



## DECEMBER 9, 2021 AGENDA

### CITY OF CITRUS HEIGHTS CITY COUNCIL

6:00 PM SPECIAL MEETING

7:00 PM REGULAR MEETING

City Hall Council Chambers

6360 Fountain Square Drive, Citrus Heights, CA

**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). Council Members may attend City Council meetings telephonically or otherwise electronically. Per the July 29, 2021 Sacramento County Public Health Order, all individuals are required to wear face coverings in indoor public settings, despite vaccination status.

### PLEASE SEE BELOW FOR ZOOM MEETING INFORMATION

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

<https://us02web.zoom.us/j/81035027104>

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](mailto: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](mailto: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.

DECEMBER 9, 2021 SPECIAL REGULAR MEETING AGENDA PACKET.PDF

Item 16 - Updated Staff Report & Resolution

Documents:

[ITEM 16 - UPDATED.PDF](#)

CALL SPECIAL MEETING TO ORDER

1. Roll Call: Council Members: Bruins, Daniels, Schaefer, Middleton, Miller

PUBLIC COMMENT

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

ADJOURNMENT

CALL REGULAR MEETING TO ORDER

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

APPROVAL OF AGENDA

SPECIAL ITEMS

4. Selection Of Mayor And Vice Mayor

## PRESENTATIONS

5. Proclamation Recognizing City Manager, Christopher W. Boyd For His Service To The City Of Citrus Heights
6. Employee Service Recognition

## 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.

### 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-\_\_\_\_, 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. Alejandre/ M. Bushey

RECOMMENDATION: Adopt Resolution No. 2021-\_\_\_\_, 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-\_\_\_\_, 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-\_\_\_\_, 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-\_\_\_\_, 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-\_\_\_\_, 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-\_\_\_\_, 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. SUBJECT: Sylvan Soil Remediation Project Award Of Contract  
STAFF: C. Kempenaar/ R. Cave/ A. Bermudez/ M. Huber

RECOMMENDATION: Adopt Resolution No. 2021-\_\_\_\_, 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

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-\_\_\_\_, 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-\_\_\_\_, 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

#### PUBLIC HEARINGS

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-\_\_\_\_, 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-\_\_\_\_, 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

#### DEPARTMENT REPORTS

20. SUBJECT: American Rescue Plan Act Funding Update

DEPARTMENT: Administrative Services Department

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

DEPARTMENT: Police Department

#### CITY MANAGER ITEMS

#### ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

#### ADJOURNMENT

**CITY OF CITRUS HEIGHTS  
CITY COUNCIL  
Special/ Regular Meeting of Thursday, December 9, 2021  
City Hall Council Chambers  
6360 Fountain Square Drive, Citrus Heights, CA  
Special Meeting 6:00 p.m.  
Regular Meeting 7:00 p.m.**

**HOW TO PARTICIPATE:**

The City of Citrus Heights welcomes your interest and involvement in the City's legislative process. The City of Citrus Heights is allowing for remote and in person participation. The City Council has established a procedure for addressing the Council. Speaker Identification Sheets are provided on the table inside the Council Chambers. If you wish to address the Council during the meeting, please either complete a Speaker Identification Sheet and give it to the City Clerk, if participating via webcast you may 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](mailto: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.

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IN PERSON	ONLINE	ON TELEVISION
		
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December 3, 2021

  
\_\_\_\_\_  
Amy Van, City Clerk

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**SPECIAL CITY COUNCIL MEETING  
6:00 PM****CALL SPECIAL MEETING TO ORDER**

1. Roll Call: Council Members: Bruins, Daniels, Schaefer, Middleton, Miller

**PUBLIC COMMENT****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)  
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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****ADJOURNMENT**

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**REGULAR CITY COUNCIL MEETING  
7:00 PM****CALL REGULAR MEETING TO ORDER**

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

**APPROVAL OF AGENDA**

**SPECIAL ITEMS**

4. Selection of Mayor and Vice Mayor

**PRESENTATIONS**

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

**COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES****PUBLIC COMMENT****CONSENT CALENDAR**

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### **PUBLIC HEARING**

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**STAFF REPORT:** C. Kempenaar/ A. Bermudez  
**RECOMMENDATION:** The following is recommended;
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### **DEPARTMENT REPORTS**

20. **SUBJECT:** American Rescue Plan Act Funding Update  
**DEPARTMENT:** Administrative Services Department
21. **SUBJECT:** Regional Sacramento Abandoned Vehicle Service Authority (SAVSA) Possible Ballot Measure Update  
**DEPARTMENT:** Police Department

### **CITY MANAGER ITEMS**

### **ITEMS REQUESTED BY COUNCIL MEMBERS/ FUTURE AGENDA ITEMS**

### **ADJOURNMENT**

**CITY OF CITRUS HEIGHTS  
CITY COUNCIL  
MINUTES**

**Special/ Regular Meeting of Wednesday, November 10, 2021  
City Hall Council Chambers  
6360 Fountain Square Drive, Citrus Heights, CA**

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**CALL SPECIAL MEETING TO ORDER**

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

- |    |            |                          |  |
|----|------------|--------------------------|--|
| 1. | Roll Call: | Council Members present: | Bruins, Daniels, Schaefer, Middleton, Miller (joined at 6:30)                          |
|    |            | Council Members absent:  | None   |
|    |            | Staff present:           | Boyd, Cave, Huber, Jones, Kempenaar, McDuffee, Poole, Reid, Turcotte, Van, and Zenoni. |

**PUBLIC COMMENT**

None

**STUDY SESSION**

2. American Rescue Plan Act Update

Interim City Manager Boyd introduced the item, which will provide an update on the American Rescue Plan Act (ARPA) funding the City has received. He mentioned that this study session highlights how the funding has been used to date, and requests Council guidance for the next round of funding.

Interim Administrative Services Director Zenoni discussed the City has received \$7.8 million, which is a portion of the \$15.6 million total allocation. The federal guidelines for use of funds are broken into four categories. The first category being, respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits. The second category is to provide government services to the extent of the reduction in revenue due to COVID-19 relative to revenues collected in the most recent fiscal year prior to the emergency. The last two categories, which Zenoni stated the City is not eligible for, are to provide premium pay to essential workers and investments in water, sewer, or broadband infrastructure. On June 24, 2021, Council acted to utilize the first installment of ARPA funds to restore vacant Citrus Heights Police Department positions. Staff anticipates receiving the second allocation of ARPA funding in May 2022.

Economic Development and Communications Manager Huber presented the next phase of the ARPA funding. Staff have engaged Citrus Heights residents through a variety of platforms to ensure community needs are reflected with the allocated of ARPA funding. From December 2021 - January 2022, staff intend to stand up a COVID-19 recovery grant program to directly assist local small businesses and non-profits. In spring 2022, upon receiving the second installment of ARPA funding, staff will focus on homelessness prevention, blight abatement, and housing & resident support. Remaining funds will be allocated for revenue loss and infrastructure. Following feedback from Council, staff will present and refine a COVID-19 Recovery Grant Program and recommend fund allocations for programs.

Council comments and discussion followed.

Council Member Bruins stated her support for a COVID-19 Business Recovery Program.

Council Member Daniels stated his support for a small business recovery program. He would like to focus on aid for small businesses before non-profits, mainly non-corporate businesses. He stated his hesitancy to provide funding for homelessness prevention and blight.

Council Member Schaefer stated his support of Council Member Daniels recommendations. He would like the bulk of funding to support small businesses with a competitive grant program. He stated a key component should be how these businesses plan to bring consumers to Citrus Heights. Council Member Schaefer also stated he would like to see a robust marketing plan of the grant program to ensure the small business community is informed.

Vice Mayor Middleton stated her support for the small business grant program. She also stated she would like to see the program material available in a variety of languages to ensure equitable accessibility.

Mayor Miller also shared his support for the COVID-19 Business Recovery Program. He also stated he would like to see if the Citrus Heights Community Center would be eligible for recovery funds, an expansion in the Homeless Navigator Program, and affordable housing.

### **ADJOURNMENT**

Vice Mayor Middleton adjourned the special meeting at 6:58 p.m.

### **CALL REGULAR MEETING TO ORDER**

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

1. The Flag Salute was led by Council Member Schaefer.
2. Roll Call: Council Members present: Bruins, Daniels, Schaefer, Middleton, Miller  
Council Members absent: None  
Staff present: Boyd, Huber, Jones, Kempenaar, McDuffee, Nossardi, 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 Bruins, seconded by Council Member Daniels, the City Council approved the agenda.

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

### **PRESENTATIONS**

4. Proclamation of the City of Citrus Heights Recognizing Community Development Director Colleen McDuffee for Her Service to the City of Citrus Heights

Interim City Manager Boyd recognized Community Development Director McDuffee and her contributions to the Citrus Heights community. Vice Mayor Middleton presented McDuffee with a Proclamation and flowers from Council to honor her continued contributions. Community Development Director McDuffee shared her appreciation of the continued support from Council and thanked them for the opportunity.

### **COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES**

Council Member Bruins provided an update from the Sacramento Regional Sanitation Board meeting. She also shared an update from the Police Activities League meeting and recent PAL events. She commended staff for the job they did in putting together the adopted two-year City budget document. Council Member Bruins provided an update from the Police Activities League and recent events they have participated. She shared her appreciation for Blue Star Moms honoring Veterans Day.

Council Member Daniels attended the Citrus Heights Chamber luncheon where Republic Services shared a presentation on organics recycling. He also wanted to wish the United States Marine Corps a happy birthday, as they celebrate 246 years. Council Member Daniels also shared information for the Veterans Day ceremony at the Sylvan Cemetery. He also shared information for a community event called, Reptiles Take Over.

Council Member Schaefer shared his continued support for Mesa Verde High School during a recent crisis. He also shared his gratitude for Veterans Day. Lastly, he wished residents a Happy Hanukah.

Vice Mayor Middleton shared her support and appreciation for Citrus Heights veterans.

Mayor Miller shared information regarding the recent State of the City address and encouraged residents to take the community survey. He recently attended an awards ceremony with Sacramento Regional Transit, where they accepted an award from the American Public Transportation Association for 2021 Outstanding Transportation System.

### **PUBLIC COMMENT**

Jane Lopez addressed the Council expressing her support for the COVID-19 Recovery Grant Program. She suggested a resident advisory group to collaborate with Council and staff to select grant awardees.

Arthur Ketterling addressed the Council asking if a Police Chief has been selected.

### **CONSENT CALENDAR**

5. **SUBJECT:** Approval of Minutes  
**RECOMMENDATION:** Approve the Minutes of the Special and Regular Meeting of October 28, 2021.
6. **SUBJECT:** Approve Resolution for Continued Remote Meetings in Accordance with AB 361  
**STAFF:** A. Van/ R. Jones  
**RECOMMENDATION:** Adopt Resolution No. 2021-095, 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

7. **SUBJECT:** Quarterly Treasurer's Report  
**STAFF:** T. Nossardi  
**RECOMMENDATION:** City Council receive and file the Quarterly Treasurer's Report for the Quarter ending September 30, 2021.
8. **SUBJECT:** Request to Execute a Contract with Tyler Technologies for the Purchase of ExecuTime Advanced Scheduling, Time and Attendance and Mobile Access Payroll Reporting Software  
**STAFF:** B. Zenoni/ T. Nossardi  
**RECOMMENDATION:** Adopt Resolution No. 2021-096, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute a Contract with Tyler Technologies for the Purchase of ExecuTime Advanced Scheduling, Time and Attendance and Mobile Access Payroll Reporting Software

**ACTION:** On a motion by Council Member Daniels, seconded by Council Member Schaefer, the City Council adopted Consent Calendar Items 5, 6, 7 and 8.

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

### **PUBLIC HEARING**

8. **SUBJECT:** Sunrise Tomorrow Specific Plan  
**STAFF REPORT:** C. McDuffee/ C. Kempenaar/ M. Huber/ L. Blomquist  
**RECOMMENDATION:** The following is recommended;
- a. Adopt Resolution No. 2021-097, a Resolution of the City Council of the City of Citrus Heights, California, Certifying an Environmental Impact Report, Approving CEQA Findings and Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program;
  - b. Adopt Resolution No. 2021-098, a Resolution of the City Council of the City of Citrus Heights, California, Adopting a General Plan Map Amendment for the Sunrise Tomorrow Specific Plan;
  - c. Move to Introduce for First Reading, Read by Title Only and Waive the Full Reading of Ordinance No. 2021-006, an Ordinance of the City Council of the City of Citrus Heights, California, Amending Article 5, Chapter 106.50 of the Zoning Ordinance, Rezoning the Property from Shopping Center into the Sunrise Tomorrow Special Planning Area;
  - d. Adopt Resolution No. 2021-099, A Resolution of the City Council of the City of Citrus Heights, California Adopting the Sunrise Tomorrow Specific Plan.

Interim City Manager Boyd introduced the Sunrise Tomorrow Plan and the necessity in revitalization of the Sunrise Mall.

Planning Manager Kempenaar provided background on the Sunrise Tomorrow Plan and the process staff has undertaken over the past two years. Kempenaar addressed the outpouring support this project has received from not only the community, but also the current mall owners. Kempenaar reviewed the Planning Commission

recommended actions, which include certifying the EIR, adopt the Specific Plan, amend the General Plan to allow for mixed use, and rezone the property from a shopping center to special planning area. The Specific Plan will act as zoning and general plan for the site. This Plan will introduce new uses for the property, establish “ceilings” on new development, ensure holistic planning and coordination, and plan for long-term use of the property. Planning Manager Kempenaar introduced members from Gensler, the consultant group for the project, who shared the vision for the Sunrise Tomorrow project.

Jaymes Dunsmore from Gensler highlighted the purpose of the project, which is to create a Specific Plan to guide the development of the property, realize the City’s General Plan vision, and to transform the mall into a premier regional destination and flourishing center of community. Through various community workshops, Gensler has worked with staff to create a shared vision that captures community interests and priorities. Nate Cherry, with Gensler, discussed the Sunrise Tomorrow project overview. The plan will have key features such as a main street, Sunrise Commons, employment and entertainment anchors, hotels, housing, a transit center, and open space. Development of the site will allow for an increase in employment opportunities, mixed housing, and more.

Vice Mayor Middleton opened the public hearing at 8:08 p.m. after hearing no public comment, Vice Mayor Middleton closed the public hearing.

Mayor Miller left the meeting at 8:09 p.m.

Council comments and discussion followed.

ACTION: On a motion by Council Member Bruins, seconded by Council Member Daniels, Council adopted Resolution No. 2021-097, a Resolution of the City Council of the City of Citrus Heights, California, Certifying an Environmental Impact Report, Approving CEQA Findings and Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program.

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

ACTION: On a motion by Council Member Bruins, seconded by Council Member Daniels, Council adopted Resolution No. 2021-098, a Resolution of the City Council of the City of Citrus Heights, California, Adopting a General Plan Map Amendment for the Sunrise Tomorrow Specific Plan.

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

ACTION: On a motion by Council Member Bruins, seconded by Council Member Daniels, Council moved to Introduce for First Reading, Read by Title Only and Waive the Full Reading Ordinance No. 2021-006, an Ordinance of the City Council of the City of Citrus Heights, California, Amending Article 5, Chapter 106.50 of the Zoning Ordinance, Rezoning the Property from Shopping Center into the Sunrise Tomorrow Special Planning Area.

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

ABSENT: Miller

ACTION: On a motion by Council Member Bruins, seconded by Council Member Daniels, Council adopted Resolution No. 2021-099, A Resolution of the City Council of the City of Citrus Heights, California Adopting the Sunrise Tomorrow Specific Plan.

AYES: Bruins, Daniels, Schaefer, Middleton

NOES: None

ABSENT: Miller

**DEPARTMENT REPORTS**

None

**CITY MANAGER ITEMS**

None

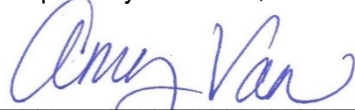
**ITEMS REQUESTED BY COUNCIL MEMBERS/ FUTURE AGENDA ITEMS**

None

**ADJOURNMENT**

Vice Mayor Middleton adjourned the regular meeting at 8:25 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 Tuesday, November 30, 2021  
City Hall Council Chambers  
6360 Fountain Square Drive, Citrus Heights, CA**

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**SPECIAL CITY COUNCIL MEETING CALLED TO ORDER**

The special council meeting was called to order at 11:00 a.m. by Mayor Miller.

- |    |            |                          |  |
|----|------------|--------------------------|--|
| 1. | Roll Call: | Council Members present: | Bruins, Daniels, Schaefer, Middleton, Miller |
|    |            | Council Members absent:  | None   |
|    |            | Staff present:           | Blomquist, Boyd, Cave, and Jones             |

**PUBLIC COMMENT**

None

**CLOSED SESSION**

- |    |   |
|----|---|
| 2. | PUBLIC EMPLOYEE APPOINTMENT<br>Pursuant to Government Code Section 54957(b)<br>Title: City Manager  |
| 3. | CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION<br>Significant Exposure to Litigation Pursuant to Government Code Section 54956.9 (d)(2)<br>1 Potential Case |

**REPORT OUT OF CLOSED SESSION**

There was no reportable action from closed session.

