	0.00%
Total Votes		15,791	381	16,172	
		Vote by Mail	Vote Center	Total	
JAMES ORLANDO OGLE	WRITE-IN	0	0	0	0.00%

SECRETARY OF STATE (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,703	389	17,092 / 35,221	48.53%
Undervotes		1,041	9	1,050	
Overvotes		2	0	2	
Candidate	Party	Vote by Mail	Vote Center	Total	
SHIRLEY N. WEBER	DEM	6,383	69	6,452	40.22%
ROB BERNOSKY	REP	3,728	102	3,830	23.88%
RACHEL HAMM	REP	3,067	99	3,166	19.74%
JAMES "JW" PAINE	REP	1,766	82	1,848	11.52%
RAUL RODRIGUEZ JR.	REP	354	16	370	2.31%
GARY N. BLENNER	GRN	242	9	251	1.56%
MATTHEW D. CINQUANTA	NPP	120	3	123	0.77%
Write-in		0	0	0	0.00%
Total Votes		15,660	380	16,040	
		Vote by Mail	Vote Center	Total	
DESMOND A SILVEIRA	WRITE-IN	0	0	0	0.00%

CONTROLLER (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,703	389	17,092 / 35,221	48.53%
Undervotes		940	8	948	
Overvotes		4	0	4	
Candidate	Party	Vote by Mail	Vote Center	Total	
LANHEE CHEN	REP	8,791	295	9,086	56.29%
MALIA M. COHEN	DEM	2,488	31	2,519	15.61%
YVONNE YIU	DEM	2,314	23	2,337	14.48%
STEVE GLAZER	DEM	1,010	10	1,020	6.32%
RON GALPERIN	DEM	708	9	717	4.44%
LAURA WELLS	GRN	439	12	451	2.79%
Write-in		9	1	10	0.06%
Total Votes		15,759	381	16,140	

TREASURER (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,703	389	17,092 / 35,221	48.53%
Undervotes		1,069	10	1,079	
Overvotes		2	0	2	
Candidate	Party	Vote by Mail	Vote Center	Total	
JACK M. GUERRERO	REP	6,241	219	6,460	40.35%
FIONA MA	DEM	6,289	69	6,358	39.71%
ANDREW DO	REP	2,805	81	2,886	18.03%
MEGHANN ADAMS	PF	277	9	286	1.79%
Write-in		20	1	21	0.13%
Total Votes		15,632	379	16,011	

ATTORNEY GENERAL (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,703	389	17,092 / 35,221	48.53%
Undervotes		897	16	913	
Overvotes		1	0	1	
Candidate	Party	Vote by Mail	Vote Center	Total	
ROB BONTA	DEM	5,732	63	5,795	35.82%
ERIC EARLY	REP	4,550	156	4,706	29.09%
NATHAN HOCHMAN	REP	3,927	127	4,054	25.06%
ANNE MARIE SCHUBERT	NPP	1,335	19	1,354	8.37%
DAN KAPELOVITZ	GRN	250	7	257	1.59%
Write-in		11	1	12	0.07%
Total Votes		15,805	373	16,178	

INSURANCE COMMISSIONER (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,703	389	17,092 / 35,221	48.53%
Undervotes		1,075	11	1,086	
Overvotes		6	0	6	
Candidate	Party	Vote by Mail	Vote Center	Total	
ROBERT HOWELL	REP	4,588	171	4,759	29.74%
GREG CONLON	REP	3,798	116	3,914	24.46%
RICARDO LARA	DEM	3,477	24	3,501	21.88%
MARC LEVINE	DEM	2,129	32	2,161	13.51%
VINSON EUGENE ALLEN	DEM	633	13	646	4.04%
JASPER "JAY" JACKSON	DEM	335	8	343	2.14%
VERONIKA FIMBRES	GRN	228	3	231	1.44%
ROBERT J. MOLNAR	NPP	221	6	227	1.42%
NATHALIE HRIZI	PF	202	4	206	1.29%
Write-in		11	1	12	0.08%
Total Votes		15,622	378	16,000	

