



-City of Sonora



AGENDA

EMERGENCY CITY COUNCIL MEETING

June 3, 2020

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

THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCING AT ZOOM MEETING LINK <https://zoom.us/j/92981526350> OR VIA TELECONFERENCE AT 1-669-900-6833.

CALL TO ORDER

5:00 PM

A. ROLL CALL

B. PUBLIC COMMENT

The public may address the Council on any item on the emergency session agenda. Speakers are limited to five (5) minutes.

C. EMERGENCY SESSION

1. Declaration of Local Emergency (Title 8, Sonora Municipal Code, section 8.30.050)
Consultation with Douglas L. White, City Attorney

2. Declaration of the City Council of the City of Sonora Imposing a Curfew (Title 8, Sonora Municipal Code, section 8.30.060(f))
Consultation with Douglas L. White, City Attorney

D. 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. 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.



Proclamation of Local State of Emergency

- WHEREAS,** In accordance with Chapter 8.30.050 of the Sonora Municipal Code, which empowers the City Council of the City of Sonora (the “City”) to proclaim the existence or threatened existence of a local emergency when Sonora is affected or likely to be affected by a public calamity; and
- WHEREAS,** Following the death of George Floyd while in custody of local law enforcement in Minneapolis, Minnesota on May 25, 2020, protests across the country have occurred, with some protesters starting fires and engaging in vandalism and violence, resulting in at least 40 cities imposing curfews and the activation of the National Guard in at least 23 states, including California, and in Washington, DC; and
- WHEREAS,** Recent demonstrations in neighboring cities and counties in California have led to violence, arrests, and vandalism of local businesses, including threats of looting and other criminal conduct, and have placed a strain on local law enforcement resources; and
- WHEREAS,** There remains a state of emergency due to the continued impacts of the spread of COVID-19 as reflected in Governor Gavin Newsom’s March 4, 2020 Proclamation of a State of Emergency, the March 11, 2020 assessment by the World Health Organization that COVID-19 can be characterized as a pandemic, the City’s Proclamation of Local Emergency issued on March 13, 2020, Governor Newsom’s March 12, 2020, Executive Order N-25-20, Governor Newsom’s March 19, 2020, Executive Order N-33-20, and the designation by the State Public Health Officer of Essential Critical Infrastructure Workers issued on March 22, 2020; and
- WHEREAS,** Pursuant to the Governor’s March 4, 2020 Proclamation, the citizens of the state of California remain under an order by the State Public Health Officer to not engage in travel. Specifically, it is ordered that, “All individuals living in the State of California are currently ordered to stay home or at their place of residence, except for permitted work, local shopping or other permitted errands, or as otherwise authorized (including in the Questions & Answers below).” <https://covid19.ca.gov/stay-home-except-for-essential-needs/#top>; and

WHEREAS, The health, safety, and welfare of City residents, businesses, visitors, and staff is of utmost importance to the City, and additional future measures may be needed to protect the community; and

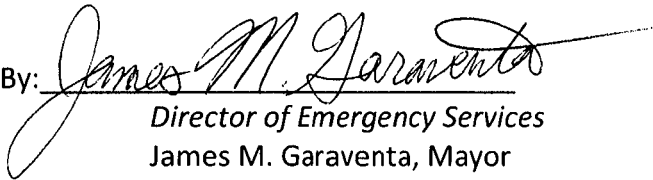
WHEREAS, The City Council of the City of Sonora does hereby find:

- The efforts required to respond to, mitigate, and recover from the demonstrations occurring in the City on June 3, 2020 and expected to occur in subsequent days have imposed and will continue to impose extraordinary requirements and expenses on the City, requiring diversion of resources from day-to-day operations; and
- These facts, together with the ongoing conditions or threatened conditions already caused by COVID-19, give rise to conditions of extreme peril to the safety of persons and property within said City; and
- These conditions are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City of Sonora.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City of Sonora; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of the City shall be those prescribed by State law, by ordinances, and resolutions of this City and that this emergency proclamation shall expire 7 days after issuance.