**ADJOURNMENT**

Mayor Miller adjourned the special meeting at 1:13 p.m.

Respectfully submitted,



Amy Van, City Clerk



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

**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. 2021-\_\_\_ 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. 2021- \_\_\_\_**

**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 9<sup>th</sup> day of December, 2021 by the following roll call vote:

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

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**Steve Miller, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Bill Zenoni, Interim Administrative Services Director  
Monica Alejandrez, Human Resources Manager  
Meagan Bushey, Management Analyst I

**SUBJECT:** Resolutions Adopting Amended Salary Table

### **Summary and Recommendation**

Staff recommends the City Council adopt Resolution No. 2021-\_\_\_\_, A Resolution of the City Council of the City of Citrus Heights, California, adopting the amended Salary Table, Exhibit A, which includes changes effective since the last salary table update.

### **Fiscal Impact**

No compensation changes will occur, therefore there is no fiscal impact.

### **Background and Analysis**

#### *Amended Salary Table*

California Code of Regulations, Title 2, Section 570.5 and requirements of the California Public Employees' Retirement System (CalPERS) requires that the payrate shall be listed on a schedule which:

1. Has been duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meeting laws;
2. Identifies the position title for every employee position;
3. Shows the payrate for each identified position, which may be stated as a single amount or as multiple amounts within a range;
4. Indicates the time base, including but not limited to, whether the time base is hourly, daily, bi-weekly, monthly, bi-monthly, or annually;
5. Is posted at the office of the employer or immediately accessible and available for public review from the employer during normal business hours or posted on the employer's internet website;

**Subject: Resolutions Adopting the Amended Salary Table**

**Date: December 9, 2021**

**Page 2 of 2**

6. Indicates an effective date and date of any revisions;
7. Is retained by the employer and available for public inspection for not less than five years; and
8. Does not reference another document in lieu of disclosing the payrate.

The amended Salary Table (Exhibit A) reflects additions, revisions, and deletions, which have occurred since adoption of the prior Salary Table:

**Added**

1. Police Officer Recruit (New Position effective November 21, 2021)
2. Police Services Manager (New Position effective November 21, 2021)
3. Police Support Supervisor (New Position effective November 21, 2021)

**Deleted**

1. Support Services Manager
2. Support Services Supervisor

**Revised**

1. Facility Attendant (internal relationship- set to hourly low of custodian eff. 09/26/2021)
2. Police Officer Reserve I (internal relationship – hourly equivalent of Police Officer eff. 10/24/2021)

The Amended Salary Table (Exhibit A) includes changes required due to the California minimum wage increase. These changes will become effective December 19, 2021.

1. Data Entry Assistant- Extra Help
2. Intern-Extra Help
3. Facility Attendant Trainee
4. Management Intern
5. Police Officer-Reserve II-Extra Help
6. Police Officer-Reserve I Trainee –Extra Help (internal relationship adjustment)
7. Receptionist

**Attachments**

1. Resolution adopting Amended Salary Table
  - a. Amended Salary Table, Exhibit A

**RESOLUTION NO. 2021 - \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS,  
CALIFORNIA ADOPTING THE AMENDED SALARY TABLE, EXHIBIT A**

**WHEREAS**, the City of Citrus Heights engages in sound economic planning practices;

**WHEREAS**, California Code of Regulations, Title 2, Section 570.5 requires governing bodies of local agencies contracting with the California Public Employees' Retirement System to approve and adopt a payrate schedule in accordance with public meeting laws; and

**WHEREAS**, the payrate schedule must identify each position by title, the individual payrate amount or ranges for that position, the time base upon which the amounts are based, and track all revisions.

**NOW, THEREFORE, BE IT RESOLVED**, the City Council of the City of Citrus Heights hereby finds and determines the above recitals are true and correct and have served as the basis, in part, for the findings and actions of the City Council as set forth below.

The City Council hereby adopts the amended Salary Table, Exhibit A, attached to this resolution as follows:

<b>Classification</b>	<b>Effective Date</b>	<b>Added to Salary Table</b>	<b>Hourly Low</b>	<b>Hourly High</b>
Facility Attendant	9/26/2021	Update Salary Range	16.7841	16.7841
Police Officer Recruit	11/21/2021	New Classification	34.5926	34.5926
Police Officer Reserve- I	10/24/2021	Update Salary Range	36.3222	45.3615

<b>Classification</b>	<b>Effective Date</b>	<b>Added to Salary Table</b>	<b>Salary Step 1</b>	<b>Salary Step 10</b>
Police Services Manager	11/21/2021	New Classification	96,593.58	120,632.14
Police Services Supervisor	11/21/2021	New Classification	81,005.80	101,165.14

<b>Classification</b>	<b>Effective Date</b>	<b>Changes due to California Minimum Wage Requirements</b>	<b>Hourly Low</b>	<b>Hourly High</b>
Data Entry Assistant- Extra	12/19/2021	Salary Range update	15.4108	19.7874
Intern-Extra Help	12/19/2021	Salary Range update	15.0000	15.0000
Facility Attendant Trainee	12/19/2021	Salary Range update	15.0000	15.0000
Management Intern – Extra Help	12/19/2021	Salary Range update	15.2146	19.0010
Police Officer-Reserve II-Extra Help	12/19/2021	Salary Range update	15.0000	19.2600
Police Officer-Reserve I Trainee-Extra Help	12/19/2021	Salary Range update	19.5000	20.8650
Receptionist	12/19/2021	Salary Range update	15.4242	19.2627

The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9<sup>th</sup> day of December 2021 by the following vote, to wit:

*Printed on Recycled Paper*



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

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**Steve Miller, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**

**EXHIBIT A – Amended Salary Table (Presented to the City Council December 09, 2021)**

# CITY OF CITRUS HEIGHTS SALARY TABLE

Adopted:  
Effective December 19, 2021

Full-Time Unrepresented Position Titles	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Hourly	Annual
ACCOUNTANT	\$ 34.6276	\$ 35.4933	\$ 36.3806	\$ 37.2901	\$ 38.2224	\$ 39.1779	\$ 40.1574	\$ 41.1613	\$ 42.1903	\$ 43.2451	x	
ACCOUNTING MANAGER	\$ 108,913.43	\$ 111,636.27	\$ 114,427.17	\$ 117,287.85	\$ 120,220.05	\$ 123,225.55	\$ 126,306.19	\$ 129,463.84	\$ 132,700.44	\$ 136,017.95		x
ACCOUNTING TECHNICIAN	\$ 25.5769	\$ 26.2163	\$ 26.8717	\$ 27.5435	\$ 28.2321	\$ 28.9379	\$ 29.6613	\$ 30.4029	\$ 31.1629	\$ 31.9420	x	
ADMINISTRATIVE ASSISTANT	\$ 25.5769	\$ 26.2163	\$ 26.8717	\$ 27.5435	\$ 28.2321	\$ 28.9379	\$ 29.6613	\$ 30.4029	\$ 31.1629	\$ 31.9420	x	
ADMINSTRATIVE TECHNICIAN	\$ 28.1345	\$ 28.8378	\$ 29.5588	\$ 30.2977	\$ 31.0552	\$ 31.8316	\$ 32.6274	\$ 33.4430	\$ 34.2791	\$ 35.1361	x	
ASSISTANT CHIEF OF POLICE	\$ 151,956.86	\$ 155,755.79	\$ 159,649.68	\$ 163,640.92	\$ 167,731.94	\$ 171,925.24	\$ 176,223.37	\$ 180,628.96	\$ 185,144.68	\$ 189,773.30		x
ASSISTANT CITY CLERK	\$ 77,362.69	\$ 79,296.76	\$ 81,279.18	\$ 83,311.16	\$ 85,393.94	\$ 87,528.78	\$ 89,717.00	\$ 91,959.93	\$ 94,258.93	\$ 96,615.40		x
ASSISTANT ENGINEER	\$ 34.1983	\$ 35.0533	\$ 35.9296	\$ 36.8278	\$ 37.7485	\$ 38.6922	\$ 39.6596	\$ 40.6510	\$ 41.6673	\$ 42.7090	x	
ASSISTANT PLANNER	\$ 30.7738	\$ 31.5431	\$ 32.3317	\$ 33.1400	\$ 33.9685	\$ 34.8177	\$ 35.6881	\$ 36.5803	\$ 37.4948	\$ 38.4322	x	
ASSISTANT TO THE CITY MANAGER	\$ 100,223.18	\$ 102,728.76	\$ 105,296.98	\$ 107,929.40	\$ 110,627.64	\$ 113,393.33	\$ 116,228.16	\$ 119,133.87	\$ 122,112.21	\$ 125,165.02		x
ASSOCIATE CIVIL ENGINEER	\$ 86,070.02	\$ 88,221.77	\$ 90,427.31	\$ 92,688.00	\$ 95,005.20	\$ 97,380.33	\$ 99,814.83	\$ 102,310.21	\$ 104,867.96	\$ 107,489.66		x
ASSOCIATE ENGINEER	\$ 37.6180	\$ 38.5584	\$ 39.5224	\$ 40.5104	\$ 41.5232	\$ 42.5613	\$ 43.6253	\$ 44.7160	\$ 45.8339	\$ 46.9797	x	
ASSOCIATE PLANNER	\$ 71,677.65	\$ 73,469.59	\$ 75,306.33	\$ 77,188.99	\$ 79,118.71	\$ 81,096.68	\$ 83,124.10	\$ 85,202.20	\$ 87,332.25	\$ 89,515.56		x
BUILDING INSPECTOR I	\$ 28.8538	\$ 29.5752	\$ 30.3146	\$ 31.0724	\$ 31.8492	\$ 32.6455	\$ 33.4616	\$ 34.2982	\$ 35.1556	\$ 36.0345	x	
BUILDING INSPECTOR II	\$ 31.7391	\$ 32.5326	\$ 33.3459	\$ 34.1796	\$ 35.0340	\$ 35.9099	\$ 36.8076	\$ 37.7278	\$ 38.6710	\$ 39.6378	x	
CHIEF BUILDING OFFICIAL	\$ 108,913.43	\$ 111,636.27	\$ 114,427.17	\$ 117,287.85	\$ 120,220.05	\$ 123,225.55	\$ 126,306.19	\$ 129,463.84	\$ 132,700.44	\$ 136,017.95		x
CITY CLERK	\$ 95,667.60	\$ 98,059.29	\$ 100,510.77	\$ 103,023.54	\$ 105,599.13	\$ 108,239.11	\$ 110,945.08	\$ 113,718.71	\$ 116,561.68	\$ 119,475.72		x
CITY ENGINEER	\$ 130,274.31	\$ 133,531.17	\$ 136,869.45	\$ 140,291.18	\$ 143,798.46	\$ 147,393.42	\$ 151,078.26	\$ 154,855.21	\$ 158,726.60	\$ 162,694.76		x
CITY MANAGER'S EXECUTIVE ASSISTANT	\$ 72,025.30	\$ 73,825.93	\$ 75,671.58	\$ 77,563.37	\$ 79,502.45	\$ 81,490.02	\$ 83,527.27	\$ 85,615.45	\$ 87,755.83	\$ 89,949.73		x
COMMUNICATIONS OFFICER	\$ 79,227.83	\$ 81,208.52	\$ 83,238.74	\$ 85,319.70	\$ 87,452.70	\$ 89,639.01	\$ 91,879.99	\$ 94,176.99	\$ 96,531.41	\$ 98,944.70		x
CONSTRUCTION/MAINTENANCE INSPECTOR I	\$ 27.1244	\$ 27.8025	\$ 28.4976	\$ 29.2100	\$ 29.9403	\$ 30.6888	\$ 31.4560	\$ 32.2424	\$ 33.0485	\$ 33.8747	x	
CONSTRUCTION / MAINTENANCE INSPECTOR II	\$ 29.8368	\$ 30.5827	\$ 31.3473	\$ 32.1310	\$ 32.9343	\$ 33.7576	\$ 34.6016	\$ 35.4666	\$ 36.3533	\$ 37.2621	x	
CONSTRUCTION/MAINTENANCE INSPECTOR SUPERVISOR	\$ 91,112.04	\$ 93,389.84	\$ 95,724.58	\$ 98,117.70	\$ 100,570.64	\$ 103,084.91	\$ 105,662.03	\$ 108,303.58	\$ 111,011.17	\$ 113,786.45		x
CUSTODIAN	\$ 16.7841	\$ 17.2037	\$ 17.6338	\$ 18.0746	\$ 18.5265	\$ 18.9896	\$ 19.4644	\$ 19.9510	\$ 20.4498	\$ 20.9610	x	
DATABASE & APPLICATIONS ANALYST	\$ 42.4831	\$ 43.5452	\$ 44.6338	\$ 45.7497	\$ 46.8934	\$ 48.0658	\$ 49.2674	\$ 50.4991	\$ 51.7616	\$ 53.0556	x	
DEVELOPMENT SERVICES TECHNICIAN I	\$ 24.4955	\$ 25.1079	\$ 25.7356	\$ 26.3790	\$ 27.0384	\$ 27.7144	\$ 28.4072	\$ 29.1174	\$ 29.8454	\$ 30.5915	x	
DEVELOPMENT SERVICES TECHNICIAN II	\$ 26.9451	\$ 27.6188	\$ 28.3092	\$ 29.0170	\$ 29.7424	\$ 30.4860	\$ 31.2481	\$ 32.0293	\$ 32.8300	\$ 33.6508	x	
DEVELOPMENT SPECIALIST I	\$ 72,025.30	\$ 73,825.93	\$ 75,671.58	\$ 77,563.37	\$ 79,502.45	\$ 81,490.02	\$ 83,527.27	\$ 85,615.45	\$ 87,755.83	\$ 89,949.73		x