MEMBER STATE BOARD OF EQUALIZATION, DISTRICT 1 (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,703	389	17,092 / 35,221	48.53%
Undervotes		1,351	18	1,369	
Overvotes		2	0	2	
Candidate	Party	Vote by Mail	Vote Center	Total	
TED GAINES	REP	9,496	304	9,800	62.34%
JOSE S. ALTAMIRANO	DEM	2,872	36	2,908	18.50%
BRADEN MURPHY	DEM	1,996	22	2,018	12.84%
NADER SHAHATIT	DEM	940	9	949	6.04%
Write-in		46	0	46	0.29%
Total Votes		15,350	371	15,721	

UNITED STATES SENATOR FULL TERM (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		676	12	688	
Overvotes		101	4	105	
Candidate	Party	Vote by Mail	Vote Center	Total	
ALEX PADILLA	DEM	5,635	52	5,687	34.87%
MARK P. MEUSER	REP	3,533	105	3,638	22.31%
CORDIE WILLIAMS	REP	1,599	54	1,653	10.14%
JON ELIST	REP	1,357	30	1,387	8.51%
CHUCK SMITH	REP	1,052	49	1,101	6.75%
JAMES P. BRADLEY	REP	957	35	992	6.08%
TIMOTHY J URSICH	DEM	249	5	254	1.56%
ROBERT GEORGE LUCERO, JR	REP	235	12	247	1.51%
SARAH SUN LIEW	REP	216	6	222	1.36%
DOUGLAS HOWARD PIERCE	DEM	212	5	217	1.33%
JOHN THOMPSON PARKER	PF	129	1	130	0.80%
DAN O'DOWD	DEM	118	3	121	0.74%
MYRON L. HALL	REP	94	4	98	0.60%
PAMELA ELIZONDO	GRN	85	2	87	0.53%
ELEANOR GARCIA	NPP	78	1	79	0.48%
AKINYEMI AGBEDE	DEM	74	1	75	0.46%
JAMES "HENK" CONN	GRN	68	3	71	0.44%
CARLOS GUILLERMO TAPIA	REP	57	1	58	0.36%
DON J. GRUNDMANN	NPP	52	2	54	0.33%
DAPHNE BRADFORD	NPP	54	0	54	0.33%
ENRIQUE PETRIS	REP	46	0	46	0.28%
OBAIDUL HUQ PIRJADA	DEM	24	1	25	0.15%
DEON D. JENKINS	NPP	11	1	12	0.07%
Write-in		0	0	0	0.00%
Total Votes		15,935	373	16,308	
		Vote by Mail	Vote Center	Total	
LIJUN (LILY) ZHOU	WRITE-IN	0	0	0	0.00%
IRENE RATLIFF	WRITE-IN	0	0	0	0.00%
MARC ALEXANDER ROTH	WRITE-IN	0	0	0	0.00%
MARK A. RUZON	WRITE-IN	0	0	0	0.00%

UNITED STATES SENATOR PARTIAL/UNEXPIRED TERM (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		891	17	908	
Overvotes		26	2	28	
Candidate	Party	Vote by Mail	Vote Center	Total	
ALEX PADILLA	DEM	5,749	63	5,812	35.95%
MARK P. MEUSER	REP	5,592	187	5,779	35.75%
JON ELIST	REP	1,687	51	1,738	10.75%
JAMES P. BRADLEY	REP	1,579	47	1,626	10.06%
TIMOTHY URSICH JR.	DEM	415	3	418	2.59%
MYRON L. HALL	REP	284	10	294	1.82%
DAN O'DOWD	DEM	257	1	258	1.60%
DAPHNE BRADFORD	NPP	232	8	240	1.48%
Write-in		0	0	0	0.00%
Total Votes		15,795	370	16,165	
		Vote by Mail	Vote Center	Total	
JOHN THOMPSON PARKER	WRITE-IN	0	0	0	0.00%
IRENE RATLIFF	WRITE-IN	0	0	0	0.00%

UNITED STATES REPRESENTATIVE, DISTRICT 5 (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		690	8	698	
Overvotes		2	0	2	
Candidate	Party	Vote by Mail	Vote Center	Total	
TOM MCCLINTOCK	REP	8,035	239	8,274	50.45%
MICHAEL J. "MIKE" BARKLEY	DEM	5,398	60	5,458	33.28%
NATHAN F. MAGSIG	REP	1,159	36	1,195	7.29%
STEVE WOZNAK	NPP	653	21	674	4.11%
DAVID MAIN	REP	534	18	552	3.37%
KELSTEN CHARLES OBERT	REP	226	7	233	1.42%
Write-in		15	0	15	0.09%
Total Votes		16,020	381	16,401	

