



JANUARY 13, 2022 AGENDA

CITY OF CITRUS HEIGHTS CITY COUNCIL

NO PHYSICAL LOCATION FOR PUBLIC ATTENDANCE

7:00 PM REGULAR MEETING

PLEASE NOTE:

In order to minimize the spread of the COVID-19 virus, this meeting is being held pursuant to Government Code Section 54953(e). Per the January 6, 2022 Sacramento County Public Health Order, all public meetings within Sacramento County must occur virtually until further notice. Please be advised that the Council Chambers are closed to the public and that some, or all, Council Members may attend City Council meetings telephonically or otherwise electronically.

The meeting will be held via webcast with NO PHYSICAL LOCATION FOR PUBLIC ATTENDANCE.

PLEASE SEE BELOW FOR ZOOM MEETING INFORMATION

Regular Meeting 7:00 p.m. Zoom Meeting –Webinar

link: <https://us02web.zoom.us/j/85419218950>

For those individuals accessing the meetings through Zoom who wish to make a public comment, please use the Zoom hand raise function (or *9 if you join the webinar via telephone) and the host will unmute you when it is time to speak. Speakers will be limited to 3 minutes each. Alternatively, you may submit your comment via email to cityclerk@citrusheights.net or by completion of an online Speaker Card at <https://www.citrusheights.net/FormCenter/City-Council-Meetings-Speaker-Card-30>. Written public comments shall be limited to 250 words or less. Each comment will be read aloud by the City Clerk.

You are strongly encouraged to observe the City Council meetings on television live on Metro Cable 14, the government affairs channel on the Comcast, Consolidated Communications, and AT&T U-Verse cable systems and replayed on the following Monday at 9:00 a.m. Alternatively, members of the public can view the City Council meeting live webcast at <https://www.citrusheights.net/673/Live-City-Council-Meeting-Webcasts>.

If you need a disability-related modification or accommodation, to participate in this meeting, please contact the City Clerk's Office 916-725-2448, cityclerk@citrusheights.net, or City Hall 6360 Fountain Square Drive at least 48 hours prior to the meeting. TDD: California Relay Service 7-1-1.

January 13, 2022 City Council Agenda Packet

Documents:

[JANUARY 13 CITY COUNCIL AGENDA PACKET.PDF](#)

CALL REGULAR MEETING TO ORDER

1. Flag Salute
2. Roll Call: Council Members: Bruins, Daniels, Miller, Schaefer, Middleton
3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

4. Recognition Of Outgoing Mayor

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

PUBLIC COMMENT

CONSENT CALENDAR

It is recommended that all consent items be acted on simultaneously unless separate discussion and/or action are requested by a Council Member.

5. SUBJECT: Approval Of Minutes

RECOMMENDATION: Approve the Minutes of the Special and Regular Meeting of December 9, 2021 the Special Meeting of December 17, 2021 the Special Meeting of December 18, 2021 and the Special Meeting of December 23, 2021

6. SUBJECT: Approve Resolution For Continued Remote Meetings In Accordance With AB 361

STAFF: A. Van/ R. Jones

RECOMMENDATION: Adopt Resolution No. 2022-____, A Resolution of the City Council of the City of Citrus Heights, California, Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency

REGULAR CALENDAR

7. SUBJECT: Appointments To Regional Boards And Committees

STAFF: A. Van

RECOMMENDATION: The following is recommended;

1. Adopt Resolution No. 2022-____, A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Metropolitan Air Quality Management District (SMAQMD) Board of Directors, and Appointing a

Member to Serve as the Alternate

2. Adopt Resolution No. 2022-____, A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Regional County Sanitation District (SRCSD) and Sacramento Area Sewer District (SASD) Boards of Directors, and Appointing a Member to Serve as the Alternate
3. Adopt Resolution No. 2022 - _____, A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Transportation Authority (STA), and Appointing a Member to Serve as the Alternate
4. Adopt Resolution No. 2022 - _____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as a Director to the Sacramento Area Council of Governments (SACOG) Board of Directors, and Appointing a Member to Serve as the Alternate

8. SUBJECT: Approval Of City Manager Employment Agreement

STAFF: R. Jones

RECOMMENDATION: Consider Giving Mayor Authority to enter into an Employment Agreement with a City Manager Candidate

DEPARTMENT REPORTS

9. SUBJECT: American Rescue Plan Act Final Guidelines

DEPARTMENT: Administrative Services Department

CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

ADJOURNMENT

**CITY OF CITRUS HEIGHTS
CITY COUNCIL
Regular Meeting of Thursday, January 13, 2022
Regular Meeting 7:00 p.m.
NO PHYSICAL LOCATION FOR PUBLIC ATTENDANCE**

HOW TO PARTICIPATE:

The City of Citrus Heights welcomes your interest and involvement in the City's legislative process. If you would like to provide comments to the City Council, please use the Zoom hand raise function (or *9 if you join the webinar via telephone) and the host will unmute you when it is time to speak. Speakers will be limited to 3 minutes each. Alternatively, you may submit your comment via email to cityclerk@citrusheights.net or by completion of an online Speaker Card at <https://www.citrusheights.net/FormCenter/City-Council-Meetings-Speaker-Card-30>. Written public comments shall be limited to 250 words or less. Each comment will be read aloud by the City Clerk.

Regular Meeting 7:00 p.m. Zoom Meeting –Webinar link: <https://us02web.zoom.us/j/85419218950>

The City provides two ways to watch a City Council meeting.

ONLINE	ON TELEVISION
 <p>Watch the livestream and replay past meetings on the City website. www.citrusheights.net</p>	 <p>Watch live and replays of meetings on Sac Metro Cable, Channel 14.</p>

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January 7, 2022



Amy Van, City Clerk

**REGULAR CITY COUNCIL MEETING
7:00 PM**

CALL REGULAR MEETING TO ORDER

1. Flag Salute
2. Roll Call: Council Members: Bruins, Daniels, Miller, Schaefer, Middleton
3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

4. Recognition of Outgoing Mayor

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

PUBLIC COMMENT

CONSENT CALENDAR

It is recommended that all consent items be acted on simultaneously unless separate discussion and/or action are requested by a Council Member.