Full-Time Unrepresented Position Titles	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Hourly	Annual
DEVELOPMENT SPECIALIST II	\$ 79,227.83	\$ 81,208.52	\$ 83,238.74	\$ 85,319.70	\$ 87,452.70	\$ 89,639.01	\$ 91,879.99	\$ 94,176.99	\$ 96,531.41	\$ 98,944.70		x
ECONOMIC DEVELOPMENT & COMMUNICATIONS MANAGER	\$ 102,624.41	\$ 105,190.02	\$ 107,819.77	\$ 110,515.26	\$ 113,278.14	\$ 116,110.10	\$ 119,012.85	\$ 121,988.17	\$ 125,037.87	\$ 128,163.82		x
ENGINEERING AIDE	\$ 22.8316	\$ 23.4024	\$ 23.9875	\$ 24.5872	\$ 25.2019	\$ 25.8319	\$ 26.4777	\$ 27.1397	\$ 27.8181	\$ 28.5136	x	
ENGINEERING TECHNICIAN I	\$ 25.1148	\$ 25.7427	\$ 26.3863	\$ 27.0459	\$ 27.7221	\$ 28.4151	\$ 29.1255	\$ 29.8537	\$ 30.6000	\$ 31.3650	x	
ENGINEERING TECHNICIAN II	\$ 27.6263	\$ 28.3170	\$ 29.0249	\$ 29.7505	\$ 30.4943	\$ 31.2567	\$ 32.0381	\$ 32.8390	\$ 33.6600	\$ 34.5015	x	
EVENT & COMMUNITY CENTER TECHNICIAN	\$ 23.1751	\$ 23.7545	\$ 24.3483	\$ 24.9570	\$ 25.5810	\$ 26.2205	\$ 26.8760	\$ 27.5479	\$ 28.2366	\$ 28.9425	x	
EXECUTIVE ASSISTANT	\$ 30.9478	\$ 31.7214	\$ 32.5145	\$ 33.3273	\$ 34.1605	\$ 35.0145	\$ 35.8899	\$ 36.7872	\$ 37.7068	\$ 38.6495	x	
FACILITY AND GROUNDS MANAGER	\$ 108,913.43	\$ 111,636.27	\$ 114,427.17	\$ 117,287.85	\$ 120,220.05	\$ 123,225.55	\$ 126,306.19	\$ 129,463.84	\$ 132,700.44	\$ 136,017.95		x
FACILITY AND GROUNDS SUPERVISOR	\$ 91,112.04	\$ 93,389.84	\$ 95,724.58	\$ 98,117.70	\$ 100,570.64	\$ 103,084.91	\$ 105,662.03	\$ 108,303.58	\$ 111,011.17	\$ 113,786.45		x
FINANCE MANAGER	\$ 108,913.43	\$ 111,636.27	\$ 114,427.17	\$ 117,287.85	\$ 120,220.05	\$ 123,225.55	\$ 126,306.19	\$ 129,463.84	\$ 132,700.44	\$ 136,017.95		x
FINANCIAL ASSISTANT II	\$ 19.9738	\$ 20.4732	\$ 20.9850	\$ 21.5097	\$ 22.0474	\$ 22.5986	\$ 23.1635	\$ 23.7426	\$ 24.3362	\$ 24.9446	x	
FLEET TECHNICIAN	\$ 25.3660	\$ 26.0002	\$ 26.6502	\$ 27.3164	\$ 27.9994	\$ 28.6993	\$ 29.4168	\$ 30.1522	\$ 30.9060	\$ 31.6787	x	
GRANTS & HOUSING PROGRAM TECHNICIAN I	\$ 24.4955	\$ 25.1079	\$ 25.7356	\$ 26.3790	\$ 27.0384	\$ 27.7144	\$ 28.4072	\$ 29.1174	\$ 29.8454	\$ 30.5915	x	
GRANTS & HOUSING PROGRAM TECHNICIAN II	\$ 26.9451	\$ 27.6188	\$ 28.3092	\$ 29.0170	\$ 29.7424	\$ 30.4860	\$ 31.2481	\$ 32.0293	\$ 32.8300	\$ 33.6508	x	
HOUSING & HUMAN SERVICES PROGRAM COORDINATOR	\$ 91,112.04	\$ 93,389.84	\$ 95,724.58	\$ 98,117.70	\$ 100,570.64	\$ 103,084.91	\$ 105,662.03	\$ 108,303.58	\$ 111,011.17	\$ 113,786.45		x
HOUSING PLANNER	\$ 70,410.25	\$ 72,170.51	\$ 73,974.77	\$ 75,824.14	\$ 77,719.75	\$ 79,662.74	\$ 81,654.31	\$ 83,695.67	\$ 85,788.06	\$ 87,932.76		x
HUMAN RESOURCES TECHNICIAN	\$ 30.9478	\$ 31.7214	\$ 32.5145	\$ 33.3273	\$ 34.1605	\$ 35.0145	\$ 35.8899	\$ 36.7872	\$ 37.7068	\$ 38.6495	x	
HUMAN RESOURCES ANALYST I	\$ 72,025.30	\$ 73,825.93	\$ 75,671.58	\$ 77,563.37	\$ 79,502.45	\$ 81,490.02	\$ 83,527.27	\$ 85,615.45	\$ 87,755.83	\$ 89,949.73		x
HUMAN RESOURCES ANALYST II	\$ 79,227.83	\$ 81,208.52	\$ 83,238.74	\$ 85,319.70	\$ 87,452.70	\$ 89,639.01	\$ 91,879.99	\$ 94,176.99	\$ 96,531.41	\$ 98,944.70		x
HUMAN RESOURCES ASSOCIATE	\$ 25.5769	\$ 26.2163	\$ 26.8717	\$ 27.5435	\$ 28.2321	\$ 28.9379	\$ 29.6613	\$ 30.4029	\$ 31.1629	\$ 31.9420	x	
HUMAN RESOURCES MANAGER	\$ 114,451.63	\$ 117,312.92	\$ 120,245.74	\$ 123,251.89	\$ 126,333.18	\$ 129,491.51	\$ 132,728.80	\$ 136,047.02	\$ 139,448.20	\$ 142,934.40		x
INFORMATION TECHNOLOGY SUPPORT SPECIALIST	\$ 35.2863	\$ 36.1685	\$ 37.0727	\$ 37.9995	\$ 38.9495	\$ 39.9233	\$ 40.9213	\$ 41.9444	\$ 42.9930	\$ 44.0678	x	
INFORMATION TECHNOLOGY ANALYST I	\$ 33.5835	\$ 34.4231	\$ 35.2837	\$ 36.1658	\$ 37.0699	\$ 37.9967	\$ 38.9466	\$ 39.9202	\$ 40.9182	\$ 41.9412	x	
INFORMATION TECHNOLOGY ANALYST II	\$ 36.9418	\$ 37.8654	\$ 38.8120	\$ 39.7823	\$ 40.7769	\$ 41.7963	\$ 42.8412	\$ 43.9122	\$ 45.0100	\$ 46.1353	x	
INFORMATION TECHNOLOGY MANAGER	\$ 114,451.63	\$ 117,312.92	\$ 120,245.74	\$ 123,251.89	\$ 126,333.18	\$ 129,491.51	\$ 132,728.80	\$ 136,047.02	\$ 139,448.20	\$ 142,934.40		x
INFORMATION TECHNOLOGY TECHNICIAN	\$ 29.2228	\$ 29.9534	\$ 30.7022	\$ 31.4698	\$ 32.2565	\$ 33.0629	\$ 33.8895	\$ 34.7368	\$ 35.6052	\$ 36.4953	x	
JUNIOR ENGINEERING AIDE	\$ 16.3084	\$ 16.7161	\$ 17.1340	\$ 17.5623	\$ 18.0014	\$ 18.4514	\$ 18.9127	\$ 19.3855	\$ 19.8701	\$ 20.3669	x	
JUNIOR PLANNER	\$ 29.3084	\$ 30.0411	\$ 30.7922	\$ 31.5620	\$ 32.3510	\$ 33.1598	\$ 33.9888	\$ 34.8385	\$ 35.7095	\$ 36.6022	x	
MAINTENANCE WORKER I	\$ 20.0521	\$ 20.5534	\$ 21.0672	\$ 21.5939	\$ 22.1337	\$ 22.6871	\$ 23.2543	\$ 23.8356	\$ 24.4315	\$ 25.0423	x	
MAINTENANCE WORKER II	\$ 22.0573	\$ 22.6087	\$ 23.1739	\$ 23.7533	\$ 24.3471	\$ 24.9558	\$ 25.5797	\$ 26.2192	\$ 26.8746	\$ 27.5465	x	
MANAGEMENT AIDE	\$ 17.4969	\$ 17.9343	\$ 18.3827	\$ 18.8422	\$ 19.3133	\$ 19.7961	\$ 20.2910	\$ 20.7983	\$ 21.3182	\$ 21.8512	x	
MANAGEMENT ANALYST I	\$ 72,025.30	\$ 73,825.93	\$ 75,671.58	\$ 77,563.37	\$ 79,502.45	\$ 81,490.02	\$ 83,527.27	\$ 85,615.45	\$ 87,755.83	\$ 89,949.73		x
MANAGEMENT ANALYST II	\$ 79,227.83	\$ 81,208.52	\$ 83,238.74	\$ 85,319.70	\$ 87,452.70	\$ 89,639.01	\$ 91,879.99	\$ 94,176.99	\$ 96,531.41	\$ 98,944.70		x
OFFICE ASSISTANT	\$ 18.5090	\$ 18.9717	\$ 19.4460	\$ 19.9322	\$ 20.4305	\$ 20.9412	\$ 21.4648	\$ 22.0014	\$ 22.5514	\$ 23.1152	x	

Full-Time Unrepresented Position Titles	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Hourly	Annual
OPERATIONS MANAGER	\$ 108,913.43	\$ 111,636.27	\$ 114,427.17	\$ 117,287.85	\$ 120,220.05	\$ 123,225.55	\$ 126,306.19	\$ 129,463.84	\$ 132,700.44	\$ 136,017.95		x
PAYROLL SPECIALIST	\$ 34.6276	\$ 35.4933	\$ 36.3806	\$ 37.2901	\$ 38.2224	\$ 39.1779	\$ 40.1574	\$ 41.1613	\$ 42.1903	\$ 43.2451	x	
PAYROLL TECHNICIAN	\$ 28.1345	\$ 28.8378	\$ 29.5588	\$ 30.2977	\$ 31.0552	\$ 31.8316	\$ 32.6274	\$ 33.4430	\$ 34.2791	\$ 35.1361	x	
PLANNING MANAGER	\$ 108,913.43	\$ 111,636.27	\$ 114,427.17	\$ 117,287.85	\$ 120,220.05	\$ 123,225.55	\$ 126,306.19	\$ 129,463.84	\$ 132,700.44	\$ 136,017.95		x
PLANNING TECHNICIAN	\$ 25.1558	\$ 25.7847	\$ 26.4294	\$ 27.0901	\$ 27.7673	\$ 28.4615	\$ 29.1731	\$ 29.9024	\$ 30.6500	\$ 31.4162	x	
POLICE COMMANDER	\$ 138,142.59	\$ 141,596.16	\$ 145,136.06	\$ 148,764.46	\$ 152,483.58	\$ 156,295.67	\$ 160,203.06	\$ 164,208.13	\$ 168,313.34	\$ 172,521.17		x
POLICE COMMUNICATIONS SUPERVISOR	\$ 81,005.80	\$ 83,030.94	\$ 85,106.72	\$ 87,234.38	\$ 89,415.24	\$ 91,650.62	\$ 93,941.89	\$ 96,290.44	\$ 98,697.70	\$ 101,165.14		x
POLICE LIEUTENANT	\$ 118,316.39	\$ 121,274.30	\$ 124,306.16	\$ 127,413.81	\$ 130,599.16	\$ 133,864.14	\$ 137,210.74	\$ 140,641.01	\$ 144,157.03	\$ 147,760.96		x
POLICE OFFICER RECRUIT <i>eff.11/21/2021</i>	\$ 34.5926	\$ 34.5926	\$ 34.5926	\$ 34.5926	\$ 34.5926	\$ 34.5926	\$ 34.5926	\$ 34.5926	\$ 34.5926	\$ 34.5926	x	
POLICE SERGEANT	\$ 43.0866	\$ 44.1637	\$ 45.2678	\$ 46.3995	\$ 47.5595	\$ 48.7485	\$ 49.9672	\$ 51.2164	\$ 52.4968	\$ 53.8092	x	
POLICE SERVICES MANAGER <i>eff. 11/21/2021</i>	\$ 96,593.58	\$ 99,008.42	\$ 101,483.63	\$ 104,020.72	\$ 106,621.23	\$ 109,286.77	\$ 112,018.93	\$ 114,819.41	\$ 117,689.89	\$ 120,632.14		x
POLICE SERVICES SUPERVISOR <i>eff.11/21/2021</i>	\$ 81,005.80	\$ 83,030.94	\$ 85,106.72	\$ 87,234.38	\$ 89,415.24	\$ 91,650.62	\$ 93,941.89	\$ 96,290.44	\$ 98,697.70	\$ 101,165.14		x
PRINCIPAL ACCOUNTANT-AUDITOR	\$ 104,046.99	\$ 106,648.16	\$ 109,314.37	\$ 112,047.23	\$ 114,848.41	\$ 117,719.62	\$ 120,662.61	\$ 123,679.17	\$ 126,771.15	\$ 129,940.43		x
PRINCIPAL CIVIL ENGINEER	\$ 108,878.46	\$ 111,600.42	\$ 114,390.43	\$ 117,250.20	\$ 120,181.45	\$ 123,185.99	\$ 126,265.64	\$ 129,422.28	\$ 132,657.83	\$ 135,974.28		x
PRINCIPAL INFORMATION TECHNOLOGY ANALYST	\$ 104,046.99	\$ 106,648.16	\$ 109,314.37	\$ 112,047.23	\$ 114,848.41	\$ 117,719.62	\$ 120,662.61	\$ 123,679.17	\$ 126,771.15	\$ 129,940.43		x
PROGRAM ANALYST	\$ 33.5835	\$ 34.4231	\$ 35.2837	\$ 36.1658	\$ 37.0699	\$ 37.9967	\$ 38.9466	\$ 39.9202	\$ 40.9182	\$ 41.9412	x	
PROGRAM ASSISTANT	\$ 20.3599	\$ 20.8689	\$ 21.3906	\$ 21.9254	\$ 22.4735	\$ 23.0353	\$ 23.6112	\$ 24.2015	\$ 24.8065	\$ 25.4267	x	
RECEPTIONIST	\$ 15.4242	\$ 15.8098	\$ 16.2050	\$ 16.6102	\$ 17.0254	\$ 17.4511	\$ 17.8873	\$ 18.3345	\$ 18.7929	\$ 19.2627	x	
SENIOR ACCOUNTANT-AUDITOR	\$ 95,667.60	\$ 98,059.29	\$ 100,510.77	\$ 103,023.54	\$ 105,599.13	\$ 108,239.11	\$ 110,945.08	\$ 113,718.71	\$ 116,561.68	\$ 119,475.72		x
SENIOR BUILDING INSPECTOR	\$ 36.5000	\$ 37.4125	\$ 38.3478	\$ 39.3065	\$ 40.2892	\$ 41.2964	\$ 42.3288	\$ 43.3870	\$ 44.4717	\$ 45.5835	x	
SENIOR CIVIL/TRAFFIC ENGINEER	\$ 98,980.35	\$ 101,454.86	\$ 103,991.24	\$ 106,591.02	\$ 109,255.79	\$ 111,987.19	\$ 114,786.87	\$ 117,656.54	\$ 120,597.95	\$ 123,612.90		x
SENIOR INFORMATION TECHNOLOGY TECHNICIAN	\$ 33.6060	\$ 34.4462	\$ 35.3073	\$ 36.1900	\$ 37.0947	\$ 38.0221	\$ 38.9727	\$ 39.9470	\$ 40.9457	\$ 41.9693	x	
SENIOR MAINTENANCE WORKER	\$ 25.3660	\$ 26.0002	\$ 26.6502	\$ 27.3164	\$ 27.9994	\$ 28.6993	\$ 29.4168	\$ 30.1522	\$ 30.9060	\$ 31.6787	x	
SENIOR MANAGEMENT ANALYST	\$ 91,112.04	\$ 93,389.84	\$ 95,724.58	\$ 98,117.70	\$ 100,570.64	\$ 103,084.91	\$ 105,662.03	\$ 108,303.58	\$ 111,011.17	\$ 113,786.45		x
SENIOR OFFICE ASSISTANT	\$ 20.3599	\$ 20.8689	\$ 21.3906	\$ 21.9254	\$ 22.4735	\$ 23.0353	\$ 23.6112	\$ 24.2015	\$ 24.8065	\$ 25.4267	x	
SENIOR PLANNER	\$ 82,429.29	\$ 84,490.02	\$ 86,602.27	\$ 88,767.33	\$ 90,986.51	\$ 93,261.18	\$ 95,592.71	\$ 97,982.52	\$ 100,432.09	\$ 102,942.89		x
SENIOR PLANNING TECHNICIAN	\$ 27.6714	\$ 28.3632	\$ 29.0723	\$ 29.7991	\$ 30.5441	\$ 31.3077	\$ 32.0904	\$ 32.8926	\$ 33.7149	\$ 34.5578	x	
SENIOR TRAFFIC TECHNICIAN	\$ 29.8368	\$ 30.5827	\$ 31.3473	\$ 32.1310	\$ 32.9343	\$ 33.7576	\$ 34.6016	\$ 35.4666	\$ 36.3533	\$ 37.2621	x	
SENIOR DATABASE AND APPLICATIONS ANALYST	\$ 46.7314	\$ 47.8997	\$ 49.0972	\$ 50.3246	\$ 51.5827	\$ 52.8723	\$ 54.1941	\$ 55.5489	\$ 56.9377	\$ 58.3611	x	
STREETS & UTILITIES MAINTENANCE SUPERVISOR	\$ 91,112.04	\$ 93,389.84	\$ 95,724.58	\$ 98,117.70	\$ 100,570.64	\$ 103,084.91	\$ 105,662.03	\$ 108,303.58	\$ 111,011.17	\$ 113,786.45		x
TRAFFIC & SIGNAL OPERATIONS SUPERVISOR	\$ 91,112.04	\$ 93,389.84	\$ 95,724.58	\$ 98,117.70	\$ 100,570.64	\$ 103,084.91	\$ 105,662.03	\$ 108,303.58	\$ 111,011.17	\$ 113,786.45		x
Citrus Heights Police Officers Association	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Hourly	Annual
POLICE OFFICER	\$ 36.3222	\$ 37.2303	\$ 38.1611	\$ 39.1151	\$ 40.0930	\$ 41.0953	\$ 42.1227	\$ 43.1757	\$ 44.2551	\$ 45.3615	x	

Extra Help	Hourly Range Low	Hourly Range High
ASSOCIATE ENGINEER - EXTRA HELP	\$ 35.8712	\$ 46.0585
CITY ENGINEER - EXTRA HELP	\$ 59.7235	\$ 76.6849
COMMUNITY SERVICES OFFICER - EXTRA HELP	\$ 20.2395	\$ 25.9875
DATA ENTRY ASSISTANT - EXTRA HELP	\$ 15.4108	\$ 19.7874
FACILITY ATTENDANT <i>eff. 9/26/2021</i>	\$ 16.7841	\$ 16.7841
FACILITY ATTENDANT TRAINEE	\$ 15.0000	\$ 15.0000
INTERN - EXTRA HELP	\$ 15.0000	\$ 15.0000
MANAGEMENT INTERN - EXTRA HELP	\$ 15.2146	\$ 19.0010
OFFICE ASSISTANT - EXTRA HELP	\$ 17.6494	\$ 22.6620
POLICE DISPATCHER-PER DIEM A	\$ 28.3135	\$ 28.3135
POLICE DISPATCHER-PER DIEM B	\$ 34.2675	\$ 34.2675
POLICE DISPATCHER-PER DIEM C	\$ 37.6944	\$ 37.6944
POLICE FLEET MANAGER- EXTRA HELP	\$ 49.9306	\$ 64.1110
POLICE OFFICER - RESERVE II-EXTRA HELP	\$ 15.0000	\$ 19.2600
POLICE OFFICER - RESERVE I-EXTRA HELP <i>eff. 10/24/2021</i>	\$ 36.3222	\$ 45.3615
POLICE OFFICER - R1 TRAINEE-EXTRA HELP	\$ 19.5000	\$ 20.8650
POLICE RECORDS ASSISTANT I - EXTRA HELP	\$ 20.0340	\$ 25.7236
POLICE RECORDS ASSISTANT II - EXTRA HELP	\$ 22.0375	\$ 28.2960
PROGRAM ANALYST - EXTRA HELP	\$ 32.0240	\$ 41.1188
PROPERTY CLERK - EXTRA HELP	\$ 19.2022	\$ 24.6556
SENIOR ACCOUNT-AUDITOR - EXTRA HELP	\$ 43.8582	\$ 56.3140
SENIOR POLICE RECORDS ASSISTANT -EXTRA HELP	\$ 24.2412	\$ 31.1256
VOLUNTEER COORDINATOR - EXTRA HELP	\$ 22.2635	\$ 28.5864