STATE SENATOR, DISTRICT 4 (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		905	8	913	
Overvotes		15	0	15	
Candidate	Party	Vote by Mail	Vote Center	Total	
TIM ROBERTSON	DEM	4,101	39	4,140	25.60%
GEORGE RADANOVICH	REP	3,583	96	3,679	22.75%
JEFF MCKAY	REP	2,613	87	2,700	16.69%
MARIE ALVARADO-GIL	DEM	1,995	33	2,028	12.54%
STEVEN C BAILEY	REP	1,910	66	1,976	12.22%
JACK GRIFFITH	REP	733	30	763	4.72%
JOLENE REHANA DALY	REP	424	11	435	2.69%
MICHAEL GORDON	REP	417	17	434	2.68%
Write-in		16	2	18	0.11%
Total Votes		15,792	381	16,173	

STATE ASSEMBLY MEMBER, DISTRICT 8 (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		6,342	91	6,433	
Overvotes		0	0	0	
Candidate	Party	Vote by Mail	Vote Center	Total	
JIM PATTERSON	REP	10,364	298	10,662	99.94%
Write-in		6	0	6	0.06%
Total Votes		10,370	298	10,668	
		Vote by Mail	Vote Center	Total	
THOMAS EDWARD NICHOLS	WRITE-IN	6	0	6	0.06%

SUPERINTENDENT PUBLIC INSTRUCTION (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		3,046	55	3,101	
Overvotes		1	0	1	
Candidate	Party	Vote by Mail	Vote Center	Total	
TONY K. THURMOND		5,358	62	5,420	38.72%
LANCE RAY CHRISTENSEN		2,222	66	2,288	16.34%
GEORGE YANG		1,725	62	1,787	12.77%
AINYE E. LONG		1,399	43	1,442	10.30%
JIM GIBSON		1,265	36	1,301	9.29%
MARCO AMARAL		993	23	1,016	7.26%
JOSEPH GUY CAMPBELL		656	40	696	4.97%
Write-in		47	2	49	0.35%
Total Votes		13,665	334	13,999	

COUNTY SUPT OF SCHOOLS (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		1,551	32	1,583	
Overvotes		2	0	2	
Candidate	Party	Vote by Mail	Vote Center	Total	
ZACHARY J ABERNATHY		7,549	252	7,801	50.28%
CATHY A PARKER		7,593	104	7,697	49.61%
Write-in		17	1	18	0.12%
Total Votes		15,159	357	15,516	

SUPERVISOR, DISTRICT 2 (Vote for 1)

Precincts Reported: 6 of 6 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		3,262	59	3,321 / 6,967	47.67%
Undervotes		228	4	232	
Overvotes		0	0	0	
Candidate	Party	Vote by Mail	Vote Center	Total	
RYAN CAMPBELL		1,749	19	1,768	57.24%
DAVID TITCHENAL		1,281	36	1,317	42.64%
Write-in		4	0	4	0.13%
Total Votes		3,034	55	3,089	

SUPERVISOR, DISTRICT 3 (Vote for 1)

Precincts Reported: 9 of 9 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		3,195	191	3,386 / 7,012	48.29%
Undervotes		977	33	1,010	
Overvotes		0	0	0	
Candidate	Party	Vote by Mail	Vote Center	Total	
ANALIAH KIRK		2,050	147	2,197	92.47%
Write-in		168	11	179	7.53%
Total Votes		2,218	158	2,376	

ASSESSOR/RECORDER (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		4,547	85	4,632	
Overvotes		1	0	1	
Candidate	Party	Vote by Mail	Vote Center	Total	
KAENAN WHITMAN		12,081	301	12,382	99.31%
Write-in		83	3	86	0.69%
Total Votes		12,164	304	12,468	

COUNTY CLERK/AUDITOR-CONTROLLER (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		4,383	87	4,470	
Overvotes		0	0	0	
Candidate	Party	Vote by Mail	Vote Center	Total	
DEBORAH "DEBI" BAUTISTA		12,236	299	12,535	99.24%
Write-in		93	3	96	0.76%
Total Votes		12,329	302	12,631	