5. **SUBJECT:** Approval of Minutes
RECOMMENDATION: Approve the Minutes of the Special and Regular Meeting of December 9, 2021 the Special Meeting of December 17, 2021 the Special Meeting of December 18, 2021 and the Special Meeting of December 23, 2021
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STAFF: A. Van/ R. Jones
RECOMMENDATION: Adopt Resolution No. 2022-____, A Resolution of the City Council of the City of Citrus Heights, California, Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency

REGULAR CALENDAR

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STAFF: A. Van
RECOMMENDATION: The following is recommended;
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- b. Adopt Resolution No. 2022-____, A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Regional County Sanitation District (SRCSD) and Sacramento Area Sewer District (SASD) Boards of Directors, and Appointing a Member to Serve as the Alternate
 - c. Adopt Resolution No. 2022 - _____, A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Transportation Authority (STA), and Appointing a Member to Serve as the Alternate
 - d. Adopt Resolution No. 2022 - _____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as a Director to the Sacramento Area Council of Governments (SACOG) Board of Directors, and Appointing a Member to Serve as the Alternate
8. **SUBJECT:** Approval of City Manager Employment Agreement
STAFF: R. Jones
RECOMMENDATION: Consider Giving Mayor Authority to enter into an Employment Agreement with a City Manager Candidate

DEPARTMENT REPORTS

9. **SUBJECT:** American Rescue Plan Act Final Guidelines
DEPARTMENT: Administrative Services Department

CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS/ FUTURE AGENDA ITEMS

ADJOURNMENT

**CITY OF CITRUS HEIGHTS
CITY COUNCIL
MINUTES
Special/ Regular Meeting of Thursday, December 9, 2021
City Hall Council Chambers
6360 Fountain Square Drive, Citrus Heights, CA**

CALL SPECIAL MEETING TO ORDER

The special council meeting was called to order at 6:00 p.m. by Mayor Miller.

- | | | | |
|----|------------|--------------------------|--|
| 1. | Roll Call: | Council Members present: | Bruins, Daniels, Schaefer, Middleton, Miller |
| | | Council Members absent: | None |
| | | Staff present: | Alejandrez, Bermudez, Boyd, Huber, Jones, Kempenaar, Turcotte, and Zenoni. |

PUBLIC COMMENT

None

CLOSED SESSION

2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representatives: Christopher W. Boyd, Interim City Manager
Employee organizations: Citrus Heights Police Employees Association
3. CONFERENCE WITH LEGAL COUNSEL
Existing Litigation Government Code Section 54956.9(d)(1)
In re National Prescription Opiate Litigation, et al.
United States District Court Northern District of Ohio Eastern Division MDL 2804
Case No. 1:17 md-2804
4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property: 7137 Auburn Blvd., Citrus Heights, CA (APN 211-0020-025-0000)
Agency Negotiator: Interim City Manager Christopher W. Boyd and City Attorney Ryan Jones
Negotiating Parties: Woodside Homes
Under Negotiation: Both price and terms of payment

REPORT OUT OF CLOSED SESSION

There was no reportable action from closed session for items 2 and 4.

City Attorney Jones reported out for item 3, a motion was made by Council Member Bruins and seconded by Vice Mayor Middleton, and that motion was to direct the City Attorney to register the City of Citrus Heights to join a state and national opioid settlement for lawsuits against opioid manufacturer Janssen and three pharmaceutical distributors McKesson, Amerisource Bergen, and Cardinal Health. The vote was 5-0.

ADJOURNMENT

Mayor Miller adjourned the special meeting at 6:50 p.m.

CALL REGULAR MEETING TO ORDER

The regular council meeting was called to order at 7:00 p.m. by Mayor Miller.

1. The Flag Salute was led by Council Member Bruins.
2. Roll Call: Council Members present: Bruins, Daniels, Schaefer, Middleton, Miller
Council Members absent: None
Staff present: Bermudez, Boyd, Cave, Cimino, Huber, Jones, Kempenaar, Reid, Turcotte, Van, and Zenoni.
3. The video statement was read by City Clerk Van.

APPROVAL OF AGENDA

ACTION: On a motion by Council Member Daniels, seconded by Council Member Bruins, the City Council approved the agenda.

AYES: Bruins, Daniels, Schaefer, Middleton, Miller
NOES: None
ABSENT: None

SPECIAL ITEMS

4. Selection of Mayor and Vice Mayor

ACTION: On a motion by Council Member Bruins, seconded by Council Member Daniels, the City Council appointed Porsche Middleton as Mayor.

AYES: Bruins, Daniels, Schaefer, Middleton, Miller
NOES: None
ABSENT: None

ACTION: On a motion by Council Member Schaefer, seconded by Council Member Daniels, the City Council nominated Bret Daniels as Vice Mayor.

AYES: Daniels, Schaefer
NOES: Bruins, Miller, Middleton
ABSENT: None

ACTION: On a motion by Council Member Miller, seconded by Council Member Daniels, the City Council appointed Tim Schaefer as Vice Mayor.

AYES: Bruins, Daniels, Miller, Schaefer Middleton
NOES: None

ABSENT: None

PRESENTATIONS

5. Proclamation Recognizing City Manager, Christopher W. Boyd for His Service to the City of Citrus Heights

Mayor Middleton presented Interim City Manager Boyd with a proclamation recognizing his service to the Citrus Heights community.

6. Employee Service Recognition

Interim City Manager Boyd stated tonight we will be recognizing individual employees who have reached a milestone, either their 5, 10, 15 or 20 years of service to the City.

General Services Director Cave began by recognizing Christopher Myers for 20 years of service. She also recognized Armando Velasquez for 15 years of service and Michele Saario for 10 years of service.

Interim Administrative Services Director Zenoni recognized Mike Pettinato for 15 years of service.

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

Council Member Bruins provided an update from the Regional Sanitation District Board meeting. She also attended the Teddy Bear lunch at Lakeview Mobile Home Park.

Council Member Daniels attended a dedication for Deputy Mark Stasyuk at San Juan High School. He also attended the annual Tree Lighting at City Hall. Lastly, he shared information for a toy drive at Sunrise and Greenback in the Sprouts shopping center.

Council Member Miller attended the annual Teddy Bear lunch and recent Tree Lighting at City Hall. He recently visited a new Citrus Heights business, Meal Prep Co. located on Greenback Lane and San Juan. Council Member Miller provided an update from the Sacramento Transportation Authority meeting.

Vice Mayor Schaefer provided an update from the Sacramento Metropolitan Cable Television Commission. He also shared an update from the Sacramento Public Library Authority Board search for a new director. He also wished a Happy Hanukkah.

Mayor Middleton provided an update from the League of California Cities meeting. She also provided an update from the Sacramento Area Council of Governments. Mayor Middleton also shared information for the upcoming Cookies with Santa event at the Citrus Heights Community Center.

PUBLIC COMMENT

Clerk Van read a comment from Alfred Sanchez, "In December 2020 Citrus Heights Mayor signed a proclamation declaring December 21 Homeless Person's Memorial Day. Along with cities across America on National Persons Memorial Day, we will once again hold a vigil, to remember those who died living on our streets. Anyone who would like to attend please contact Alfred Sanchez on Facebook also known as Snack Man Citrus Heights."

Melissa Hayden addressed the Council regarding the Cities Trap & Release program. She would like to see the program come back to Citrus Heights in order to stop the overflow of stray animals. She also addressed the Council regarding allowing CDB shops.