Executive Management	Annual Range Low	Annual Range High
ADMINISTRATIVE SERVICES DIRECTOR	142,858.65	188,933.27
ASSISTANT CITY MANAGER	157,146.77	207,826.60
CHIEF OF POLICE	174,506.21	230,787.26
COMMUNITY DEVELOPMENT DIRECTOR	142,858.65	188,933.27
COMMUNITY SERVICES DIRECTOR	150,003.73	198,379.93
FINANCE DIRECTOR	142,858.65	188,933.27
GENERAL SERVICES DIRECTOR	147,146.52	194,601.27

Citrus Heights Police Employees Association	Hourly Range Low	Hourly Range High
ANIMAL SERVICES OFFICER I	\$ 24.3088	\$ 31.2126
ANIMAL SERVICES OFFICER II	\$ 26.7396	\$ 34.3370
CODE ENFORCEMENT OFFICER I	\$ 24.3008	\$ 31.2126
CODE ENFORCEMENT OFFICER II	\$ 26.7396	\$ 34.3370
CODE ENFORCEMENT TECHNICIAN	\$ 22.0989	\$ 28.3750
COMMUNITY SERVICES OFFICER I	\$ 20.2395	\$ 25.9875
COMMUNITY SERVICES OFFICER II	\$ 22.2635	\$ 28.5864
CRIME SCENE / PROPERTY EVIDENCE SPECIALIST I	\$ 24.4393	\$ 31.3800
CRIME SCENE / PROPERTY EVIDENCE SPECIALIST II	\$ 26.8832	\$ 34.5179
POLICE CRIME ANALYST	\$ 29.5715	\$ 37.9698
POLICE DISPATCH ASSISTANT	\$ 19.0629	\$ 24.4768
POLICE DISPATCHER I *	\$ 26.6882	\$ 34.2675
POLICE DISPATCHER II *	\$ 29.3571	\$ 37.6944
POLICE RECORDS ASSISTANT I *	\$ 20.0340	\$ 25.7535
POLICE RECORDS ASSISTANT II *	\$ 22.0375	\$ 28.2960
SENIOR COMMUNITY SERVICES OFFICER	\$ 25.6030	\$ 32.8743
SENIOR ANIMAL SERVICES OFFICER	\$ 30.7496	\$ 39.4871
SENIOR CRIME SCENE / PROPERTY EVIDENCE SPECIALIST	\$ 29.5715	\$ 37.9698
SENIOR POLICE DISPATCHER *	\$ 32.2928	\$ 41.4638
SENIOR POLICE RECORDS ASSISTANT *	\$ 24.2412	\$ 31.1256
SENIOR CODE ENFORCEMENT OFFICER	\$ 29.4136	\$ 37.7671

\*Hourly rate based on 1872 annual hours  
**CITY COUNCIL** \$600 per month (as outlined in Government Code § 36516)

<b>Revision Summary</b>
Resolution 2013-097 passed 09-04-2013; eff. 07-01-2013
Resolution 2013-129 passed 12-13-2013; eff. pay date of 01-17-2014
Resolution 2014-018 passed 02-13-2014; eff. 02-13-14
Resolution 2014-049 passed 06-12-2014; eff. 06-12-2014
Resolution 2014-118 passed 12-11-2014 Retroactive Schedule for FY 2012-2013
Resolution 2014-122 passed 12-11-2014 eff. 12-28-2014
Resolution 2015-007 passed 01-22-2015 eff. 01-25-2015
Resolution 2015-077 passed 07-23-2015 eff. pay date of 07-17-2015
Resolution 2015-106 passed 12-10-2015 eff. 01-01-2016
Resolution 2016-041 passed 06-23-2016 eff. pay date of 07-15-16
Resolution 2016-057 passed 07-28-2016 eff. 06-25-2016 (incl. represented)
Resolution 2016-099 passed 12-08-2016 eff. 01-01-2017
Resolution 2017-026 passed 04-27-2017 eff. retroactive to 11-14-16
Resolution 2017-026 passed 04-27-2017 eff. 04-27-2017
Resolution 2017-065 passed 08-10-2017 eff. 08-13-2017
Resolution 2017-075 passed 08-24-2017 eff. 09-03-2017
Resolution 2017-087 passed 10-12-2017 eff. 10-12-2017
Resolution 2017-090 passed 10-26-2017 eff. 10-29-2017 (incl. represented POA)
Resolution 2017-096 passed 12-14-2017 eff. 01-01-2018
Resolution 2018-046 passed 05-24-2018 eff. retroactive to 02-17-2018
Resolution 2018-117 passed 11-08-2018 eff. 11-08-2018
Resolution 2018-128 passed 12-13-2018 eff. 12-23-2018
Resolution 2019-017 passed 01-24-2019 eff. retroactive to 01-06-2019
Resolution 2019-100 passed 11-14-2019
Resolution 2019-101 passed 11-14-2019 eff. 12-22-2019
Resolution 2020-122 passed 11-12-2020 eff. 12-20-2020
Resolution 2021-013 passed 03-11-2021
Resolution 2021-075 passed 08-12-2021
Resoultion 2021-087 passed 10-14-2021
Resolution 2021-__ passed 12-09-2021



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Bill Zenoni, Interim Administrative Services Director  
Tammy Nossardi, Finance Manager

**SUBJECT:** Annual AB 1600 Development Fee Report

### **Summary and Recommendation**

AB 1600 requires the city to prepare an annual report that reviews the status of the development fees collected.

Staff recommends the City Council adopt Resolution No. 2021- , 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.

### **Fiscal Impact**

There is no fiscal impact associated with this action.

### **Background and Analysis**

By state law, the City is authorized to collect development impact fees from new development to fund public improvements and services to support the new development. The City of Citrus Heights collects development impact fees for roadway improvements, low-income housing, park facilities, and transit. In accordance with the provisions of California Government Code Section 66001 (AB 1600), the City is required to prepare an annual report that reviews the status of the development fees collected. Specifically, the annual report must include:

- A description of the development fee
- Fee schedule
- Amount of fees collected, interest earned, funds spent, and remaining balance
- Estimated timeline for expending funds if sufficient funding has been collected for an identified project



**Subject: Annual AB 1600 Development Fee Report**

**Date: December 9, 2021**

**Page 2 of 2**

State law also requires the city spend or commit the development impact fees within five years of collection or adopt a resolution stating there remains a reasonable relationship between the current need for the development fees and the purpose for which the development fees were originally proposed.

The city's four development impact fees had a total balance of \$1,481,842 as of June 30, 2021.

<b>Impact Fee</b>	<b>Balance as of 6/30/2021</b>
Roadway Impact Fee	\$818,253 ^
Low Income Housing Impact Fee	\$374,718 *
Park Facilities Impact Fee	\$102,181 ^
Transit Impact Fee	\$186,690 **

^ All of these funds have been collected within the past five years

\* \$142,158 of this amount has been held in excess of five years. It is anticipated these funds will be utilized for the Sayonara Redevelopment Project and Affordable Housing Nexus Study.

\*\* \$25,714 of this amount has been held in excess of five years. It is anticipated these funds will be utilized for CIP projects and Transit Nexus Study.

Attached to this report is information on each of the city's four development impact fees including: the current fee and description of the basis for the fee; revenue collected, expenditures and fund balance for each of the past five fiscal years; description of projects funded with the development impact fees; and findings regarding the expenditure of the remaining available funds.

**Attachments**

1. 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
2. AB 1600 Development Fee Report for Fiscal Year Ended June 30, 2021



**RESOLUTION NO. 2021 -**

**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**

**WHEREAS**, the Mitigation Fee Act, Government Code §§ 66000, et seq. requires cities to publish an annual report for each fund established to account for development impact fees collected by each city;

**WHEREAS**, the report must include the beginning and ending balances by public facility type for the fiscal year, and the amount of fees, interest, other income, and expenditures for each fund;

**WHEREAS**, in connection with the report, cities must make certain findings describing how certain unexpended fees will be used in connection with the purpose for which they were originally proposed and collected.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the City of Citrus Heights City Council hereby accepts, files, and makes the findings identified in the AB 1600 Fee Report for the Fiscal Year Ended June 30, 2021, attached hereto and incorporated herein by this reference.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9th day of December 2021, by the following vote, to wit:

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

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**Steve Miller, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**



# Development Impact Fee Report

Fiscal Year Ended June 30, 2021

City of Citrus Heights  
AB 1600 Fee Report  
Fiscal Year Ended June 30, 2021

Roadway Impact Fee (Fund 262)

The purpose of this fund is to fund the design and construction of streets infrastructure improvements required to mitigate the impact of new development.

Roadway Impact Fee

Single Family (per unit)	Multi-Family (per unit)	Commercial (per square foot)	Office (business park zone per square foot)	Religious Center (per square foot)
\$1,231.00	\$931.00	\$3.59	\$2.87	\$1.23

Account Description	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
Beginning Fund Balance	\$ 286,650	\$ 438,263	\$ 455,766	\$ 471,136	\$ 717,072
Deferred Inflows			\$ (32,209)		
<b>Revenue</b>					
Developer Fees	150,770	30,140	96,631	327,953	228,381
Interest Income	843	2,781	11,930	12,842	311
<b>Total Revenue</b>	151,613	32,921	108,560	340,795	228,692
<b>Expenditures</b>	-	15,418	60,981	94,860	127,510
<b>Total Available</b>	\$ 438,263	\$ 455,766	\$ 471,136	\$ 717,072	\$ 818,253

**Five-Year Revenue Test Using First In First Out Method**

Revenue Collected FY 2016-17	151,613
Revenue Collected FY 2017-18	32,921
Revenue Collected FY 2018-19	108,560
Revenue Collection FY 2019-20	340,795
Revenue Collection FY 2020-21	228,692
<b>Total Revenue for Last Five Years</b>	<b>\$ 862,582</b>

**Unexpended Fee** (Five Year Test): Five year test met in accordance with Government Code Section 66001.

**CIP Adopted Budget - \$325,000 for FY 21/22; \$0 for FY 22/23**

- 1) \$25,000 budgeted for Auburn Blvd Complete Streets Revitalization in FY 21/22 for final design efforts
- 2) \$300,000 budgeted for Greenback Lane Complete Streets Improvements construction expected to commence Fall 2021

Roadway Impact Fee Projects	Project to Date Funding	% Complete	% Funded with Fee
Master Transit Plan	64,403	100%	100%
Transfer to Transit Impact Fee	170,821	100%	100%
Fountain Square Drive	1,852,646	100%	76%
Auburn Blvd/Van Maren Intersection	534,332	100%	34%
Antelope/Saybrook Intersection	407,799	100%	100%
Greenback Lane Widening - Right of Way Acquisitions	853,950	100%	100%
Antelope Road Improvement Project - Design Phase	41,640	100%	6%
2007 Road Reconstruction Project	265,156	100%	19%
Fair Oaks Overlay Project	360,750	100%	46%
Auburn Blvd Design & Right of Way Acquisition-Phase 1	302,001	100%	7%
Auburn Blvd. Complete Streets and Joint Trench Utility Undergrounding Project	241,111	100%	3%
Antelope/Amsterdam/Rosswood Traffic Signal	127,814	100%	33%
Roadway Nexus Study	11,487	27%	27%
Mariposa Avenue Safe Routes - Phase 3	2,874	2%	
Auburn Blvd. Design & Right of Way Acquisition - Phs 2	73,525	40%	
<b>Total</b>	<b>\$ 5,310,311</b>		

City of Citrus Heights  
AB 1600 Fee Report  
Fiscal Year Ended June 30, 2021

Low-Income Housing Impact Fee (Fund 263)

The purpose of this fund is to provide a trust fund for low-income housing projects.

Low-Income Housing Impact Fee (per square foot)

Office	Hotel	Research/ Development	Commercial	Manufacturing	Warehouse
\$0.97	\$0.92	\$0.82	\$0.77	\$0.61	\$0.26

Account Description	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
Beginning Fund Balance	\$ 157,900	\$ 188,266	\$ 303,537	\$ 280,932	\$ 341,032
<b>Revenue</b>					
Developer Fees	29,716	114,128	31,701	637	38,354
Interest Income	650	1,143	7,909	5,898	425
Miscellaneous Revenue				1,000	1,000
<b>Total Revenue</b>	30,366	115,271	39,610	7,535	39,778
<b>Expenditures</b>	-	-	62,215	9,650	6,092
Return Interest Paid on Loan Recorded				(62,215)	
<b>Total Available</b>	\$ 188,266	\$ 303,537	\$ 280,932	\$ 341,032	\$ 374,718

**Five-Year Revenue Test Using First In First Out Method**

Revenue Collected FY 2016-17	30,366
Revenue Collected FY 2017-18	115,271
Revenue Collected FY 2018-19	39,610
Revenue Collection FY 2019-20	7,535
Revenue Collection FY 2019-20	39,778
<b>Total Revenue for Last Five Years</b>	<b>\$ 232,560</b>

**Unexpended Fee** (Five Year Test): Must be committed: 142,158

**Findings Regarding Unexpended Fee:**

1. The Unexpended Fee will be used for the remaining costs associated with the city's Affordable Housing Impact Fee Nexus Study and the Sayonara Redevelopment Project. The specific use of funds for the Sayonara Drive Redevelopment Project includes the pre-development and development of a low-income housing project, which may include a request for proposals for an affordable housing project, conceptual design work, environmental analysis, site work, development costs as well as other associated fees and costs.
2. The city assessed the fee to mitigate the impact of new development on the need for affordable housing in the city. Consistent with this purpose, the Sayonara Redevelopment Project will mitigate such impacts by providing affordable housing units. Therefore, there exists a reasonable relationship between the Unexpended Fee and the purpose for which it was charged.
3. The current estimated total cost remaining for the Affordable Housing Impact Fee Nexus Study is \$16,838. The remaining dollars will be used to fund the pre-development and development work for the Sayonara Redevelopment Project.
4. All Low-Income Housing Impact Fee funds for the project identified above, including the entire unexpended fee, have been deposited in the Low-Income Housing Impact Fee Fund, which is the appropriate fund for this project.

Low-Income Housing Impact Fee Projects	Project to Date Funding	% Complete	% Funded with Fee
Housing Programs Assistance	72,026	Ongoing	
Affordable Housing Nexus Study	6,092	27%	27%
<b>Total</b>	<b>\$ 78,118</b>		

**Note: in FY 18/19, \$62,215 expenditure represents repayment of interest to General Fund as per Resolution No's 2003-120 and 2003-121**

City of Citrus Heights  
AB 1600 Fee Report  
Fiscal Year Ended June 30, 2021

Park Facilities Impact Fee (Fund 265)

The purpose of this fund is to maintain existing park and recreation facility standards and mitigate the impacts caused by new and anticipated development activity of existing park and recreation facilities.

Park Facilities Impact Fee

Residential (per unit)		Non-Residential (per sq. foot)	
Single-family detached unit	\$1,078.50	Retail use	\$0.18
Single-family attached unit	\$800.65	Office use	\$0.37
Multi-family	\$665.38	Industrial use	\$0.09
Mobile home	\$577.64		

Account Description	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
Beginning Fund Balance	\$ 94,828	\$ 114,910	\$ 122,277	\$ 122,358	\$ 35,658
<b>Revenue</b>					
Developer Fees	19,685	6,471	38,654	12,664	71,492
Interest Income	397	896	3,389	2,592	(317)
<b>Total Revenue</b>	20,082	7,367	42,043	15,256	71,175
<b>Expenditures</b>	-	-	41,962	101,956	4,652
<b>Total Available</b>	\$ 114,910	\$ 122,277	\$ 122,358	\$ 35,658	\$ 102,181

**Five-Year Revenue Test Using First In First Out Method**

Revenue Collected FY 2016-17	20,082
Revenue Collected FY 2017-18	7,367
Revenue Collected FY 2018-19	42,043
Revenue Collection FY 2019-20	15,256
Revenue Collected FY 2019-20	71,175
<b>Total Revenue for Last Five Years</b>	<b>\$ 155,923</b>

**Unexpended Fee (Five Year Test):**

Five year test met in accordance with Government Code Section 66001.