DISTRICT ATTORNEY (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		16,712	389	17,101 / 35,221	48.55%
Undervotes		4,779	91	4,870	
Overvotes		0	0	0	
Candidate	Party	Vote by Mail	Vote Center	Total	
CASSANDRA JENECKE		11,754	293	12,047	98.50%
Write-in		179	5	184	1.50%
Total Votes		11,933	298	12,231	

SHERIFF/CORONER (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

	Vote by Mail	Vote Center	Total	
Times Cast	16,712	389	17,101 / 35,221	48.55%
Undervotes	4,046	81	4,127	
Overvotes	2	0	2	
Candidate	Party	Vote by Mail	Vote Center	Total
BILL POOLEY		12,402	297	12,699
Write-in		262	11	273
Total Votes		12,664	308	12,972

TREASURER/TAX COLLECTOR (Vote for 1)

Precincts Reported: 39 of 39 (100.00%)

	Vote by Mail	Vote Center	Total	
Times Cast	16,712	389	17,101 / 35,221	48.55%
Undervotes	4,593	105	4,698	
Overvotes	1	0	1	
Candidate	Party	Vote by Mail	Vote Center	Total
JUSTIN R BIRTWHISTLE		11,992	283	12,275
Write-in		126	1	127
Total Votes		12,118	284	12,402

MEMBER, CITY COUNCIL (Vote for 2)

Precincts Reported: 2 of 2 (100.00%)

	Vote by Mail	Vote Center	Total	
Times Cast	1,310	2	1,312 / 2,963	44.28%
Undervotes	594	2	596	
Overvotes	0	0	0	
Candidate	Party	Vote by Mail	Vote Center	Total
ANDY MERRILL		575	1	576
SUZANNE CRUZ		551	0	551
KURT BRYANT		496	1	497
DARREN DUEZ		399	0	399
Write-in		5	0	5
Total Votes		2,026	2	2,028

SOUTH COUNTY AMBULANCE ZONE MEASURE W (Vote for 1)

Precincts Reported: 3 of 3 (100.00%)

		Vote by Mail	Vote Center	Total	
Times Cast		1,359	51	1,410 / 2,766	50.98%
Undervotes		61	0	61	
Overvotes		0	0	0	
Candidate	Party	Vote by Mail	Vote Center	Total	
YES		1,014	37	1,051	77.91%
NO		284	14	298	22.09%
Total Votes		1,298	51	1,349	



CITY COUNCIL AGENDA REPORT

MEETING DATE: July 5, 2022

TO: City Council Members

FROM: Tracy Skelly, Deputy City Clerk

SUBJECT: Administration of the Oath of Office for Elected City Officials, the City Administrator and the City Clerk.

RECOMMENDATION

Administration of the Oath of Office for Elected City Officials, the City Administrator and the City Clerk.

DISCUSSION

City of Sonora Councilmember Colette Such will administer the Oath of Office to the following elected City Officials:

1. Suzanne Cruz, Councilmember – Four-Year Term
2. Andy Merrill, Councilmember – Four-Year Term
3. Melissa Eads, City Administrator
4. Tracy Skelly, City Clerk

Upon completion of the Oath of Office, the Council will break. Upon return, the newly and re-elected Council Members will assume their seats. The Council will need to appoint a Councilmember to serve as the Mayor for the next two (2) years. Once selected, the Mayor will need to appoint a Mayor Pro-Tem, with confirmation from the Council Members.

FISCAL IMPACT

No fiscal impact to the General Fund.



CITY COUNCIL AGENDA REPORT

MEETING DATE: July 5, 2022

TO: City Council Members

FROM: Tracy Skelly, Deputy City Clerk

SUBJECT: Appointment of Mayor and Mayor Pro-Tem and Discussion of Commission/Committee Appointments.

RECOMMENDATION

Appointment of Mayor and Mayor Pro-Tem and Discussion of Commission/Committee Appointments.

FISCAL IMPACT

No fiscal impact to the General Fund.



CITY OF SONORA GOVERNMENTAL COMMITTEES

Item 15.