CONSENT CALENDAR

7. **SUBJECT:** Approval of Minutes
 RECOMMENDATION: Approve the Minutes of the Special and Regular Meeting of November 10, 2021 and the Special Meeting of November 30, 2021

8. **SUBJECT:** Approve Resolution for Continued Remote Meetings in Accordance with AB 361
 STAFF: A. Van/ R. Jones
 RECOMMENDATION: Adopt Resolution No. 2021-100, A Resolution of the City Council of the City of Citrus Heights, California, Making the Legally Required Findings to Continue to Authorize the Conduct of Remote “Telephonic” Meetings During the State of Emergency

9. **SUBJECT:** Resolution Adopting Amended Salary Table
 STAFF: B. Zenoni/ M. Alejandrez/ M. Bushey
 RECOMMENDATION: Adopt Resolution No. 2021-101, A Resolution of the City Council of the City of Citrus Heights, California, Adopting the Amended Salary Table, Exhibit A

10. **SUBJECT:** Annual AB 1600 Development Fee Report
 STAFF: B. Zenoni/ T. Nossardi
 RECOMMENDATION: Adopt Resolution No. 2021-102, A Resolution of the City Council of the City of Citrus Heights, California, Accepting, Filing, and Making the Findings Identified in the City’s Annual AB 1600 Fee Report for the Fiscal Year Ended June 30, 2021

11. **SUBJECT:** Submission of Application for Tree City USA Designation
 STAFF: C. Kempenaar/ A. Bermudez
 RECOMMENDATION: Adopt Resolution No. 2021-103, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the Submission of an Application to the National Arbor Day Foundation for Consideration of Citrus Heights Being Designated a Tree City USA Community

12. **SUBJECT:** Modification to the Temporary Outdoor Program for Compliance with AB 61
 STAFF: C. Kempenaar/ A. Bermudez
 RECOMMENDATION: Adopt Resolution No. 2021-104, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the Extension of the Temporary Outdoor Program to Allow the Use of Outdoor Space By Temporarily Relaxing the Regulations for Outdoor Dining, Signage and Parking Through July 1, 2024

13. **SUBJECT:** Resolution Adopting Amendments to Police Specific Benefits
 STAFF: B. Zenoni/ A. Turcotte/ M. Alejandrez
 RECOMMENDATION: Adopt Resolution No. 2021-105, A Resolution of the City Council of the City of Citrus Heights, California, Adopting Amendments to Police Specific Benefits for Specific Non-Represented Sworn Classifications to Promote Continued Education

14. **SUBJECT:** Police Fleet Acquisition

STAFF: A. Turcotte/ K. Frey/ C. Burnett

RECOMMENDATION: Adopt Resolution No. 2021-106, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the Acquisition of Police Fleet Vehicles

15. **SUBJECT:** Second Reading – Ordinance Adopting Zoning Amendment and Rezone – Sunrise Tomorrow Specific Plan
STAFF: C. Kempenaar/ M. Huber
RECOMMENDATION: Adopt Ordinance No. 2021-006, An Ordinance of the City Council of the City of Citrus Heights, California, Adopting a Zoning Map Amendment to Rezone the Land from Shopping Center to Special Planning Area and Creating the Sunrise Tomorrow Special Planning Area
16. Pulled for discussion.
17. **SUBJECT:** Mariposa Avenue Safe Routes to School Phase 4 – ATPSB1L – 5475(043) Approval of Contract Amendment No. 1 – Construction Management, Inspection and Materials Testing Services
STAFF: R. Cave/ L. Blomquist
RECOMMENDATION: Adopt Resolution No. 2021-108, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the Interim City Manager to Execute Amendment No. 1 to the Agreement for Professional Services with Coastland Civil Engineering Services, Inc for the Mariposa Avenue Safe Routes to School Phase 4 Project
18. **SUBJECT:** Mariposa Avenue Safe Routes to School Phase 4 – ATPSB1L – 5475(043) Authorize Additional Work – City PN 20-18-001
STAFF: R. Cave/ L. Blomquist
RECOMMENDATION: Adopt Resolution No. 2021-109, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the Interim City Manager to Execute Change Orders Up to 25% of the Contract Amount with Martin General Engineering, Inc. for the Mariposa Avenue Safe Routes to School Phase 4 Project and Increasing the Total Authorized Construction Budget to \$1,745,791.15

ACTION: On a motion by Council Member Miller, seconded by Council Member Bruins, the City Council adopted Consent Calendar Items 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, and 18.

AYES: Bruins, Daniels, Miller, Schaefer, Middleton
NOES: None
ABSENT: None

CONSENT CALENDAR ITEM PULLED FOR DISCUSSION

16. **SUBJECT:** Sylvan Soil Remediation Project Award of Contract
STAFF: C. Kempenaar/ R. Cave/ A. Bermudez/ M. Huber
RECOMMENDATION: Adopt Resolution No. 2021-107, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the Interim City Manager to Execute an Agreement with Innovative Construction Solutions, Inc. for the Sylvan Soil Remediation Project and Finding the Project to be Categorically Exempt from the California Environmental Quality Act

Council Member Miller pulled Item 16 for discussion.

City Attorney Jones informed the Council that city staff recently conducted a Request for Proposals for Soil Remediation at the former Sylvan Middle School site. Woodside Homes is currently in the process of purchasing the site. During the due diligence period, Woodside Homes discovered a minor environmental issue. Materials found on site are slightly over the threshold of allowable debris for a residential development. This contract will perform remediation of the site in order to continue the escrow process with Woodside Homes.

ACTION: On a motion by Council Member Bruins, seconded by Council Member Miller, the City Council adopted Consent Calendar Item 16.

AYES:	Bruins, Daniels, Miller, Schaefer, Middleton
NOES:	None
ABSENT:	None

PUBLIC HEARING

19. **SUBJECT:** Urgency Ordinance – Urban Lot Splits and Two-Unit Residential Development Related to SB 9
STAFF REPORT: C. Kempenaar/ A. Bermudez
RECOMMENDATION: The following is recommended;
- a. Adopt urgency Ordinance No. 2021-007, An Urgency Ordinance of the City of Citrus Heights, California, adopting changes to Title 82 (Subdivisions and Land Development) and Title 106 (Zoning) relating to the implementation of Senate Bill 9 for the creation of urban lots splits and two (2) residential units per lot;
 - b. Adopt Resolution No. 2021-110, of the City Council of the City of Citrus Heights, California, authorizing the addition of a new application type referred to as Urban Lot Splits, to the Master Fee Schedule

Associate Planner Bermudez presented Council with an overview of the Urgency Ordinance regarding Senate Bill 9. Governor Newsom signed SB 9 in September 2021. The legislation requires a proposed housing development containing no more than two residential units within a single-family zoning district to be considered ministerially; without discretionary review or hearing, if the development meets certain requirements. The two parts of SB 9 include land division of a single lot into two lots and development of two housing units on a single property. SB 9 allows jurisdictions to implement objective standards, however these objective standards cannot preclude construction of two units of at least 800 feet. Urban Lot Splits will be allowed beginning January 1, 2022 according to SB 9. The Urgency Ordinance would allow Citrus Heights to implement its own set of standards for Urban Lot Splits within the city. Bermudez stated that while there are still many unanswered questions regarding SB 9, the ordinance could be revised as different challenges arise.