**CIP Adopted Budget - \$0 for FY 21/22; \$0 for FY 22/23**

Park Facilities Impact Fee Projects	Project to Date Funding	% Complete	% Funded with Fee
Building Permit for Sunrise Park - Restroom Demolition	595	100%	100%
Van Maren Park	334,557	100%	100%
Contribution for Rusch Park Basketball Court	25,000	100%	100%
Park on Sayonara Drive	307,492	100%	100%
Security Cameras at Rusch Park	10,693	100%	100%
Electric Greenway Trail Project	41,961	0%	
<b>Total</b>	<b>\$ 720,299</b>		

City of Citrus Heights  
AB 1600 Fee Report  
Fiscal Year Ended June 30, 2021

Transit Impact Fee (Fund 266)

The purpose of this fund is to maintain existing transit standards and mitigate the impacts caused by new and anticipated development activity.

Transit Impact Fee				
Single Family (per unit))	Multi-Family (per unit)	Commercial (per square foot)	Office (business park zone per square foot)	Religious Center (per square foot)
\$175.00	\$356.00	\$0.77	\$0.70	\$0.18

Account Description	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
Beginning Fund Balance	\$ 44,924	\$ 74,376	\$ 79,153	\$ 95,564	\$ 136,796
Deferred Inflows			\$ (6,908)	\$ -	
<b>Revenue</b>					
Developer Fees	29,312	5,218	\$ 21,334	\$ 46,740	\$ 54,005
Interest Income	140	463	\$ 1,986	\$ 1,480	\$ 298
<b>Total Revenue</b>	29,452	5,681	\$ 23,320	\$ 48,220	\$ 54,303
<b>Expenditures</b>	-	904	\$ -	\$ 6,984	\$ 4,409
<b>Total Available</b>	\$ 74,376	\$ 79,153	\$ 95,564	\$ 136,796	\$ 186,690

**Five-Year Revenue Test Using First In First Out Method**

Revenue Collected FY 2016-17	29,452
Revenue Collected FY 2017-18	5,681
Revenue Collected FY 2018-19	23,320
Revenue Collection FY 2019-20	48,220
Revenue Collected FY 2019-20	54,303
<b>Total Revenue for Last Five Years</b>	<b>\$ 160,975</b>

**Unexpended Fee (Five Year Test):** 25,714

**CIP Adopted Budget - \$75,000 for FY 21/22; \$16,195 for FY 22/23**

- 1) \$45,000 budgeted in FY 21/22 for Greenback Lane Complete Streets Improvements construction expected to commence Fall 2021
- 2) \$30,000 budgeted in FY 21/22 for various signalized intersection safety improvement with estimated completion in Fall 2021

Transit Impact Fee Projects	Project to Date Funding	% Complete	% Funded with Fee
Sunrise Mall ADA Driveway Design	5,562	100%	100%
Greenback/Firestone Concrete Construction	4,379	100%	100%
Miscellaneous Concrete Construction	12,405	100%	100%
Bus Stop Rehabilitation Project 2006	120,981	100%	100%
Bus Stop Improvements	698,470	100%	100%
Purchase Konica Color Copier	1,714	100%	18%
Auburn Blvd. Design and Right of Way Acquisition	125,524	100%	3%
Sunrise Blvd. Bus Stop Improvement Project	179,608	100%	36%
Transit Nexus Study	4,409	27%	27%
Mariposa Avenue Safe Routes to School	129,343		
Comprehensive Transit Plan	904		
<b>Total</b>	<b>\$ 1,283,300</b>		



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Casey Kempenaar, Community Development Director  
Alison Bermudez, Associate Planner

**SUBJECT:** Submission of Application for Tree City USA Designation

### **Summary and Recommendation**

Staff is requesting authorization to submit an application to the National Arbor Day Foundation for consideration of the City of Citrus Heights to be designated as a Tree City USA community.

Staff recommends the City Council adopt Resolution No. 2021-\_\_\_\_\_, 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.

### **Fiscal Impact**

Selection as a Tree City USA community is based, in part, on the annual expenditure for tree-related programs and services within a community (e.g. tree care and management, plantings, labor costs). Budgeted tree-related funds exceed \$496,000 annually. This budget includes both the city and Sunrise Recreation and Park District's budget for community forestry expenditures such as tree maintenance, tree planting, and staffing costs. If the Tree City USA designation is awarded, no additional funding will be required beyond the installation of the foundation's provided "Tree City USA" signage and the planting/planning of an annual Arbor Day event.

### **Background and Analysis**

The City of Citrus Heights maintains approximately 22,000 trees along public streets and roadways and Sunrise Recreation and Park District maintains more than 5,500 trees within its parks. The city's tree composition includes over 175 unique species with valley oak being the most prevalent species. Both the city and the park district work hard to protect the community's urban forest, and staff would like to ensure these efforts continue and are recognized.

This will be the fourth consecutive year the city has filed an application for consideration to become a Tree City USA. The city first received the recognition in 2018 and annual recertification is required.

To qualify for Tree City USA designation, the City of Citrus Heights must meet four standards established by The Arbor Day Foundation and the National Association of State Foresters. These standards were established to ensure that every qualifying community would have a viable tree management plan and ongoing program. Below is a list of the four required standards and a recap of how the city has met the standard:

- 1) **Observance of an annual Arbor Day-** A tree planting event and an Arbor Day Recognition was held on October 16, 2021.
- 2) **Expenditures of at least \$2.00 per capita on tree-related programs-** Both the city's budget and Sunrise Recreation and Park District's budget were reviewed and a total which exceeds \$496,000 in tree related expenditures are budgeted. This exceeds the minimum standard of \$2 per capita by more than \$3 with a per capita expenditure of \$5.58.
- 3) **A Street Tree Ordinance-** The city manages its public tree canopy through a Street Tree Ordinance which was adopted in 2018.
- 4) **A Tree Department-** The city's General Services Department serves this role.

A designation of the City of Citrus Heights to be a Tree City USA community will:

- Encourage better care of our urban forest;
- Touch the lives of people within the community who benefit daily from cleaner air, shadier streets, and aesthetic beauty that healthy, well-managed urban forests provide;
- Increase public awareness of the many social, economic and environmental benefits an urban forest provides;
- Provide education to improve current urban forestry practices;
- Help present the kind of image that most citizens want to have for the place they live or conduct business;
- Inform visitors, through signage, that here is a community that cares about its environment;
- Provide a way to reach large numbers of people with information about tree care; and
- Contribute to our community pride.

#### **Attachments**

1. Resolution 2021-\_\_\_\_\_ Authorizing the Submission of an Application to the National Arbor Day Foundation for the Consideration of Citrus Heights being Designated a Tree City USA Community



**RESOLUTION NO. 2021- \_\_\_\_**

**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**

**WHEREAS**, trees play an important role in the quality of life of a community in providing needed shade and cooling, aesthetic beauty, and increased property values;

**WHEREAS**, the planting of trees today allows us to pass along a legacy of community and environmental awareness to future generations;

**WHEREAS**, the City of Citrus Heights has an overall tree canopy cover of twenty-five percent which is estimated to provide nearly two million dollars in annual benefits;

**WHEREAS**, the City of Citrus Heights has made significant policy statements regarding the important role trees play in the development and redevelopment of public and private property within the City as demonstrated by the Street Tree ordinance and a Tree Preservation ordinance which requires new parking surfaces to provide 50% shading within 15 years of the tree being planted;

**WHEREAS**, the City of Citrus Heights recognizes that trees are a renewable resource giving us paper, wood for our homes and play an important role in reducing greenhouse gases; and

**WHEREAS**, Tree City USA communities must submit an application for certification, and must on an annual basis submit an application for recertification to maintain their designation.

**NOW THEREFORE BE IT RESOLVED AND ORDERED** that the City of Citrus Heights does hereby authorize City staff to submit an application for certification to the National Arbor Day Foundation for their consideration of Citrus Heights to be designated as a Tree City USA community for the year 2021.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9<sup>th</sup> day of December 2021 by the following vote, to wit:

<b>AYES:</b>	<b>Council Members:</b>
<b>NOES:</b>	<b>Council Members:</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>
<b>ABSENT:</b>	<b>Council Members:</b>

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**Steve Miller, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**



**CITY OF CITRUS HEIGHTS**  
**CITY COUNCIL STAFF REPORT**  
**MEMORANDUM**

**DATE:** December 9, 2021

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

**FROM:** Casey Kempenaar, Community Development Director  
 Alison Bermudez, Associate Planner

**SUBJECT: Modification to the Temporary Outdoor Program for Compliance with AB 61**

**Summary and Recommendation**

The Temporary Outdoor Program (TOP) was established to assist businesses needing to modify their business practices during the pandemic. The program allows businesses to use their outdoor spaces without a permit. The program is set to expire on December 30, 2021 and staff recommends extending the program through July 1, 2024.

Staff recommends the City Council adopt Resolution No. 2021\_\_\_\_\_ extending the Temporary Outdoor Program which allows the use of outdoor space by temporarily relaxing the regulations pertaining to outdoor dining, signage, and parking through July 1, 2024.

**Fiscal Impact**

There will be no direct impact to the General Fund. The relaxation of standards will aid in the recovery from the pandemic through employment and economic growth.

**Background and Analysis**

In June 2020, the City Council authorized the TOP program to allow and encourage the use of outdoor spaces during the COVID-19 pandemic. The program has been successful, especially with restaurants who at various times over the past few months, were only able to offer dining if they could provide outdoor seating. The current program is set to expire on December 30, 2021.

Due to the slow business recovery from the pandemic, California Governor Gavin Newsom signed into law AB 61 (Gabriel) which provides state mandated relief from parking restrictions for expanded outdoor dining areas. The Bill directs local jurisdictions to adopt an ordinance to provide parking relief or follow the state mandate. Since the City of Citrus Heights already had the TOPS Program established, a separate ordinance has not been prepared and the TOP program was adjusted to be in compliance with AB 61. The most significant change is the program will be extended through July 1, 2024 as required by AB 61.

**Attachments:**

- 1 Resolution No. 2021\_\_\_\_\_ extending the Temporary Outdoor Program which allows the use of outdoor space by temporarily relaxing the regulations pertaining to outdoor dining, signage and parking through July 1, 2024.
- 2 Updated Temporary Outdoor Program Guide

**RESOLUTION NO. 2021-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY 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**

**WHEREAS**, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in response to the Covid-19 pandemic;

**WHEREAS**, to comply social distancing requirements, retailers and restaurants have had to revise their business operations including the closure of indoor space which created a need for additional outdoor space;

**WHEREAS**, many retailers and restaurants had to rely on the use of outdoor dining areas to accommodate the social distancing requirements and to service customers;

**WHEREAS**, in certain situations the use of outdoor dining space interferes with, reduces, eliminates, or impacts required parking for existing uses;

**WHEREAS**, California Governor Gavin Newsom signed into law AB 61 (Gabriel) which provides relief from parking restrictions for expanded outdoor dining areas to reduce the number of required parking spaces for existing uses by the number of spaces that the local jurisdiction determines are needed to accommodate an expanded outdoor dining area;

**WHEREAS**, AB 61 (Gabriel) requires a local jurisdiction to adopt an ordinance that provides relief from parking restrictions for expanded outdoor dining areas or follow the state mandates to reduce the number of required parking spaces for existing uses by the number of spaces that the local jurisdiction determines are needed to accommodate an expanded outdoor dining area;

**WHEREAS**, the City of Citrus Heights has not adopted an ordinance to provide relief from parking restrictions; however, the City of Citrus Heights has an established a Temporary Outdoor Program to provide relief form parking restrictions;

**WHEREAS**, the City of Citrus Heights Temporary Outdoor Program will follow the state mandate as required by AB 61 (Gabriel).

**NOW THEREFORE BE IT RESOLVED AND ORDERED** that the City of Citrus Heights does hereby determine:

- A. The Temporary Outdoor Program will provide relief from certain restrictions due to the Covid-19 pandemic and will be in effect through 11:59 p.m. on July 1, 2024 unless terminated by City Council and shall generally conform to the following:
  - Outdoor dining will be encouraged through the use of outdoor spaces such as parking spaces and sidewalks (not sidewalks within the rights-of-way). Subject to the rules of

Alcoholic Beverage Control, allow outdoor consumption of alcohol at restaurants where indoor consumption of alcohol was already allowed.

- Parking may be reduced to allow for increased outdoor dining space, creation of pick up areas or similar activities needed to comply with the recovery phase.
- Signage may be added on a temporary basis to help communicate the business is open, curbside pick-up areas and other similar messages which will aid in the recovery process. Temporary signage will be required to not impede accessible pedestrian access along the sidewalk or into the business.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9<sup>th</sup> day of December 2021 by the following vote, to wit:

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

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**Steve Miller, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**



## **CITY OF CITRUS HEIGHTS**



### **TEMPORARY OUTDOOR PROGRAM GUIDELINES AND PROCEDURES UPDATED DECEMBER 2021**

**PROGRAM PERIOD JUNE 2020 – JULY 1, 2024**

**Approved by City Council December 9, 2021**

## Preface

On March 4, 2020 Governor Newsom issued a State of Emergency as a result of the threat of COVID-19, and on March 12, 2020, through Executive Order N-25-20, he directed all residents to heed any orders and guidance of state and local public health officials. Subsequently, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 directing all residents to heed the State Public Health Officer's Stay-at-Home order which requires all residents to stay at home except for work in critical infrastructure sectors or otherwise to facilitate authorized necessary activities.

On April 14th, the State presented the Pandemic Roadmap, a four-stage plan for modifying the Stay-at-Home order. Stage 2 of the roadmap began to allow the opening of certain businesses. The Order included limiting indoor operations for certain sectors and encouraged the use of outdoor spaces.

California Governor Gavin Newsom signed into law AB 61 (Gabriel) which provides relief from parking restrictions for expanded outdoor dining areas to reduce the number of required parking spaces for existing uses by the number of spaces that the local jurisdiction determines are needed to accommodate an expanded outdoor dining area. The city of Citrus Heights Temporary Outdoor Program is intended to demonstrate the city's compliance with AB 61 (Gabriel).

This program may be amended from time to time as needed to clarify its content and to support the impacted business in the use of their outdoor space.

## Program Overview

This program has been established to ensure businesses have the greatest ability to operate successfully through the recovery process.

Businesses with access to private sidewalks or private parking may utilize these areas for activities in accordance with guidelines published by the Sacramento County Department of Public Health <https://www.saccounty.net/COVID-19/Pages/default.aspx>.

Required parking may be used for business operations when the lot is immediately adjacent to the parent property. The outdoor area proposed for the converted use must comply with public safety standards for emergency rescue, building access, and physical distancing requirements. Additionally, no parking for disabled persons may be repurposed business operations unless the site has an overabundance of disabled parking and receives approval from the city's Building Official.

Landscaping and required buffer areas for the off-site parking spaces, shall not be used for operations including parking and outdoor seating.

To participate in the program, the business must have a valid Citrus Heights General Business License. Businesses with a valid Use Permit may participate in the program but must receive approval from the Planning Division prior to modifying operations.

For questions regarding this program, please contact the Planning Division at (916) 727-4740 or by email [planning@citrusheights.net](mailto:planning@citrusheights.net).

## Property Owner Approval

Businesses should consult with the property owner in advance of utilizing outdoor space. The use of the outdoor space shall be authorized by the property owner and be in compliance with owner's requirements.

## General Requirements

While no permit from the City of Citrus Heights is required to utilize these temporary guidelines, the use of the outdoor space shall meet the requirements listed below.

### Outdoor activities shall:

1. Maintain the minimum accessibility requirements of the Americans with Disability Act (ADA).
2. Provide adequate pedestrian flow with a clearly marked, unobstructed, and durable pedestrian right-of-way, also known as a "pedestrian path" that meets required accessibility standards, of no less than six (6) feet.
  - The minimum distance of the pedestrian path shall be measured from the boundary of the dining area to the nearest obstruction i.e., tables, chairs, bus stop shelters, newsstands, existing planters, or similar.
  - No tables, chairs, umbrellas or other fixtures shall be permitted within six (6) feet of a pedestrian crosswalk.
3. Maintain unobstructed access to fire lanes, fire hydrants, fire hose connections for sprinkler systems, and entrances and exits of all building.
  - There shall be a minimum of forty (40) inches in distance separating the edge of a table or chair to a fire department connection.

### Operation and appearance

1. Outdoor area shall be aesthetically compatible with surrounding area.
2. Patron safety shall be considered when designing outdoor spaces and set-up within travel lanes or shall be prohibited.
3. Appropriate lighting of the sidewalk dining space is required if operating outside of daytime hours.
4. Use of removable barriers (planters, fencing, etc.) to define the dining space is permissible but should not be permanently affixed in such a manner that the site could not be restored to its original condition. At no time shall any barriers be within the public rights-of-way.
5. No heating, cooking or open flames are permitted in the sidewalk dining area. However, space heaters are permitted provided that they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two (2) feet from the edge of any umbrella canvas, any foliage, or any other flammable object or material.
6. No food preparation, plastic food displays, food storage, or refrigeration apparatus shall be allowed on the public right-of-way.
7. Umbrellas shall be no less than six (6) feet, eight (8) inches (eighty (80) inches) above the ground.