Dated: June 3, 2020

By: 
Director of Emergency Services
James M. Garaventa, Mayor
94 N. Washington Street
Sonora, CA 95370



A DECLARATION OF THE CITY COUNCIL OF THE CITY SONORA IMPOSING A CURFEW

- WHEREAS,** On June 3, 2020, the City Council of the City of Sonora ("City Council") proclaimed a Local Emergency pursuant to Government Code section 8630 and Sonora Municipal Code section 8.30.050.
- WHEREAS,** California Government Code section 8634 and Sonora Municipal Code section 8.30.060 authorizes the governing body of a political subdivision, or officials designated thereby, to promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve public order and safety during a Local Emergency; and
- WHEREAS,** Over recent days protests seen in various cities throughout Northern California have led to civil unrest, rioting, looting, and hundreds of arrests; and
- WHEREAS,** On June 3, 2020, in the City of Sonora ("City") protests emerged that threaten the safety of City residents and property; and
- WHEREAS,** To safeguard the rights of peaceful assembly and protest, to protect the safety of City residents, property and businesses as well as emergency and law enforcement providers, it is necessary to establish a curfew to quell violence and destruction of property; and
- WHEREAS,** The City Council hereby finds:
- California Government Code section 8634 authorizes the governing body of a political subdivision, or officials designated thereby, to promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve public order and safety during a Local Emergency;
 - A curfew is hereby imposed within the City to preserve the public order and safety.
 - It shall be unlawful for any person, other than those set forth herein below, to be upon any public street, avenue, boulevard, place, walkway, alley, or

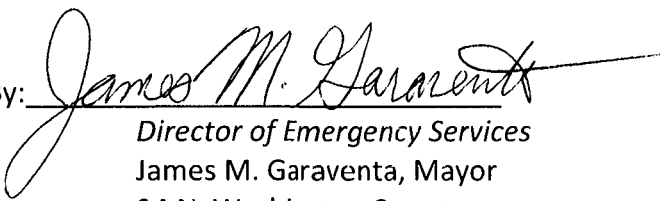
park, or to otherwise be in any public area or unimproved private realty within the City from 8:00 p.m., through 5:00 a.m.

- This Curfew shall take effect on June 3, 2020 commencing at 8:00 p.m. and extending until 5:00 a.m. until the following day. The City may renew, amend, or extend this Curfew Declaration in accordance with California Government Code section 8634 and Sonora Municipal Code Section 8.30.060. The City Council authorizes the Police Chief to renew, amend, or extend this Curfew Declaration to preserve the public order and safety.
- Any violation of this Curfew Order is a misdemeanor punishable by imprisonment of up to six (6) months in jail, a fine of up to one thousand (\$1,000) dollars, or both, as provided by California Government Code section 8665 or any applicable state or municipal law, including but not limited to, Sonora Municipal Code Section 8.30.140.
- This Curfew Declaration shall not apply to: (1) peace officers, firefighters, emergency operations personnel, other government employees engaged in authorized emergency operations, members of the National Guard, or any other responding military personnel deployed to the City; (2) individuals who can establish to the satisfaction of a peace officer that they are in such place for the sole purpose of traveling to their home or workplace or to obtain medical assistance; (3) authorized representatives of any news service, newspaper, radio or television station or network, or other media organization; (4) people experiencing homelessness; or (5) people working in delivery or utility services.
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NOW, THEREFORE, IT IS HEREBY DECLARED that a curfew is imposed throughout Sonora.

IT IS FURTHER PROCLAIMED AND ORDERED that said curfew shall be deemed to continue to exist until 5:00am on June 4, 2020.

Dated: June 3, 2020

By: 
Director of Emergency Services
James M. Garaventa, Mayor
94 N. Washington Street
Sonora, CA 95370