Council comments and discussion followed.

Mayor Middleton opened the public hearing at 8:29 p.m.

PUBLIC COMMENT:

Oleg Shishko addressed the Council regarding item 16. He inquired if the City did its due diligence prior to entering into escrow with Woodside Homes.

City Attorney Jones informed Mr. Shishko that the City did its appropriate due diligence in inspecting the Sylvan property.

Melissa Hayden addressed the Council regarding the handicap accessibility in and around the residential developments.

Cathy Morris addressed the Council regarding the Urgency Ordinance for SB 9 stating that while she didn't agree with the bill, the ordinance would allow Citrus Heights to have a limited say in standards.

Mayor Middleton closed the public hearing at 8:34 p.m.

ACTION: On a motion by Council Member Bruins, seconded by Vice Mayor Schaefer, Council adopted urgency Ordinance No. 2021-007, An Urgency Ordinance of the City of Citrus Heights, California, adopting changes to Title 82 (Subdivisions and Land Development) and Title 106 (Zoning) relating to the implementation of Senate Bill 9 for the creation of urban lots splits and two (2) residential units per lot.

AYES:	Bruins, Daniels, Schaefer, Middleton
NOES:	Miller
ABSENT:	None

ACTION: On a motion by Council Member Bruins, seconded by Vice Mayor Schaefer, Council adopted Resolution No. 2021-110, of the City Council of the City of Citrus Heights, California, authorizing the addition of a new application type referred to as Urban Lot Splits, to the Master Fee Schedule.

AYES:	Bruins, Daniels, Schaefer, Middleton
NOES:	Miller
ABSENT:	None

DEPARTMENT REPORTS

20. **SUBJECT:** American Rescue Plan Act Funding Update
DEPARTMENT: Administrative Services Department

Economic Development and Communications Manager Huber presented the proposed next phases for the COVID-19 Recovery Program. This presentation focuses on the second phase, Small Business & Non-Profit Recovery Grants, and travel, tourism, and entertainment recovery. Huber stated the City launched a Business Community Engagement survey on December 1, which received 52 responses.

Diane Ebbitt with the Citrus Heights Chamber provided an overview of their efforts to assist business during the pandemic.

Scott Angel with STORE Capital provided a recorded comment regarding that status of their property at 8505 Auburn Blvd.

Graham Allchorn with Red Mountain Group, owner of the Big Lots and Citrus Grove parking lot, provided an overview of their response to the pandemic.

Huber explained that for the Small Business COVID-19 Recovery Grant Program, eligibility is open to businesses located and licensed in Citrus Heights. Staff aims to make funds easily accessible and most effective. The proposed COVID Recovery Grants are based on pre-COVID revenue generation, which would allocate amounts from \$5,000 - \$25,000, depending on gross revenue. All home-based businesses would receive a flat grant amount of \$500. Proposed next steps include a streamlined and expedited application process, launching the initial application period for 30 days, businesses can submit applications online, and staff would then review application and make eligibility determination. The total of the Small Business Recovery Grant program would be approximately \$1.4 million. Huber also proposed a second part to the COVID Recovery Grant Program that targets tourism and entertainment businesses or property owners. Staff recommends City Council allocate \$1,000,000 to the Tourism & Entertainment COVID Recovery Grant program. Staff expects to launch the program in mid-January following Council's guidance.

Council Member Bruins inquired if any other entertainment or tourism businesses other than those presented that could benefit from grant funding. She also stated if the Small Business community does not utilize all of the funding allocated for the grant program, then the rest should be moved to help entertainment and tourism.

Vice Mayor Schaefer stated he would like to make sure the grant funding is actually used to benefit the business community.

Council Member Daniels would like to see more ARPA funds go to help Citrus Heights businesses. He expressed his concern with allocating \$1 million to the former Studio Movie Grill site as opposed to covering multiple businesses.

21. **SUBJECT:** Regional Sacramento Abandoned Vehicle Service Authority (SAVSA) Possible Ballot Measure Update
 DEPARTMENT: Police Department

Chief Turcotte addressed Council regarding the Regional Sacramento Abandoned Vehicle Service Authority (SAVSA) Ballot Measure. SAVSA provides funds to the City, which assist with vehicle abatement. The revenue is generated by a \$1 fee added to vehicle registrations by the State of California. The item was initially brought to the Council's attention in June 2021 with the anticipated ballot measure costs to the City being \$62,000. In August 2021, Council was informed the updated ballot measure would cost \$12,000, which falls within the City Manager's approval threshold. Annually, the City received \$50-\$60k from the SAVSA funding. Due to the significantly lower cost, the City Manager intends to enter into an agreement with Sacramento County to support a measure if placed on the ballot.

CITY MANAGER ITEMS

None

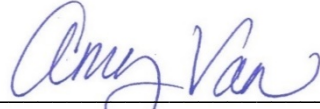
ITEMS REQUESTED BY COUNCIL MEMBERS/ FUTURE AGENDA ITEMS

None

ADJOURNMENT

Mayor Middleton adjourned the regular meeting at 9:30 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Amy Van", written over a horizontal line.

Amy Van, City Clerk

**CITY OF CITRUS HEIGHTS
CITY COUNCIL
MINUTES
Special Meeting of Friday, December 17, 2021
City Hall Council Chambers
6360 Fountain Square Drive, Citrus Heights, CA**

SPECIAL CITY COUNCIL MEETING CALLED TO ORDER

The special council meeting was called to order at 8:30 a.m. by Mayor Middleton.

- | | | | |
|----|------------|--------------------------|--|
| 1. | Roll Call: | Council Members present: | Bruins, Daniels, Miller, Schaefer, Middleton |
| | | Council Members absent: | None |
| | | Staff present: | Van |

PUBLIC COMMENT

None

CLOSED SESSION

2. PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957(b)
Title: City Manager

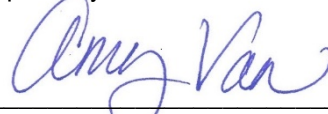
REPORT OUT OF CLOSED SESSION

There was no reportable action from closed session.

ADJOURNMENT

Mayor Middleton adjourned the special meeting at 4:00 p.m.

Respectfully submitted,



Amy Van, City Clerk

**CITY OF CITRUS HEIGHTS
CITY COUNCIL
MINUTES
Special Meeting of Saturday, December 18, 2021
City Hall Council Chambers
6360 Fountain Square Drive, Citrus Heights, CA**

SPECIAL CITY COUNCIL MEETING CALLED TO ORDER

The special council meeting was called to order at 8:30 a.m. by Mayor Middleton.