8. Businesses choosing to locate a food truck onsite in order to provide food service to meet the health orders may do so provided the truck is parked in a safe location. The truck shall not block any fire lanes or ADA/pedestrian paths of travel.
9. Outdoor activities shall comply with the city's noise regulations (CHMC Chapter 34).
10. The city has the right to disallow certain outdoor activities if the activity is found to be a violation of any city code or ordinance or the site is not suitable for the type of activity and the outdoor operation is detrimental to the public interest, health, safety, or welfare. Businesses/operators which hold a professional license with the State of California (cosmetology, cardroom, etc.), must comply with their specific regulatory requirements.

#### **Use of Tents, Shade Structures or Umbrellas**

1. The following requirements shall apply to use of tents, umbrellas or shade structures:
  - Size limited to no larger than 400 square feet.
  - A property may have more than one tent but each tent must be separated by a minimum distance of 12 feet.
  - No part of structure shall encroach into the public rights-of-way or designated path of travel.
  - All legs must be weighted to a minimum of 40lbs and meet the following:
    - Weights must be securely attached to canopy roof and canopy leg separately.
    - Ropes and straps should be high quality.
    - Bungee or rubber straps are prohibited.
    - Weights must be on the ground and not dangling.
    - Weights and lines must not pose a hazard and be clearly visible.
    - Items that make acceptable weights:
      - 5-gallon bucket full of water, sand, or concrete
      - 4" PVC pipe at least 36" long filled with concrete
      - Large commercially available tent weights
      - Sandbags or salt bags 40lbs or heavier

#### **Operation Hours**

Businesses operating outdoors shall comply with the following operational hours:

- Friday through Saturday – close by 11:00 PM
- Sunday through Thursday – close by 10:00 PM

#### **Alcoholic Beverages**

Restaurants and food establishments licensed by the State of California Alcoholic Beverage Control (ABC) are permitted to sell and allow on-premise consumption of alcoholic beverages as permissible by regulations of ABC. Establishments that serve alcoholic beverages in the outdoor dining area shall provide a physical barrier that meets the requirements of the Alcoholic Beverage Control Board. The applicant is responsible for managing these barriers and removing them when necessary.



### **Authorized Business Activities**

This program allows utilization of outdoor space for many types of businesses including, restaurants and retailers and other similar activities as determined by the Planning Division.

### **Other Agency Approval**

Prior to implementing this program at your business location, please contact the following agencies for information regarding any necessary permits:

Sacramento Metropolitan Fire District: (916) 859-4330

Sacramento Area Sewer District: (916) 876-6100 [permitservcies@sacsewer.com](mailto:permitservcies@sacsewer.com)

### **Program Period**

Unless extended by the City of Citrus Heights, this program will terminate on July 1, 2024.

Businesses desiring to continue with outdoor activities beyond July 1, 2024, will be required to obtain the required permits from the city of Citrus Heights and servicing agencies.

At the conclusion of the program, the outdoor space shall be restored to its original condition.

### **Program Revisions**

The city may amend this Program as needed for clarification and compliance to Public Health Orders or State Regulations.



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Bill Zenoni, Interim Administrative Services Director  
Monica Alejandrez, Human Resources Manager  
Alex Turcotte, Chief of Police

**SUBJECT:** Resolution Adopting Amendments to Police Specific Benefits

### **Summary and Recommendation**

Staff recommends the City Council adopt Resolution No. 2021-\_\_\_ 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 continuing education:

### **Police Lieutenant and Police Commander Classifications**

- Maximum Education Incentive of 10% based on the following:
  - AA/AS Degree or equivalent 2.5% of base salary
  - Intermediate POST 2.5% of base salary
  - BA/BS Degree 2.5% of base salary
  - Advanced POST 2.5% of base salary
- Separate Education Incentive for MA/MS degree of 5% of base salary

### **Fiscal Impact**

The annual cost of implementing this benefit amendment if all eligible staff members were to participate at the maximum rate is \$57,000. It is anticipated that this cost will be funded in the current budget cycle from departmental budget savings. No additional appropriation is requested.

### **Background and Analysis**

For Police Officers and Police Sergeants, the City provides a maximum education incentive of 10%, plus an additional education incentive of 5% for those employees with a Master's (MA/MS) degree – for a total maximum incentive pay of 15%.

For the eight employees in the Police Lieutenant and Police Commander classifications, the maximum education incentive provided is 7.5% plus an additional 2.5% for a Master's degree – for a total maximum of 10%.

The proposed education incentive adjustment will eliminate the disparity between the City's sworn classifications and will incentivize continued education. Of the six Lieutenant and two Commander positions, four would be eligible for the additional 2.5% base incentive pay and four have Masters degrees and would be eligible for the additional 5%.

Staff recommends the City Council amend the education incentive benefit for the sworn non-represented classification of Police Lieutenant and Police Commander as follows:

- Maximum Education Incentive of 10% based on the following:
  - AA/AS Degree or equivalent 2.5% of base salary
  - Intermediate POST 2.5% of base salary
  - BA/BS Degree or equivalent 2.5% of base salary
  - Advanced POST 2.5% of base salary
- Separate Education Incentive for MA/MS of 5% of base salary

### **Attachment**

1. Resolution Adopting Amendments to Police Specific Benefits

**RESOLUTION NO. 2021- \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS,  
CALIFORNIA, ADOPTING AMENDMENTS TO POLICE SPECIFIC BENEFITS**

**WHEREAS**, the City of Citrus Heights engages in sound economic planning practices;

**WHEREAS**, the City of Citrus Heights has employees rendering valuable services to the City;

**WHEREAS**, the City Council of the City of Citrus Heights wishes to approve an amendment to Police Specific Benefits;

**WHEREAS**, the proposed amendment to benefits will aid the City in recruiting and retention efforts; and

**WHEREAS**, the proposed updates to Police Specific Benefits will become effective on the pay date of December 24, 2021.

**NOW THEREFORE BE IT RESOLVED AND ORDERED** that the City Council of the City of Citrus Heights does hereby adopt the following amendments to Police Specific Benefits:

Police Lieutenant and Police Commander Classifications

- Maximum Education Incentive of 10% based on the following:
  - AA/AS Degree or equivalent 2.5% of base salary
  - Intermediate POST 2.5% of base salary
  - BA/BS Degree 2.5% of base salary
  - Advanced POST 2.5% of base salary
- Separate Education Incentive for MA/MS degree of 5% of base salary

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9<sup>th</sup> day of December 2021, by the following vote, to wit:

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

---

**Steve Miller, Mayor**

**ATTEST:**

---

**Amy Van, City Clerk**



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Alexander A. Turcotte, Chief of Police  
Kristopher Frey, Commander  
Cassandra Burnett, Senior Management Analyst

**SUBJECT:** Police Fleet Acquisition

---

### **Summary and Recommendation**

Staff recommends the City Council adopt Resolution No. 2021-\_\_\_\_ A Resolution of the City Council of the City of Citrus Heights, California, to Purchase Six Police Vehicles.

### **Fiscal Impact**

The fiscal impact will be approximately \$417,000 from the Vehicle Replacement Fund (331-21-190-80060), which is within the Capital Replacement Fund. This expenditure includes the acquisition of the vehicles as well as installation of all police specific equipment. Funding is included in the FY 2021/22 and FY 2022/23 budgets and does not represent an additional impact to the budget.

### **Background and Analysis**

The Police Department has conducted an analysis of the police fleet and projected replacement needs over the next ten years. It was determined that the department needs to replace a minimum of six vehicles within the police fleet; four marked and two unmarked. One of these vehicles is totaled and five are older with high mileage and are consistently in need of repair.

Staff recommends the city purchase six police vehicles. Under the city's Purchasing Policy, it is acceptable to use the State of California contract in lieu of the competitive bid process.

The new vehicles will have full factory bumper to bumper warranty coverage. The replacement of these vehicles will also have a positive impact on projected repair costs for at least two to three years.

**Attachments**

1. Resolution No. 2021-\_\_\_\_ A Resolution of the City Council of the City of Citrus Heights, California, to Purchase Six Police Vehicles.

**RESOLUTION NO. 2021- \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS,  
CALIFORNIA, AUTHORIZING THE ACQUISITION OF POLICE FLEET VEHICLES**

**WHEREAS**, due to the high frequency of use and the constant demanding conditions for which police vehicles are used, they typically have a four to five year life cycle;

**WHEREAS**, the police department has conducted analysis of the police fleet and has determined that six vehicles are in need of replacement;

**WHEREAS**, the city is able to purchase six vehicles utilizing the available State of California contracts; and

**WHEREAS**, the police department will utilize the Vehicle Replacement Fund to purchase the vehicles.

**NOW THEREFORE BE IT RESOLVED AND ORDERED** that the City of Citrus Heights does hereby authorize the City Manager to acquire six police vehicles and purchase and install the necessary police equipment in the amount not to exceed \$417,000.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9<sup>th</sup> day of December 2021, by the following vote, to wit:

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

---

**Steve Miller, Mayor**

**ATTEST:**

---

**Amy Van, City Clerk**





# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Casey Kempenaar, Community Development Director  
Meghan Huber, Economic Development & Communications Manager

**SUBJECT:** **Second Reading – Ordinance Adopting Zoning Amendment and Rezone – Sunrise Tomorrow Specific Plan**

---

### **Summary and Recommendation**

On November 10, 2021, the City Council approved a number of entitlements for the Sunrise Tomorrow Specific Plan. The City Council introduced, read by title only and waived the first full reading of an Ordinance adopting a Zoning Amendment amending Article 5, Chapter 106.50 of the Zoning Ordinance, rezoning the Sunrise Mall property from Shopping Center into the Sunrise Tomorrow Special Planning Area.

Staff recommends that the Council approve Ordinance No. 2021-006 an Ordinance adopting a Zoning Map Amendment to Rezone the land from Shopping Center to Special Planning Area and creating the Sunrise Tomorrow Special Planning Area.

### **Fiscal Impact**

There is no fiscal impact.

### **Attachments**

1. Ordinance No. 2021 –006 Adopting a Zoning Code and Map Amendment

ORDINANCE 2021-006

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS,  
CALIFORNIA, AMENDING ARTICLE 5, CHAPTER 106.50 OF THE ZONING  
ORDINANCE, REZONING THE PROPERTY FROM SHOPPING CENTER INTO  
THE SUNRISE TOMORROW SPECIAL PLANNING AREA

THE CITY OF CITRUS HEIGHTS DOES ORDAIN AS FOLLOWS:

Section 1: Purpose and Authority

The purpose of this Ordinance is to amend Article 5, Section 106.50.110 through Section 106.50.150, of the City of Citrus Heights Zoning Ordinance in regards to Special Planning Areas as shown below and in Exhibit A. The Ordinance also amends the Zoning Map changing the subject property from Shopping Center to Special Planning Area (SPA) as shown in Exhibit B.

Section 2: Findings

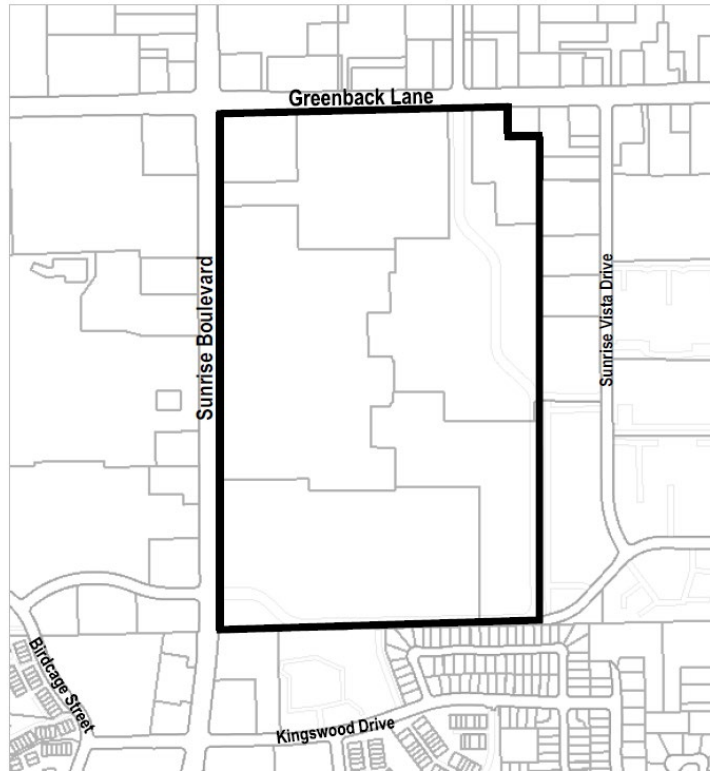
- a) The amendment to the Zoning Code, rezoning land into the Sunrise Tomorrow Special Planning Area, is internally consistent with the General Plan, including the Marketplace Mixed Use land use designation in that the General Plan supports providing for a variety of housing options, opportunities for economic development, employment, and support of the Sunrise MarketPlace;
- b) The site is physically suited for the proposed zoning designation;
- c) The project complies with all applicable provisions of the Zoning Code other than those modified by the SPA;
- d) Any approved modifications to the development standards of the Zoning Code are necessary and appropriate to accommodate the superior design of the proposed project, its compatibility with adjacent land uses, and its successful mitigation of any identified environmental impacts;
- e) The project complies with the City's Design Guidelines;
- f) The project can be adequately served by public facilities, services and utilities;
- g) The planning concepts and design features of the project are reasonably suited to the characteristics of the site and the surrounding neighborhood;
- h) The project is and will be compatible with the site, and the land uses and development intended for the surrounding neighborhood by the General Plan;
- i) The site is adequate for the project in terms of size, shape, topography, and circumstances;
- j) The establishment, maintenance, or operation of the use would not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of the proposed use, or detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City,

- k) The project will contribute to and enhance the best characteristics of the surrounding neighborhood, especially through the enhanced pedestrian and circulation improvements and increased amenities on the site;
- l) The project has demonstrated that storm drainage will not negatively impact the surrounding area;
- m) The project has demonstrated that adequate public infrastructure is available to service the project; and
- n) The project will assist the city in meeting the goals of the General Plan, including transforming the Sunrise Mall area into a premier regional destination and a flourishing center of community life where residents and visitors shop, work, live, and play.

### Section 3: Amendments to Zoning Code

106.50.135 is added as follows:

- A. **Purpose.** The provisions of this Section are intended to allow development within the Sunrise Tomorrow property that will accommodate a mixture of commercial and residential uses, redevelopment of underutilized and aging buildings, increase open space, accommodate vehicles, transit, bicycles and pedestrians, ensure compatibility with adjoining residential uses, and provide for enhanced architectural designs of residential, commercial/mixed use buildings. It is also the intent of this Section to provide for the implementation of The Sunrise Tomorrow Specific Plan.
- B. **Applicability.** This Section applies to proposed development and new land uses within the Sunrise Tomorrow Specific Plan SPA, as shown on Figure 5-12 and the Zoning Map.
- C. **Allowable land uses.** Allowed uses shall be limited to those authorized in the Sunrise Tomorrow Specific Plan.
- D. **Permit requirements.** Each proposed development shall comply with the permit and application requirements in The Sunrise Tomorrow Specific Plan, in addition to the application requirements in Chapter 106.60 (Permit Application Filing and Processing).
- E. **Density and Intensity.** Residential density and non-residential development intensity shall comply with the Sunrise Tomorrow Specific Plan.



**Figure 5-12 Sunrise Tomorrow**

106.50.140 is amended to renumber Figure 5-12 to Figure 5-13; and

106.50.150 is amended to renumber Figure 5-13 to Figure 5-14

#### Section 4: Severability

If any section of this Ordinance is determined to be unenforceable, invalid, or unlawful, such determination shall not affect the enforceability of the remaining provisions of this Ordinance.