NAME: _____

RANK	COMMITTEE NAME	COMMITTEE SCOPE/TASKS	COUNCIL MEMBER(S)	ALTERNAT E(S)	STAFF	PUBLIC	DATES & TIMES COMMITTEE MEETS
	Amador-Tuolumne County Community Action Agency/Head Start	To help individuals in Amador and Tuolumne Counties toward self-sufficiency. To support local residents in becoming involved and contributing members of our community. To promote family and other supportive environments so that children, youth, and elders can achieve their maximum potential, and to form partnerships and coalitions within the community to meet these needs.	Colette Such	Ann Segerstrom			Second Friday Every Other Month 10:30am-12:30pm
	Cable 8 - Access Tuolumne	Tuolumne County Community Cable Access (TCCCA), was created to facilitate public access to the local cable television service.	Mark Plummer	Ann Segerstrom			Fourth Wednesday 3:00pm-4:00pm
	California League of Cities	The League of California Cities is an association of cities within the state of California, founded in 1898. Most of the state's 482 cities are represented in the league. The League advocates for cities at the state capitol, including proper distribution of state taxes to the cities.	Colette Such	Mark Plummer Ann Segerstrom			Quarterly
	Central Sierra Economic Development	CSEDD partners with MLJT and local economic development offices to bring workforce and economic development assistance to businesses and residents throughout the Mother Lode Region.	Ann Segerstrom	Jim Garaventa			Feb, May, Aug, Nov Third Thursday 9:30am-11:00am
	Fire Safe Council	The Tuolumne Fire Safe Council is a grassroots nonprofit organization that works to reduce wildfire hazard and the devastating effects of wildfires in the north Tuolumne County community. The mission of the Tuolumne Fire Safe Council is to save lives and protect property through wildfire preparedness, prevention, and education.	Colette Such	Jim Garaventa			Fourth Tuesday 11:30am-1:00pm

RANK	COMMITTEE NAME	COMMITTEE SCOPE/TASKS	COUNCIL MEMBER(S)	ALTERNATE(S)	STAFF	PUBLIC	DATE/TIME COMMITTEE MEETS
	Integrated Regional Water Management (IRWM) JPA & Water Advisory Committee	The purpose of the IRWMP is to develop a water resources management strategy for the region. The plan, when completed, will include a priority list of projects to improve water supply reliability, water quality and the environment in the Tuolumne and Stanislaus region.	Collette Such	Ann Segerstrom			Third Wednesday 9:00am-12:00pm
	Local Agency Formation Commission (LAFCO)	The purpose of LAFCO is to discourage urban sprawl, preserve open space and prime agricultural lands, promote the efficient provision of government services, and encourage the orderly formation and development of local agencies based upon local conditions and circumstances.	Matt Hawkins Mark Plummer	Jim Garaventa			Second Monday 4:00pm
	Sierra Conservation Center – Citizens Advisory Committee		Mark Plummer	Matt Hawkins	Melissa Eads		
	Solid Waste	The Solid Waste Committee is to serve the Board by reviewing, commenting on and recommending new and/or modifications to existing policy related to the Solid Waste collection, management and disposal systems within the County.	Jim Garaventa	Mark Plummer			Second Wednesday 1:00pm-3:00pm
	Tuolumne County Chamber – Governmental Affairs	Our Chamber of Commerce manages an aggressive government affairs advocacy program combining research, government relations and communications. Through your Board of Directors and Government Affairs Council, our Chamber has forged key relationships with elected officials and leaders of government agencies on the local, regional and state level.	Mark Plummer	Matt Hawkins	Melissa Eads		First Monday 11am
	Tuolumne County Chamber – Transportation Committee	The primary duties of our Transportation Committee is to look at state highway by-pass proposals and local transportation problems. The committee makes recommendations to the Board on positions that it feels would be in the best interest of our county and business.	Mark Plummer	Jim Garaventa			
	Tuolumne County Economic Development Authority (TCEDA)		Matt Hawkins Jim Garaventa	Mark Plummer			