- | | | | |
|----|------------|--------------------------|--|
| 1. | Roll Call: | Council Members present: | Bruins, Daniels, Miller, Schaefer, Middleton |
| | | Council Members absent: | None |
| | | Staff present: | Reid |

PUBLIC COMMENT

None

CLOSED SESSION

2. PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957(b)
Title: City Manager

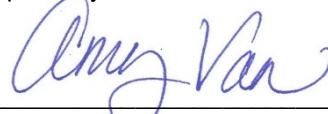
REPORT OUT OF CLOSED SESSION

There was no reportable action from closed session.

ADJOURNMENT

Mayor Middleton adjourned the special meeting at 12:45 p.m.

Respectfully submitted,



Amy Van, City Clerk

**CITY OF CITRUS HEIGHTS
CITY COUNCIL
MINUTES
Special Meeting of Thursday, December 23, 2021
City Hall Council Chambers
6360 Fountain Square Drive, Citrus Heights, CA**

CALL SPECIAL MEETING TO ORDER

The special council meeting was called to order at 10:00 a.m. by Mayor Middleton.

1. Roll Call: Council Members present: Daniels, Miller, Schaefer, Middleton
Council Members absent: Bruins
Staff present: Alejandrez, Boyd, Jones, Kempenaar, Reid, Turcotte, Van, and Zenoni.

PUBLIC COMMENT

None

REGULAR CALENDAR

2. **SUBJECT:** Resolutions Approving a Memorandum of Understanding with the Citrus Heights Police Employees Association and Adopting an Amended Salary Table
STAFF: B. Zenoni/ A. Turcotte/ M. Alejandrez
RECOMMENDATION: The following is recommended;
- a. Adopt Resolution No. 2021-111, A Resolution of the City Council of the City of Citrus Heights Adopting a Memorandum of Understanding with the Citrus Heights Police Employees Association
 - b. Adopt Resolution No. 2021-112, A Resolution of the City Council of the City of Citrus Heights Adopting an Amended Salary Table

Human Resources Manager Alejandrez introduced the item. Alejandrez stated the memorandum of understanding with the Citrus Heights Police Employees Association (CHPEA) includes seven classifications within the Police Department. The CHPEA has ratified the Memorandum of Understanding which is a contract for two years, in the first year they will have a one-time 5% labor market increase and in the second year a 2% COLA. This MOU also will allow staff to enter into the 10 step compensation program that City has instituted.

ACTION: On a motion by Council Member Daniels, seconded by Vice Mayor Schaefer, the City Council adopted Resolution No. 2021-111, A Resolution of the City Council of the City of Citrus Heights Adopting a Memorandum of Understanding with the Citrus Heights Police Employees Association.

AYES: Daniels, Miller, Schaefer, Middleton
NOES: None
ABSENT: Bruins

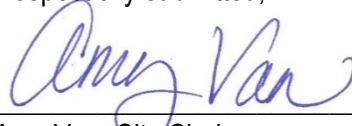
ACTION: On a motion by Council Member Daniels, seconded by Vice Mayor Schaefer, the City Council adopted Resolution No. 2021-112, A Resolution of the City Council of the City of Citrus Heights Adopting an Amended Salary Table.

AYES: Daniels, Miller, Schaefer, Middleton
NOES: None
ABSENT: Bruins

ADJOURNMENT

Mayor Middleton adjourned the regular meeting at 10:05 a.m.

Respectfully submitted,



Amy Van, City Clerk



CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: January 13, 2022

TO: Mayor and City Council Members
Christopher W. Boyd, Interim City Manager

FROM: Amy Van, City Clerk
Ryan Jones, City Attorney

SUBJECT: Approve Resolution for Continued Remote Meetings in Accordance with AB 361

Summary and Recommendation

Staff recommends the City Council adopt Resolution No. 2022-____ a resolution making the legally required findings to continue to authorize the conduct of remote “telephonic” meetings during the State of Emergency.

Fiscal Impact

There is no fiscal impact associated with this item.

Background and Analysis

At the October 14, 2021 regular meeting, the City Council adopted Resolution No. 2021-082 authorizing the conduct of remote “telephonic” meetings during a declared state of emergency pursuant to Government Code. The City Council determined that as a result of the COVID-19 pandemic and state of emergency, meetings in person of the City Council and all legislative bodies of the City would present imminent risks to the health or safety of attendees.

In the event of an ongoing proclaimed state of emergency, in order to continue to conduct meetings remotely, any time after the first remote meeting of the legislative body, it can meet remotely if both of the following apply:

1. State/local emergency/social distancing. Either:
 - a. “a state of emergency remains active” or
 - b. “state or local officials have imposed or recommended measures to promote social distancing” and

2. 30 days. Within the last 30 days (which vote may occur at that meeting) the legislative body has made the following findings by majority vote “(A) The legislative body has reconsidered the circumstances of the state of emergency. (B) Any of the following circumstances exist (i) The state of emergency continues to directly impact the ability of the members to meet safely in person. (ii) State or local officials continue to impose or recommend measures to promote social distancing.”

If the City intends to conduct meetings remotely, it should add to every agenda a consent calendar item to reaffirm the findings described above, which are required to allow the remote meetings. This resolution also makes the necessary findings for all subordinate legislative bodies of the City, such as the Planning Commission, so these bodies can also continue to meet remotely on an ongoing basis.

Attachments

1. Resolution to Continue to Authorize the Conduct of Remote “Telephonic” Meetings During the State of Emergency

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS MAKING THE LEGALLY REQUIRED FINDINGS TO CONTINUE TO AUTHORIZE THE CONDUCT OF REMOTE “TELEPHONIC” MEETINGS DURING THE STATE OF EMERGENCY

WHEREAS, on March 4, 2020, pursuant to California Gov. Code Section 8625, the Governor declared a state of emergency stemming from the COVID-19 pandemic (“Emergency”); and

WHEREAS, on September 17, 2021, Governor Newsom signed AB 361, which bill went into immediate effect as urgency legislation; and

WHEREAS, AB 361 added subsection (e) to Government Code Section 54953 to authorize legislative bodies to conduct remote meetings provided the legislative body makes specified findings; and

WHEREAS, as of September 19, 2021, the COVID-19 pandemic has killed more than 67,612 Californians; and

WHEREAS, social distancing measures decrease the chance of spread of COVID-19; and

WHEREAS, this legislative body previously adopted a resolution to authorize this legislative body and all other subordinate legislative bodies of the City to conduct remote “telephonic” meetings; and

WHEREAS, Government Code 54953(e)(3) authorizes legislative bodies of the City to continue to conduct remote “telephonic” meetings provided that the City has timely made the findings specified therein.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Citrus Heights as follows:

1. This legislative body declares that it has reconsidered the circumstances of the state of emergency declared by the Governor and at least one of the following is true: (a) the state of emergency, continues to directly impact the ability of the members of this legislative body and all subordinate legislative bodies of the City to meet safely in person; and/or (2) state or local officials continue to impose or recommend measures to promote social distancing.