#### Section 5: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption provided it is published in full or in summary within fifteen (15) days after its passage, in a newspaper of general circulation published and circulated in the City of Citrus Heights.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9th day of December 2021 by the following vote:

**AYES: COUNCIL MEMBERS:**  
**NOES: COUNCIL MEMBERS:**  
**ABSENT: COUNCIL MEMBERS:**  
**ABSTAIN: COUNCIL MEMBERS:**

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**Steve Miller, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**

Exhibits:

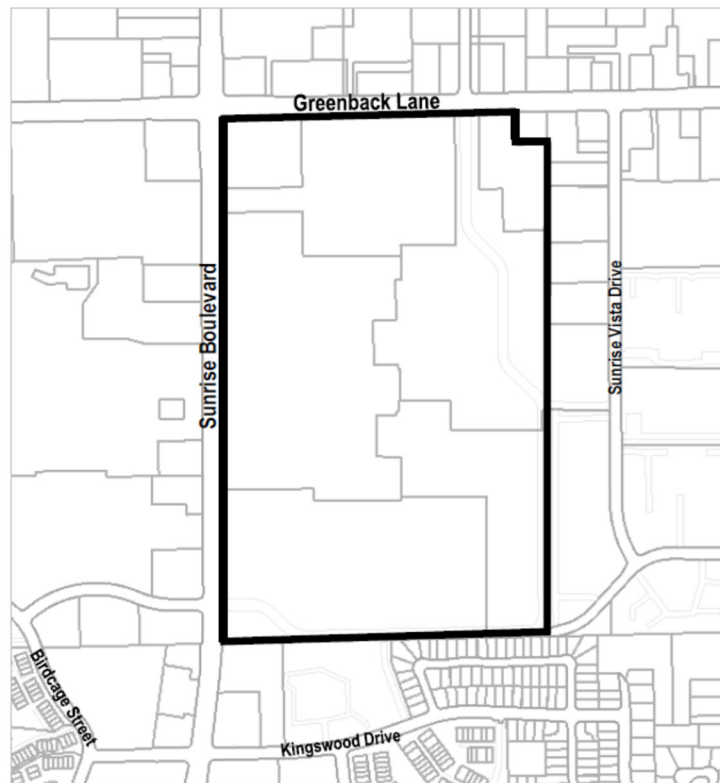
- A. Sunrise Tomorrow SPA
- B. Amended Zoning Map

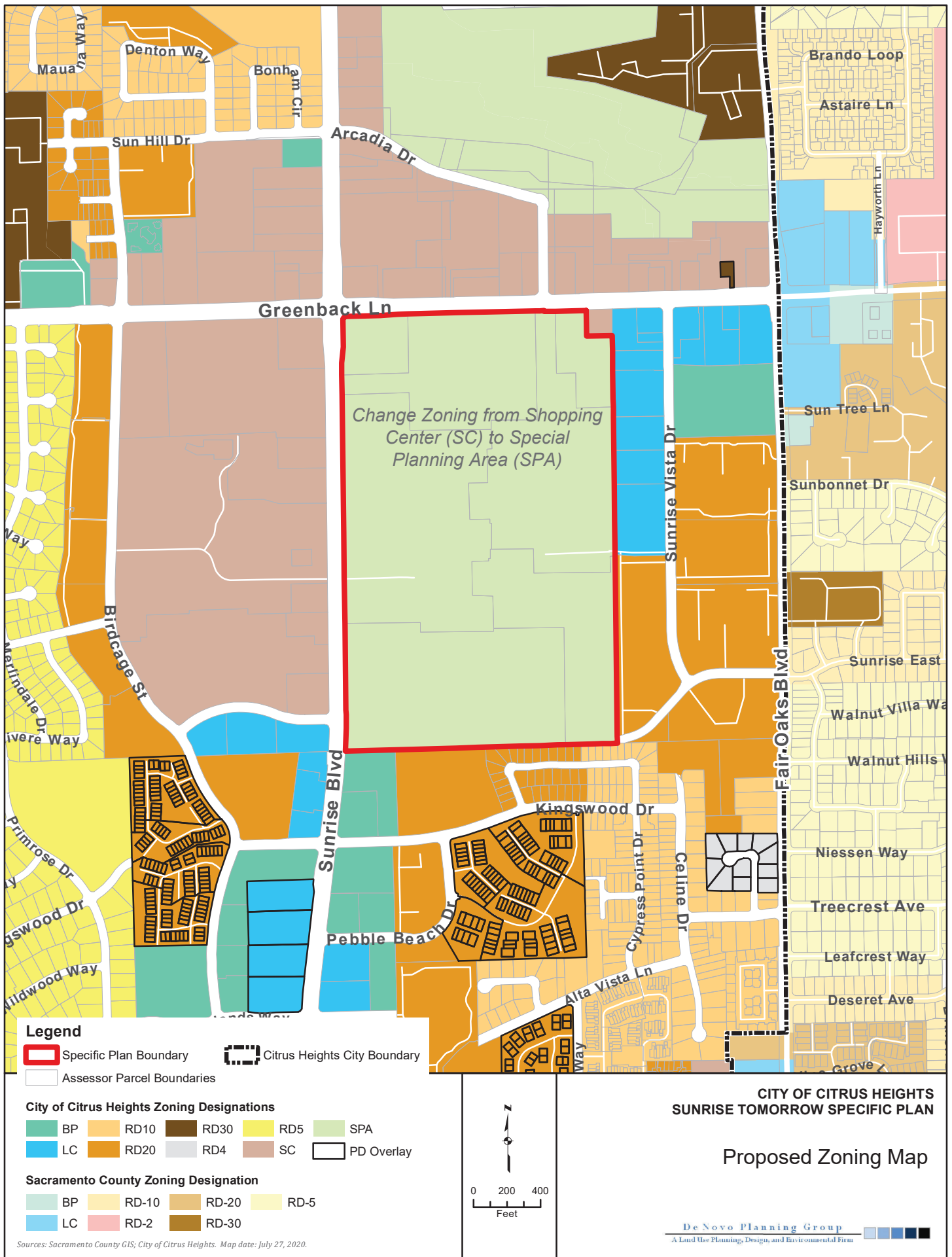
## CITY OF CITRUS HEIGHTS MUNICIPAL CODE - TITLE 106 - ZONING CODE

## Special Planning Area Development Standards

**106.50.135 – Sunrise Tomorrow**

- A. Purpose.** The provisions of this Section are intended to allow development along the Sunrise Tomorrow property that will accommodate a mixture of commercial and residential uses, redevelopment of underutilized and aging buildings, increase open space, accommodate vehicles, transit, bicycles and pedestrians, ensure compatibility with adjoining residential uses, and provide for enhanced architectural designs of residential, commercial/mixed use buildings. It is also the intent of this Section to provide for the implementation of The Sunrise Tomorrow Specific Plan..
- B. Applicability.** This Section applies to proposed development and new land uses within the Sunrise Tomorrow Specific Plan SPA, as shown on Figure 5-12 and the Zoning Map.
- C. Allowable land uses.** Allowed uses shall be limited to those authorized in the Sunrise Tomorrow Specific Plan.
- D. Permit requirements.** Each proposed development shall comply with the permit and application requirements in The Sunrise Tomorrow Specific Plan, in addition to the application requirements in Chapter 106.60 (Permit Application Filing and Processing).
- E. Density and Intensity.** Residential density and non-residential development intensity shall comply with The Sunrise Tomorrow Specific Plan.
- F. Development standards.** Proposed development shall comply with the standards and guidelines in The Sunrise Tomorrow Specific Plan.

Figure 5-12- [Sunrise Tomorrow SPA](#)





# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Meghan Huber, Economic Development and Communications Manager  
Casey Kempenaar, Community Development Director  
Regina Cave, General Services Director  
Alison Bermudez, Associate Planner

**SUBJECT:** Sylvan Soil Remediation Project Award of Contract

### **Summary and Recommendation**

On November 17, 2021, the City opened bids for the Sylvan Soil Remediation Project (Project). After evaluating the bids, staff determined Innovative Construction Solutions submitted the lowest responsive and responsible base bid.

Staff recommends the City Council approve Resolution No. 2021-\_\_\_\_, 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 for the Sylvan Soil Remediation Project and finds the project to be categorically exempt from the California Environmental Quality Act.

### **Fiscal Impact**

The proposed resolution will appropriate funding in the amount of \$98,998.00 from General Fund reserves to the Non-Departmental Budget (account 100-12-199-53401).

The contract award amount is based upon estimated quantities and final quantities may vary based upon field conditions and soil testing results. Change orders for amounts less than 15% of the total contract price shall require prior written approval of the City Manager. Change orders for amounts equal to or greater than 15% of the total contract price shall require prior written approval of the City Council.

### **Background and Analysis**

A Request for Proposal (RFP) was released on October 22, 2021. The RFP was necessary to solicit bids for hazardous waste contractor services to remediate contaminated soil on a vacant



city-owned property. The 11.32 acre site was the location of a former middle school that was demolished in 2016 and purchased by the city in 2019. In preparation to sell the property, Phase I and Phase II environmental reports were prepared, which identified the site was in need of remediation prior to residential development. A Remediation Plan was prepared and the RFP was released to implement the prepared Plan.

Sealed bids were received and read aloud on November 17, 2021. A total of four bids were received and after a thorough analysis, staff has determined that Innovative Construction Solution's bid of \$96,998.00 (Total Bid) was the lowest responsive and responsible bid.

For comparison purposes, the Request for Proposal included a predetermined estimate of \$20,000 to cover costs should additional soil testing beyond the estimated quantities be necessary. The chart below identifies the Base Bid Price, the Supplemental Work and the Total Bid. Staff is recommending the contract award include the supplemental work. The use of the supplemental funds will require staff authorization.

The complete bid results are shown in the following table:

<b>Bidder</b>	<b>Base Bid</b>	<b>Supplemental Work</b>	<b>Total Bid</b>
Environmental Waste Minimization, Inc. (bid disqualified)	--	--	--
Innovative Construction Solutions	\$76,998.00	\$20,000	\$96,998.00
RAH Environmental	\$79,057.65	\$20,000	\$99,057.65
Lund Construction	\$93,680.33	\$20,000	\$113,680.33

The bid submitted by Environmental Waste Minimization, Inc. was disqualified as it was not submitted utilizing the correct bid form and therefore did not reflect accurate bid quantities.

### **Environmental Review**

This project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15330 (Class 30) minor actions to prevent, minimize, stabilize, mitigate or eliminate the release or threat of release of hazardous waste or hazardous substances.

### **Attachments**

1. Resolution 2021-\_\_\_\_ 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 for the Sylvan Soil Remediation Project and finds the project to be categorically exempt from the California Environmental Quality Act.

**RESOLUTION NO. 2021-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH INNOVATIVE CONSTRUCTION SOLUTIONS, INC. FOR THE SYLVAN SOIL REMEDIATION PROJECT AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the City Council of the City of Citrus Heights, California, wishes to proceed with the Sylvan Soil Remediation Project (Project);

**WHEREAS**, the Project will implement a prepared Remediation Plan for a vacant 11.32 acre property owned by the city;

**WHEREAS**, bids for the project were received, opened and read aloud on November 17, 2021, and Innovative Construction Solutions, Inc. was determined to be the lowest responsive, responsible bidder for the Project; and

**WHEREAS**, funds in the amount of \$98,998.00 will be appropriated from General Fund reserves to the Non-Departmental Budget; and

**WHEREAS**, the project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15330, Class 30.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the City Council of the City of Citrus Heights as follows,

1. The City Council finds that project is Categorically Exempt from CEQA pursuant to CEQA guidelines Section 15330.
2. The City Council awards the Sylvan Soil Remediation Project to Innovative Solutions Inc., who has been identified as the lowest responsive and responsible bidder in the November 17, 2021 bid opening.
3. The City Council funds in the amount of \$98,998.00 to be appropriated from the General Fund Reserves to the Non-Departmental Budget (account 100-12-199-53401).
4. The Interim City Manager is hereby authorized to execute an agreement with Innovative Construction Solutions Inc. in the total amount of \$98,998.00 (Base Bid and Supplemental Work) for the Sylvan Soil Remediation Project, and that a copy of the Agreement is available and on file in the City Clerk's office and is incorporated herein by reference and made a part of this Resolution.
5. Appropriate funding in the amount of \$98,998.00 from General Fund reserves to the Non-Departmental Budget (account 100-12-199-53401).

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California,  
this 9<sup>th</sup> day of December 2021 by the following vote, to wit:

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

---

**Steve Miller, Mayor**

**ATTEST:**

---

**Amy Van, City Clerk**



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Regina Cave, General Services Director  
Leslie Blomquist, City Engineer

**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**

### Summary and Recommendation

On May 13, 2021, the City Council authorized an Agreement for Construction Management, Inspection and Materials Testing Services (Agreement) with Coastland Civil Engineering, Inc. (Coastland) for the Mariposa Avenue Safe Routes to School Phase 4 Project (Project).

During construction, unforeseen conditions were discovered and additional work has been identified that will ensure construction of the best product and extend the life of the improvements. However; these changes will result in additional working days to the contract requiring additional construction engineering and inspection services. These additional services will be paid for on an hourly basis. Staff has negotiated a maximum number of hours equating to an amount of \$50,558.83 for Contract Amendment No. 1.

Staff recommends the City Council adopt Resolution No. 2021-\_\_\_\_ 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.

### Fiscal Impact

The current not-to-exceed fee for construction engineering (CE) is \$241,340. Proposed Amendment No. 1 will increase the not-to-exceed fee for professional services by \$50,558.83 to a total of \$291,898.83. The recommended action results in no fiscal impact to the Fiscal Year (FY) 2021/2022 budget, nor the 2021/2022 Capital Improvement Program (CIP). Proposed Amendment No. 1 will be paid for utilizing Active Transportation Program (ATP) grant funds supported by Measure A Bicycle and Pedestrian Safety Funds (Fund 311) as the required local match.

### **Background and Analysis**

The Project is the final phase of 1.2 mile Safe Route to School project providing complete streets connections between Greenback Lane and Madison Avenue encompassing Skycrest Elementary, San Juan High School, and San Juan Park. This phase of the Project will complete the bicycle and pedestrian network between Northeast Circle and Madison Avenue including installation of sidewalk, curb and gutter, bike lanes, street lighting, and upgrades to the traffic signal at Madison Avenue and Mariposa Avenue.

In November 2016, the city was selected to receive an Active Transportation Program (ATP) grant for the design, right-of-way, and construction of the Project. Design was completed in November 2020, and Caltrans authorized construction in December 2020.

On March 5, 2021, staff issued a Request for Proposals (RFP) seeking qualified firms to provide Construction Management, Inspection and Materials Testing Services for the Project. A total of seven proposals were received and after a thorough review and interviews of the top ranking firms, Coastland was determined to be the most qualified consultant for the desired services. The selection process was consistent with Caltrans Local Assistance Procedures Manual (LAPM), Chapter 10.

On May 13, 2021, the City Council authorized an Agreement with Coastland for the Project. Construction of this project is nearing completion but several unforeseen conditions have been encountered throughout construction including substantial amounts of unsuitable material and additional utility conflicts. Also, additional work has been identified during construction that will ensure construction of the best product possible and extend the life of the improvements including roadway crack sealing, additional roadway asphalt repairs and installation of traffic signal video detection.

However, these changes will result in additional working days to the contract requiring additional construction engineering and inspection services. Amendment No. 1 to the Agreement (Attachment 2) with Coastland will provide the necessary services to complete construction of the Project, including the additional work and unforeseen items.

This project aligns with the City Council's three-year strategic planning goal to "Maintain Public Infrastructure and Enhance Alternative Modes of Transportation".

### **Attachments**

- 1) Resolution No. 2021- \_\_\_\_ 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.
- 2) Amendment No. 1 to the agreement for professional services between the City of Citrus Heights and Coastland Civil Engineering Services, Inc. for the Mariposa Avenue Safe Routes to School Phase 4 Project

**RESOLUTION NO. 2021-\_\_\_\_\_**

**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, INC.  
FOR THE MARIPOSA AVENUE SAFE ROUTES TO SCHOOL PHASE 4 PROJECT**

**WHEREAS**, the City Council of the City of Citrus Heights, California, wishes to construct the Mariposa Avenue Safe Routes to School Phase 4 Project (Project);

**WHEREAS**, the Project will enhance safety for students traveling to school along Mariposa Avenue;

**WHEREAS**, design of the Mariposa Avenue Safe Routes to School Phase 4 project is complete and Caltrans issued an Authorization to Construct in December 2020;

**WHEREAS**, the City circulated a request for proposals for construction management, inspection and materials testing services, and in accordance with Caltrans procedures for consultant selection Coastland Civil Engineering, Inc. was found to be the most qualified to provide the required services;

**WHEREAS**, on May 13, 2021, the City Council of the City of Citrus Heights, California authorized execution of an agreement with Coastland Civil Engineering, Inc. in the amount of \$241,340 for Construction Management, Inspection and Materials Testing Services;

**WHEREAS**, the city wishes to amend the agreement to provide additional Construction Management, Inspection and Materials Testing Services for the Project;

**WHEREAS**, Amendment No. 1, in the amount of \$50,558.83 will increase the total not-to-exceed contract fee to \$291,898.83; and

**WHEREAS**, the proposed professional services will be paid for using a combination of Active Transportation Program grant funds and Measure A Bicycle and Pedestrian Safety funds (Fund 311).