RANK	COMMITTEE NAME	COMMITTEE SCOPE/TASKS	COUNCIL MEMBER(S)	ALTERNATE(S)	STAFF	PUBLIC	DATE/TIME COMMITTEE MEETS
	Tuolumne County Airport Land Use Commission	The Tuolumne County Land Use Commission (ALUC) was created in 1979 pursuant to Section 21670 of the Public Utilities Code to protect public health, safety, and welfare while ensuring the orderly expansion of airports through the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas surrounding the Columbia and Pine Mountain Lake Airports.					
	Tuolumne County Transportation Council (TCTC)	TCTC regularly decides how to prioritize and program monies for the State Transportation Improvement Program (STIP), and federal funding programs. In addition, the TCTC serves both the Board and the Sonora City Council by reviewing, commenting on and recommending or adopting new and/or modifications to existing policy related to the public transportation system, the Regional Transportation Plan(RTP); State legislative policy relative to Transportation; Traffic Mitigation Fee program; the State Highway Operations and Preservation Program (SHOPP); and various Transportation Planning policies that affect the County and the City of Sonora.	Colette Such Jim Garaventa	Mark Plummer			Second Wednesday 3:00pm-5:00pm
	Tuolumne County Water Policy Advisory Committee	Ensure adequate water supplies to meet the diverse needs of a healthy and economically viable community. Such water supply needs include but are not limited to: domestic consumption; fire protection; economic development; base industries	Ann Segerstrom	Matt Hawkins			Fourth Tuesday 2:00pm
	Visitor's Bureau	Promote and market Tuolumne County as a tourist destination; Promote the benefits of tourism as an industry; Provide visitor services; Act as a liaison between the tourism industry and governmental agencies; Coordinate with other agencies and organizations in the promotion of travel related industries throughout the county; and encourage and assist in the preservation of historical landmarks and preserve tourist attractions.	Jim Garaventa	Mark Plummer			First Wednesday 11:00am-12:00pm

RANK	COMMITTEE NAME	COMMITTEE SCOPE/TASKS	COUNCIL MEMBER(S)	ALTERNAT E(S)	STAFF	PUBLIC	DATE TIMES COMMITTEE MEETS
	Yes Council	The YES Partnership is a community-wide coalition dedicated to supporting Tuolumne County youth and families by preventing suicide, substance, and child abuse.	Ann Segerstrom	Colette Such			Second Wednesday 3:00pm- 5:00pm
	Community Development	Housing, Technology, Opera Hall, Planning, CDBG related matters	Mark Plummer Matt Hawkins		Melissa Eads Rachelle Kellogg Chris Gorsky		As Needed
	Energy Action	On March 5th, 2018, the City of Sonora accepted the Energy Action Plan (EAP) as the City's roadmap for expanding energy-efficiency, renewable-energy, and the cost-savings that accompany these efforts.	Colette Such Ann Segerstrom		Melissa Eads		Fourth Wednesday 3:00pm- 4:00pm
	Finance	All finance and budget related matters	Matt Hawkins Colette Such		Melissa Eads Chris Gorsky		As Needed
	Parking & Traffic Commission	The Parking and Traffic Commission's duties are to investigate ways and means of improving parking and traffic conditions throughout the city.	Matt Hawkins Mark Plummer	Jim Garaventa	Aimee New Turu VanderWiel Mike Lagomarsino		As Needed
	Parks, Recreation, & Beautification	Parks, trees, recreation, and beautification matters	Matt Hawkins Ann Segerstrom		Melissa Eads Rachelle Kellogg Mike Lagomarsino	Tracy Russell Sharon Marovich	As Needed
	Personnel	All personnel and negotiation matters	Matt Hawkins Mark Plummer		Melissa Eads Chris Gorsky		As Needed
	Planning Commission	A commission delegated to the purpose of plans for future activities and developments				Kevin Anderson Peter Ghiorso Bess Levine Nathan Morales Stephen Opie	Second Monday 5:30pm
	Public Safety	Law Enforcement, Fire, Parking, Signage, and Traffic related matters	Jim Garaventa Ann Segerstrom		Melissa Eads Turu VanderWiel Aimee new		As Needed
	Public Works	Streets, sidewalks, storm drainage, cemeteries, city facilities, and capital improvements	Ann Segerstrom Colette Such		Melissa Eads Rachelle Kellogg Mike Lagomarsino		As Needed
	Vision Sonora	Vision Sonora Plan implementation, funding, project, and design review	Colette Such Ann Segerstrom		Melissa Eads Rachelle Kellogg	Darin Grossi Ryan Campbell David Goldemberg Charles Segerstrom Laurie Lehmann	Second Tuesday 1:30pm- 3:30pm
	Oversight Board of the Successor Agency to the Redevelopment Agency (OBSARA)		Colette Such		Rachelle Kellogg	David Goldemberg Tim Johnson Ed Pattison Elizabeth Rico Trevor Stewart	As Needed