PASSED, APPROVED AND ADOPTED this 13th day of January, 2022 by the following roll call vote:

AYES: **Council Members:**
NOES: **Council Members:**
ABSENT: **Council Members:**

Porsche Middleton, Mayor

ATTEST:

Amy Van, City Clerk



CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: January 13, 2022

TO: Mayor and City Council Members
Christopher W. Boyd, Interim City Manager

FROM: Amy Van, City Clerk

SUBJECT: **Appointments to Regional Boards and Committees**

Summary and Recommendation

Citrus Heights City Council Members represent the City on various regional boards and committees throughout Sacramento County as part of their duties as council members. Each January, the Mayor makes appointments to regional boards and local committees. Four of the regional boards require appointments to be made by a formal motion of the City Council. The Mayor will then propose all other appointments for 2022 as shown on Attachment 5.

Staff recommends the City Council adopt the following:

- a) Resolution No. 2022 - ____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Metropolitan Air Quality Management District (SMAQMD) Board of Directors, and Appointing a Member to Serve as the Alternate;
- b) Resolution No. 2022 - ____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Regional County Sanitation District (SRCSD) and Sacramento Area Sewer District (SASD) Boards of Directors, and Appointing a Member to Serve as the Alternate;
- c) Resolution No. 2022 - ____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Transportation Authority (STA), and Appointing a Member to Serve as the Alternate; and
- d) Resolution No. 2022 - ____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as a Director to the Sacramento Area Council of Governments (SACOG) Board of Directors, and Appointing a Member to Serve as the Alternate.

Fiscal Impact

Stipends associated with the regional boards and committees are issued to appointed representatives directly by the regional agency and have no fiscal impact to the City.

Attachments

- 1) Resolution No. 2022 - ____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Metropolitan Air Quality Management District (SMAQMD) Board of Directors, and Appointing a Member to Serve as the Alternate;
- 2) Resolution No. 2022 - ____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Regional County Sanitation District (SRCSD) and Sacramento Area Sewer District (SASD) Boards of Directors, and Appointing a Member to Serve as the Alternate;
- 3) Resolution No. 2022 - ____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as the Representative on the Sacramento Transportation Authority (STA), and Appointing a Member to Serve as the Alternate; and
- 4) Resolution No. 2022 - ____ A Resolution of the City Council of the City of Citrus Heights, California, Appointing a Citrus Heights Member to Serve as a Director to the Sacramento Area Council of Governments (SACOG) Board of Directors, and Appointing a Member to Serve as the Alternate
- 5) 2022 Proposed List of Regional Board/Committee Appointments

RESOLUTION NO. 2022- ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS,
CALIFORNIA, APPOINTING A CITRUS HEIGHTS MEMBER TO SERVE AS THE
REPRESENTATIVE ON THE SACRAMENTO METROPOLITAN AIR QUALITY
MANAGEMENT DISTRICT (SMAQMD) BOARD OF DIRECTORS, AND
APPOINTING A MEMBER TO SERVE AS THE ALTERNATE**

WHEREAS, the Sacramento Metropolitan Air Quality Management District jurisdiction is comprised of the County of Sacramento and its incorporated cities, and their mission is to achieve clean air goals by leading the region in protecting public health and the environment through innovative and effective programs, dedicated staff, community involvement, and public education;

WHEREAS, the City of Citrus Heights recognizes that it has an important role in helping to improve air quality to protect the public health;

WHEREAS, Health & Safety Code Section 40980(e)(1) requires that the members of the governing Board who are mayors or city council members shall be selected by the City Selection Committee if the District only contains one county; and

WHEREAS, Health & Safety Code Section 40980(e)(2) requires that subsequent appointments to represent a single city with the district on the SMAQMD Board shall be made by the city council of that city at a regularly scheduled city council meeting, consistent with state notice requirements.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Citrus Heights declares the following:

- The City of Citrus Heights appoints Tim Schaefer to serve as the City's representative on the SMAQMD Board of Directors.
- The City of Citrus Heights appoints Bret Daniels to serve as the City's alternate representative on the SMAQMD Board of Directors.

PASSED AND ADOPTED this 13th day of January 2022, by the following vote, to wit:

AYES: **Council Members:**
NOES: **Council Members:**
ABSTAIN: **Council Members:**
ABSENT: **Council Members:**

Porsche Middleton, Mayor

ATTEST:

Amy Van, City Clerk

RESOLUTION NO. 2022- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, APPOINTING A CITRUS HEIGHTS MEMBER TO SERVE AS THE REPRESENTATIVE ON THE SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT (SRCSD) AND SACRAMENTO AREA SEWER DISTRICT (SASD) BOARDS OF DIRECTORS, AND APPOINTING A MEMBER TO SERVE AS THE ALTERNATE

WHEREAS, the Sacramento Regional County Sanitation District (SRCSD) was formed in 1973 and provides regional wastewater conveyance and treatment services to residential, industrial and commercial customers throughout Sacramento County and the cities of Citrus Heights, Elk Grove, Folsom, Rancho Cordova, Sacramento and West Sacramento;

WHEREAS, the Sacramento Area Sewer District (SASD) was formed in 1978 and is a sewer utility providing service to more than one million people in the Sacramento region. Wastewater that is collected in their system flows into the SRCSD interceptor system, where it is conveyed to the Sacramento Regional Wastewater Treatment Plan;

WHEREAS, pursuant to Health and Safety Code Section 4730.11 and 4730.12 the Districts are governed by Boards comprised of representatives from the respective governing bodies of the jurisdictions served by SRCSD and SASD; and

WHEREAS, each City Council must designate (by a vote) the member(s) of their Council to become a director on the SRCSDS Board and SASD Board, as well as specifying alternates.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Citrus Heights declares the following:

- The City of Citrus Heights appoints Jeannie Bruins to serve as the City's representative on the SRCSD and SASD Boards of Directors.
- The City of Citrus Heights appoints Bret Daniels to serve as the City's alternate representative on the SRCSD and SASD Boards of Directors.

PASSED AND ADOPTED this 13th day of January 2022, by the following vote:

AYES: **Council Members:**
NOES: **Council Members:**
ABSTAIN: **Council Members:**
ABSENT: **Council Members:**

Porsche Middleton, Mayor

ATTEST:

Amy Van, City Clerk

RESOLUTION NO. 2022 - ____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CITRUS HEIGHTS, CALIFORNIA, APPOINTING A CITRUS
HEIGHTS MEMBER TO SERVE AS THE REPRESENTATIVE ON THE
SACRAMENTO TRANSPORTATION AUTHORITY (STA), AND APPOINTING
A MEMBER TO SERVE AS THE ALTERNATE**

WHEREAS, the Sacramento Transportation Authority (STA) was created in 1988 when Sacramento County's electorate approved Measure A, pursuant to Public Utilities Code Section 131240;

WHEREAS, the STA is comprised of the County of Sacramento and its incorporated cities; and

WHEREAS, the City of Citrus Heights is entitled to one Council Member and alternate who shall be appointed by and serve during his/her term of office at the pleasure of the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Citrus Heights declares as follows:

- The City of Citrus Heights appoints Steve Miller to serve as the City's representative on the STA Board of Directors.
- The City of Citrus Heights appoints Porsche Middleton to serve as the City's alternate representative on the STA Board of Directors.

PASSED AND ADOPTED on this 13th day of January 2022, by the following vote, to wit:

AYES: **Council Members:**
NOES: **Council Members:**
ABSTAIN: **Council Members:**
ABSENT: **Council Members:**

Porsche Middleton, Mayor

ATTEST:

Amy Van, City Clerk

RESOLUTION NO. 2022 - _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CITRUS HEIGHTS, CALIFORNIA, APPOINTING A CITRUS HEIGHTS
MEMBER TO SERVE AS DIRECTOR TO THE SACRAMENTO AREA COUNCIL OF
GOVERNMENTS (SACOG) BOARD OF DIRECTORS, AND APPOINTING A
MEMBER TO SERVE AS THE ALTERNATE.**

WHEREAS, the City of Citrus Heights is a member of the Sacramento Area Council of Governments (SACOG); and

WHEREAS, the City of Citrus Heights is entitled to one Director and Alternate seat who shall be a Mayor or a City Council member appointed by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Citrus Heights declares as follows:

- The City of Citrus Heights appoints Porsche Middleton to serve as SACOG Director
- The City of Citrus Heights appoints Jeannie Bruins to serve as Alternate SACOG Director.

BE IT FURTHER RESOLVED that the City Clerk is directed to send a copy of this resolution to SACOG within ten days after adoption.

PASSED AND ADOPTED on this 13th day of January 2022, by the following vote, to wit:

AYES: **Council Members:**
NOES: **Council Members:**
ABSTAIN: **Council Members:**
ABSENT: **Council Members:**

Porsche Middleton, Mayor

ATTEST:

Amy Van, City Clerk

CITY OF CITRUS HEIGHTS
2022 - Summary of Council Member Appointments

Councilmember Appointments to Regional Jurisdictions

Functional Area	Agency	Meeting Schedule	Special Requirements (if any)	Mayor's Appointment
Miscellaneous	Sacramento Metropolitan Cable Television Commission	Quarterly in March, June, September, December; 2:30 PM at the County Board of Sups. Chambers. No January meeting.		B. Daniels S. Miller (Alternate)
Miscellaneous	Sacramento Local Agency Formation Commission (LAFCo)	1 st Wed. of the month; 5:30 PM at County Board of Sups. Chambers	The Mayor or their designee of the City of Citrus Heights will serve as the appointment to LAFCO. Current appointment is City of Rancho Cordova ending 12/31/2022	
Library	Sacramento Public Library Authority (JPA)	4 th Thur. of the month; 3:00 p.m. at County Board of Sups. Chambers		B. Daniels T. Schaefer (Alternate)
Wastewater	Sacramento Area Sewer District (Meets with Regional Sanitation District) *	2 nd & 4 th Wed. of the month; 9:30 AM at County Board of Sups. Chambers		J. Bruins B. Daniels (Alternate)
Wastewater	Sacramento Regional County Sanitation District (Meets with County Sanitation District) *	2 nd & 4 th Wed. of the month; 9:30 AM at County Board of Sups. Chambers		J. Bruins B. Daniels (Alternate)
Transportation	Sacramento Transportation Authority (STA) *	2 nd Thurs. of the month; 1:30 PM at County Board of Sups. Chambers. No Jan/Sept meetings.		S. Miller P. Middleton (Alternate)
Transportation	Sacramento Area Council of Governments (SACOG) * (JPA)	3 rd Thurs. of the month; 9AM at SACOG offices		P. Middleton J. Bruins (Alternate)
Transportation	Regional Transit (RT)	2 nd & 4 th Mon. of the month; 6:00 PM at the RT Auditorium – 1400 29 th Street – Room 114.		S. Miller T. Schaefer (Alternate)
Air Quality	Sacramento Metropolitan Air Quality Management District (SMAQMD) *	4 th Thurs. of the month; 9:30 AM at the County Board of Sups. Chambers. No Nov/Dec meetings.		T. Schaefer B. Daniels (Alternate)
Homelessness	Sacramento Steps Forward Homelessness Policy Council	Board will meets quarterly.		P. Middleton B. Daniels (Alternate)

* Indicates a resolution is required to be adopted confirming the appointment(s).

Liaisons to Local Entities

Appointment Opportunity	Meeting Schedule	Special Requirements (if any)	Mayor's Appointment
Education & Community Programs (San Juan Unified School District & Sunrise park & Recreation District)	Meets as needed		S. Miller T. Schaefer
Sacramento Metropolitan Fire District	Meets as needed		B. Daniels P. Middleton
Inter-governmental Relations	Meets as needed		S. Miller B. Daniels
Sunrise MarketPlace			S. Miller P. Middleton
Mayors' & Board Chair Forum Collaborative	Meeting schedule published regularly	(Must be Mayor (for Mayors' & Board Chair Forum) & Mayor plus alternate for Core Group)	P. Middleton T. Schaefer

Council Ad Hoc Subcommittees

Functional Area	Subject Matter	Mayor's Appointment
Finance/Admin.	Budget, Investments, Miscellaneous Finance, Human Resources, Risk Management & Information Technology	P. Middleton T. Schaefer
Quality of Life (General Service, Community Development, Neighborhood Enhancement, Economic Development & Redevelopment)	General Plan, Zoning, Code Enforcement, Volunteer Programs, CDBG, Housing, REACH (Focus on CDBG Priorities), Economic Development/Redevelopment – (Focus on Innovation Fund), Engineering, Capital Improvement Projects, Solid Waste, Lighting and Landscaping Districts, Public Works)	J. Bruins T. Schaefer



CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: January 13, 2022

TO: Mayor and City Council Members

FROM: Ryan Jones, City Attorney

SUBJECT: Approval of City Manager Employment Agreement

Summary

With the pending retirement of City Manager Chris Boyd, the City Council embarked on a comprehensive search for a new City Manager. After hiring an executive search firm and conducting interviews, the City Council is prepared to select a new City Manager. The top candidate was Mr. Ashley Feeney.

Fiscal Impact

If the Council chooses Mr. Feeney as its next City Manager, the attached Employment Agreement is proposed. The key components of the Agreement are the following:

The Agreement is for a term of 4 years. Mr. Feeney will receive an annual salary of \$240,000. He is entitled to health, dental, medical, and vision insurance consistent with what is provided to others in the Executive Team. Mr. Feeney will receive deferred compensation in the amount of \$7,500 annually, which will be paid into the City's 457 plan, and he will receive a 5% salary match in a 401(a) plan. Mr. Feeney will initially accrue leave at a rate of 160 hours per year.

Pursuant to subsection (3) to Government Code § 54953(c), prior to the City Council taking final action, staff will provide an oral report summarizing the financial highlights of the proposed Agreement.

Attachment

- 1) City Manager Employment Agreement – Ashley Feeney

EMPLOYMENT AGREEMENT

CITY OF CITRUS HEIGHTS

This Agreement is entered into by and between the City of Citrus Heights, California, a municipal corporation ("City") and Ashley Feeney ("Employee"), as of January 13, 2022.

SECTION 1. EMPLOYMENT

City hereby employs Employee as City Manager on the terms and conditions set forth herein. Employee is an at-will employee of the City.

SECTION 2. DUTIES

Employee shall perform the functions and duties specified in the laws of the State of California and by City ordinance, resolution, and official action. Employee shall also perform such other duties and functions as the City, acting through the City Council, shall direct from time to time.

SECTION 3. TERM OF AGREEMENT

Employee shall begin his duties as City Manager, as of January 30, 2022, or a mutually agreeable date sooner, and shall continue with such duties until January 29, 2026.

SECTION 4. TERMINATION OF AGREEMENT

A. This Agreement may be terminated by Employee or City on any of the conditions set forth below:

1. By Employee, upon ninety (90) days prior written notice to the Mayor.
2. By City, without cause, upon City's payment to Employee of an amount equal to nine (9) months of salary, plus any accrued and unpaid leaves available for cashing out consistent with the City's policy.
3. By City, without payment of any unearned or additional salary past the termination date, but with payment for any accrued and unpaid leaves available for cashing out consistent with the City's policy, for any of the following:
 - a. Repeated acts of immoral or unprofessional conduct.
 - b. Dishonesty.
 - c. Repeated violations of or refusal to obey the state or

municipal laws and regulations or the direction of the City Council.

- d. Conviction of a felony or any crime involving moral turpitude.
- e. Breach of this Agreement.

- 4. Notwithstanding the above, City shall not terminate Employee's employment without cause within 120 days immediately following a general municipal election or appointment at which a new, not currently serving, member of the Council is sworn into office.

- B. Employee shall remain in the exclusive employ of City, except that City acknowledges that Employee may with prior written approval of the City Council engage in other professional activities (including teaching, writing, consulting, and the like) as long as these activities do not interfere or conflict with Employee's duties as City Manager and are otherwise consistent with any limitations set forth in the Fair Political Practices Act and related regulations.

SECTION 5. SALARY

City agrees to pay Employee for services rendered an annual salary of two hundred forty thousand dollars (\$240,000), payable in installments at the same time as other City employees are paid. The City Council, at its sole discretion, may grant merit increases to Employee. The City Council will consider a salary increase and potential contract extension with Employee approximately six (6) months prior to the end of the term of the Agreement.

SECTION 6. BENEFITS

- A. City shall pay for health, dental, and vision insurance for Employee and for Employee's dependents in the same manner as City pays for such benefits for other senior management employees. City may pay for such insurance if required to do so by the City's health insurance plan.
- B. City shall pay for life and disability insurance for Employee in the same manner as City pays for such benefits of other senior management employees.
- C. City shall pay its share of PERS contributions consistent with a PEPRA employee.
- D. Employee participates along with the City's Executive team in the ICMA-RC 401(a) plan. The plan mandates that all executive members, including Employee, contribute a minimum of 5% of their salary and the City provides

a matching maximum 5% contribution on a dollar-for-dollar basis.

- E. City shall pay annually deferred compensation for Employee in the amount of \$7,500 to the City's 457 plan.
- F. Employee shall be entitled to all other benefits provided to City executive employees.

SECTION 7. LEAVE

Effective January 30, 2022, Employee have 80 hours of annual leave available to him. Thereafter, Employee's shall accrue leave at the rate of 160 hours per year (i.e. 6.16 hours per pay period), with a maximum accrual of 320 hours. Annual leave may be cashed out of up to 80 hours per year.

SECTION 8. PERFORMANCE EVALUATION

The City Council shall endeavor to review and evaluate Employee's performance annually. Nothing in this provision shall be construed to require City to grant Employee merit increases based on the performance evaluation nor to limit the discretion of City to grant merit increases.

SECTION 9. PROFESSIONAL DEVELOPMENT

City shall budget and pay for the professional dues, subscriptions and membership of Employee necessary for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement and for the good of the City. Employee shall keep the Council reasonably informed of such activities in a manner mutually agreeable to Employee and Council.

SECTION 10. REIMBURSEMENT FOR EXPENSES

Employee shall be entitled to reimbursement of reasonable business-related expenses.

SECTION 11. BONDING

City shall bear the cost of any fidelity or other bond required of Employee under any applicable law or ordinance.

SECTION 12. MISCELLANEOUS

- A. City, in consultation with Employee, shall set any other terms and conditions of employment as City may determine from time to time, relating to Employee's performance, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Municipal Code, or any other law.

- B Unless otherwise specifically provided herein, all provisions of the Municipal Code and regulations and rules of City relating to annual leave, long term medical and executive management leave, retirement system contributions, holidays and other fringe benefits and working conditions as they now exist or hereafter may be amended shall also apply to Employee as they would to any other senior management employee of City.

SECTION 13. NOTICES

Notices pursuant to this Agreement shall be in writing, given by depositing in the U.S. Mail, postage prepaid, addressed as follows:

CITY

City of Citrus Heights
6360 Fountain Square Drive
Citrus Heights, CA 95621
Attention: Mayor

EMPLOYEE

Ashley Feeney
6360 Fountain Square Drive
Citrus Heights, CA 95621

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to the civil judicial process. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the U.S. mail.

SECTION 14. GENERAL PROVISIONS

- A. This Agreement shall constitute the entire agreement between the parties hereto, and expressly supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the employment of Employee by City. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement, statement, or promise not contained in this Agreement shall be valid or binding on either party hereto.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.

- C. If any provision or any portion hereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement or portion thereof shall be deemed severable, shall not be affected thereby and shall remain in full force and effect.
- D. Any modification of this Agreement shall be effective only if in writing and signed by both Employee and City, as approved by the City Council.
- E. This Agreement shall be governed by the laws of the State of California. The venue for any and all litigation arising from this Agreement shall be in the superior court located in Sacramento County, California.

EMPLOYEE

Dated: 12/24/2021


Ashley Feeney

CITY

Dated: _____

Porsche Middleton, Mayor
City of Citrus Heights

Approved as to form

Attest:

Ryan Jones
City Attorney

Amy Van
City Clerk