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the City Council of the City of Citrus Heights, the Interim City Manager is hereby authorized to execute Contract Amendment No. 1, in the amount not to exceed \$50,558.83 for the Mariposa Avenue Safe Routes to School Phase 4 Project.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9<sup>th</sup> day of December, 2021 by the following vote, to wit:

<b>AYES:</b>	<b>Council Members:</b>
<b>NOES:</b>	<b>Council Members:</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>
<b>ABSENT:</b>	<b>Council Members:</b>

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**Steve Miller, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**

**AMENDMENT NO. 1 TO CONTRACT FOR PROFESSIONAL  
SERVICES FOR THE MARIPOSA AVENUE SAFE ROUTES TO SCHOOL PHASE 4  
PROJECT BETWEEN THE CITY OF CITRUS HEIGHTS AND COASTLAND CIVIL  
ENGINEERING, INC.**

This Amendment No. 1 (the “Contract Amendment No. 1”) is entered into by and between the City of Citrus Heights (“City”), a municipal corporation in the State of California, and Coastland Civil Engineering, Inc. (“Consultant”), as of \_\_\_\_\_, 2021.

**RECITALS**

WHEREAS, the City and Consultant previously entered into that Contract for Professional Design Services for Construction Management, Inspection and Materials Testing Services for the Mariposa Avenue Safe Routes to School Phase 4 (“Project”) dated May 13, 2021 (the “Agreement”);

WHEREAS, the City and Consultant now wish to execute Contract Amendment No. 1 to provide additional professional services for the Project (the “Additional Work”); and

WHEREAS, the City and Consultant also agree to increase the maximum compensation allowed under the Agreement by fifty thousand, five hundred fifty-eight dollars and eighty-three cents (\$50,558.83), for an amended not-to-exceed total compensation of two hundred ninety-one thousand, eight hundred ninety-eight dollars and eighty-three cents (\$291,898.83).

NOW, THEREFORE, the City and Consultant agree as follows:

1. Introduction. The City and Consultant agree to modify the Agreement to include the Additional Work. Article I, Section A of the Agreement, “INTRODUCTION,” is hereby amended to read as follows:

“A. The work to be performed under this contract is described in Article III Statement of Work and the approved CONSULTANT’s Cost Proposals dated April 30, 2021 and November 18, 2021. The approved CONSULTANT’s Cost Proposals are attached hereto as Amended Attachment No. 1 and Attachment 1A, and incorporated by reference. If there is any conflict between the approved Proposals and this contract, the contract shall take precedence.”

2. Compensation. City and Consultant also agree to increase the maximum compensation allowed under the Agreement by fifty thousand, five hundred fifty-eight dollars and eighty-three cents (\$50,558.83). Article V of the Agreement “ALLOWABLE COSTS AND PAYMENTS”, is hereby amended to read as follows:

“C. In addition to the allowable incurred costs, LOCAL AGENCY will pay CONSULTANT a fixed fee of \$23,269.20. The fixed fee is nonadjustable for the term of the AGREEMENT, except in the event of a significant change in the scope of work and such adjustment is made by AGREEMENT amendment.”

“I. The total amount payable by LOCAL AGENCY including the fixed fee shall not exceed \$291,898.83.”



3. Exhibits.

An Amended Attachment 1, based on updated and approved Indirect Cost Rates (ICR) rates, are attached hereto as Exhibit 1 and shall replace the original project cost proposal.

The Additional fee described under Sections 1 and 2 of this Amendment are attached hereto as Exhibit 2 and shall become Attachment 1A to the Agreement.

4. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect, including but not limited to, the terms and conditions regarding timing of payment, insurance and indemnification, and standard of care.

CITY OF CITRUS HEIGHTS

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Christopher W. Boyd, Interim City Manager

Attest

\_\_\_\_\_  
Amy Van, City Clerk

Approved as to Form

\_\_\_\_\_  
Ryan Jones, City Attorney

COASTLAND CIVIL ENGINEERING, INC.

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

Title: \_\_\_\_\_

Client: Citrus Heights

**EXHIBIT 10-H1 COST PROPOSAL | ACTUAL COST-PLUS-FIXED-FEE OR LUMP SUM (FIRM FIXED PRICE) CONTRACTS**  
(DESIGN, ENGINEERING AND ENVIRONMENTAL STUDIES)

Note: Mark-ups are Not Allowed

☒ Prime
 ☐ Sub
 ☐ 2nd Tier Sub

Consultant: Coastland Civil Engineering, Inc.

Project No.: 20-18-001

Contract No.: Mariposa SRTS phase 4

Date: 3/31/2021

**DIRECT LABOR**

Classification/Title	Name	Hours	Actual Hourly Rate	Total
RE	Travis Williams	182	\$ 75.00	\$ 13,650.00
Construction Manager	Andrew Kellen	328	\$ 55.00	\$ 18,040.00
Inspector	Luke Miller	829	\$ 73.09	\$ 60,591.61
Inspector	Jeffrey Peterson	0	\$ 69.90	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -

**LABOR COSTS**

a) Subtotal Direct Labor Costs	\$ 92,281.61
b) Anticipated Salary Increases (see page 2 for calculation)	\$ -
c) <b>TOTAL DIRECT LABOR COSTS</b>	<b>\$ 92,281.61</b>

**INDIRECT COSTS**

d) Fringe Benefits Rate:	41.15%	e) Total Fringe Benefits	\$ 37,973.88
f) Overhead Rate:	61.15%	g) Overhead	\$ 56,430.20
h) General and Administrative Rate:	0.00%	i) Gen & Admin	\$ -
		j) <b>TOTAL INDIRECT COSTS</b>	<b>\$ 94,404.08</b>

**FIXED FEE**

k) <b>TOTAL FIXED FEE</b>	10.00%	<b>\$ 18,668.57</b>
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**CONSULTANT'S OTHER DIRECT COSTS (ODC) - ITEMIZE**

Description of Item	Quantity	Unit	Unit Cost	Total
Mileage Costs			\$ -	\$ -
Equipment Rental and Supplies			\$ -	\$ -
Permit Fees			\$ -	\$ -
Plan Sheets			\$ -	\$ -
Test			\$ -	\$ -
l) <b>TOTAL OTHER DIRECT COSTS</b>				<b>\$ -</b>

**SUBCONSULTANTS' COSTS**

Subconsultant:	Geocon - Material Testing	\$ 24,187.28
Subconsultant:	Silveira - Labor Compliance	\$ 11,750.40
Subconsultant:		\$ -
Subconsultant:		\$ -
m) <b>TOTAL SUBCONSULTANTS' COSTS</b>		<b>\$ 35,937.68</b>

n) <b>TOTAL OTHER DIRECT COSTS INCLUDING SUBCONSULTANTS</b>	<b>\$ 35,937.68</b>
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<b>TOTAL COST</b>	<b>\$ 241,291.94</b>
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**NOTES:**

- Key personnel **must** be marked with an asterisk (\*) and employees that are subject to prevailing wage requirements must be marked with two asterisks (\*\*). All costs must comply with the Federal cost principles. Subconsultants will provide their own cost proposals.
- The cost proposal format shall not be amended. Indirect cost rates shall be updated on an annual basis in accordance with the consultant's annual accounting period and established by a cognizant agency or accepted by Caltrans.
- Anticipated salary increases calculation (page 2) must accompany.

Client: Citrus Heights

**EXHIBIT 10-H1 COST PROPOSAL | ACTUAL COST-PLUS-FIXED-FEE OR LUMP SUM (FIRM FIXED PRICE) CONTRACTS**  
 (CALCULATIONS FOR ANTICIPATED SALARY INCREASES)
Consultant: Coastland Civil Engineering, Inc.Project No.: 20-18-001Contract No.: lariposa SRTS phaseDate: 3/31/2021**1. Calculate Average Hourly Rate for 1st year of the contract (Direct Labor Subtotal divided by total hours)**

Direct Labor Subtotal per Cost Proposal	Total Hours per Cost Proposal		Avg Hourly Rate	5 Year Contract Duration
\$92,281.61	1,339	=	\$68.92	Year 1 Avg Hourly Rate

**2. Calculate hourly rate for all years (Increase the Average Hourly Rate for a year by proposed escalation %)**

	Avg Hourly Rate		Proposed Escalation			
Year 1	\$68.92	+	3%	=	\$70.99	Year 2 Avg Hourly Rate
Year 2	\$70.99	+	3%	=	\$73.12	Year 3 Avg Hourly Rate
Year 3	\$73.12	+	3%	=	\$75.31	Year 4 Avg Hourly Rate
Year 4	\$75.31	+	3%	=	\$77.57	Year 5 Avg Hourly Rate

**3. Calculate estimated hours per year (Multiply estimate % each year by total hours)**

	Estimated % Completed Each Year		Total Hours per Cost Proposal		Total Hours per Year	
Year 1	20.0%	*	1,339	=	268	Estimated Hours Year 1
Year 2	40.0%	*	1,339	=	536	Estimated Hours Year 2
Year 3	15.0%	*	1,339	=	201	Estimated Hours Year 3
Year 4	15.0%	*	1,339	=	201	Estimated Hours Year 4
Year 5	10.0%	*	1,339	=	134	Estimated Hours Year 5
Total	100%		Total	=	1,340	

**4. Calculate Total Costs including Escalation (Multiply Average Hourly Rate by the number of hours)**

	Avg Hourly Rate (calculated above)		Estimated hours (calculated above)		Cost per Year	
Year 1	\$68.92	*	268	=	\$18,470.56	Estimated Hours Year 1
Year 2	\$70.99	*	536	=	\$38,050.64	Estimated Hours Year 2
Year 3	\$73.12	*	201	=	\$14,697.12	Estimated Hours Year 3
Year 4	\$75.31	*	201	=	\$15,137.31	Estimated Hours Year 4
Year 5	\$77.57	*	134	=	\$10,394.38	Estimated Hours Year 5
Total Direct Labor Cost with Escalation				=	\$96,750.01	
Direct Labor Subtotal before Escalation				=	\$92,281.61	
Estimated total of Direct Labor Salary Increase <sup>5</sup>				=	\$4,468.40	Transfer to Page 1

**NOTES:**

- This is not the only way to estimate salary increases. Other methods will be accepted if they clearly indicate the % increase, the # of years of the contract, and a breakdown of the labor to be performed each year.
- An estimation that is based on direct labor multiplied by salary increase % multiplied by the # of years is not acceptable.  
(i.e. \$250,000 x 2% x 5 yrs = \$25,000 is not an acceptable methodology)
- This assumes that one year will be worked at the rate on the cost proposal before salary increases are granted.
- Calculations for anticipated salary escalation must be provided.
- If 100% performed in Year 1 or increase calculation result is less than \$0, \$0 is reflected by default.

**Certification of Direct Costs:**

1. Generally Accepted Accounting Principles (GAAP)
2. Terms and conditions of the contract
3. [Title 23 United States Code Section 112](#) - Letting of Contracts
4. [48 Code of Federal Regulations Part 31](#) - Contract Cost Principles and Procedures
5. [23 Code of Federal Regulations Part 172](#) - Procurement, Management, and Administration of Engineering and Design Related Service
6. [48 Code of Federal Regulations Part 9904](#) - Cost Accounting Standards Board (when applicable)

**Prime Consultant or Subconsultant Certifying:**

Name:	Travis Williams	Title *:	VP
Signature:		Date of Certification (mm/dd/yyyy):	3/31/2021
Email:	<a href="mailto:williams@coastlandcivil.com">williams@coastlandcivil.com</a>	Phone Number:	707-571-8005
Address:	1400 Neotomas Ave., Santa Rosa, CA 95405		

List services the consultant is providing under the proposed contract:

Year	Estimated Total Production (bbls)	Estimated Total Reserves (bbls)	Estimated Total Production (bbls)	Estimated Total Reserves (bbls)
Year 1	100,000	1,000,000	100,000	1,000,000
Year 2	100,000	1,000,000	100,000	1,000,000
Year 3	100,000	1,000,000	100,000	1,000,000
Year 4	100,000	1,000,000	100,000	1,000,000
Year 5	100,000	1,000,000	100,000	1,000,000
Year 6	100,000	1,000,000	100,000	1,000,000
Year 7	100,000	1,000,000	100,000	1,000,000
Year 8	100,000	1,000,000	100,000	1,000,000
Year 9	100,000	1,000,000	100,000	1,000,000
Year 10	100,000	1,000,000	100,000	1,000,000



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Regina Cave, General Services Director  
Leslie Blomquist, City Engineer

**SUBJECT:** **Mariposa Avenue Safe Routes to School Phase 4 – ATPSB1L-5475(043)**  
**Authorize Additional Work – City PN 20-18-001**

### **Summary and Recommendation**

On May 13, 2021, the City Council approved a resolution authorizing the City Manager to execute an agreement with Martin General Engineering, Inc. (MGE) for the Mariposa Avenue Safe Routes to School Phase 4 Project (Project). In order to obtain the best product available and extend the life of the improvements currently under construction, additional work is recommended including roadway crack sealing, additional roadway asphalt repairs, and installation of traffic signal video detection.

Staff recommends the City Council approve Resolution No. 20201-\_\_\_ a Resolution of the City Council of the City of Citrus Heights, California, authorizing the 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.

### **Fiscal Impact**

The Contractor's bid for the Project was \$1,359,157.14 and the recommended additional work is anticipated to cost no more than \$135,916.

The city previously secured an Active Transportation Program (ATP) grant for design and construction of the Project. Due to favorable pricing at the time of bid opening, additional grant funds remain unencumbered which will be applied to the cost of the proposed additional work. The city will be required to use already budgeted funds as the required 21.50% local match for construction.

The recommended action results in no fiscal impact to the Fiscal Year (FY) 2021/2022 budget, nor the 2021/2022 Capital Improvement Program (CIP). The funding for the Project is outlined in the tables below:

**Table No 1. – Estimated Project Construction Costs**

Project Component	Estimated Cost
Original Contract Award	1,359,157.14
Originally Authorized Contingency	203,873.57
PG&E Utility Agreement*	46,844.44
<i>Proposed Additional Work (to be approved by Contract Change Order)</i>	<i>135,916.00</i>
Construction Contract Total	1,745,791.15

\*A separate agreement has been executed with PG&E for the relocation of three gas laterals. Due to the specialty nature of working with gas lines, PG&E requires their own forces to perform this work

**Table No 2. – Project Funding**

Source Fund	Fund No.	FY 2021/2022 (Adopted Budget)
Measure A Bike/Ped Safety	311-690	346,123.16
SACOG Active Transportation Program (ATP) Grant	390-739	1,263,751.99
<i>Measure A Bike/Ped Safety (Proposed Additional Allocation)</i>	<i>311-690</i>	<i>29,221.94</i>
<i>SACOG Active Transportation Program (ATP) Grant (Proposed Additional Allocation)</i>	<i>390-739</i>	<i>106,694.06</i>
FY Totals		1,745,791.15

### **Background and Analysis**

The Project is the final phase of 1.2 mile Safe Route to School project providing complete streets connections between Greenback Lane and Madison Avenue encompassing Skycrest Elementary, San Juan High School, and San Juan Park. This phase of the Project will complete the bicycle and pedestrian network between Northeast Circle and Madison Avenue including installation of sidewalk, curb and gutter, bike lanes, street lighting, upgrades to the traffic signal at Madison Avenue and Mariposa Avenue.

In November 2016, the city was selected to receive an Active Transportation Program (ATP) grant for the design, right-of-way, and construction of the Project. On May 13, 2021 City Council authorized the City Manager to execute a contract with MGE for construction of the project. Due to unforeseen conditions discovered in the field during construction, the additional proposed work, if approved, will exceed the currently approved 15% contingency (City Manager level of approval) for emergencies or incidentals.

In order to obtain the best product available and extend the life of the improvements currently under construction, additional work is recommended including roadway crack sealing, additional roadway asphalt repairs, and installation of traffic signal video detection.

This project aligns with the City Council’s three-year strategic planning goal to “Maintain Public Infrastructure and Enhance Alternative Modes of Transportation”.

**Attachments**

1. Resolution No. 2021-\_\_\_\_, a Resolution of the City Council of the City of Citrus Heights, California, authorizing the 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.

**RESOLUTION NO. 2021-\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, AUTHORIZING THE 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**

**WHEREAS**, on May 13, 2021, the City Council of the City of Citrus Heights, California, authorized the City Manager to execute a construction contract with Martin General Engineering, Inc. (MGE) for the Mariposa Avenue Safe Routes to School Phase 4 Project (Project);

**WHEREAS**, the City wishes to construct additional work in the amount not to exceed \$135,916 to ensure the best project and product is constructed and to extend the life of the improvements;

**WHEREAS**, the City wishes to increase the overall construction budget from \$1,609,875.15 to \$1,745,791.15 in order to fund the Contract Change Order(s);

**WHEREAS**, the City wishes to increase the City Manager's authority to execute Contract Change Orders in an aggregate amount up to 25% of the contract amount; and

**WHEREAS**, sufficient Active Transportation Grant Funds (Fund 390) and Measure A Bicycle and Pedestrian (Fund 311) funds are included in the Fiscal Year 21/22 budget to cover this budget adjustment for the Project.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the City Council of the City of Citrus Heights as follows,

1. The City Manager is hereby authorized to execute Contract Change Order(s) up to 25% of the total contract with Martin General Engineering, Inc. the Mariposa Avenue Safe Routes to School Phase 4 Project.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9<sup>th</sup> day of December, 2021 by the following vote, to wit:

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

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**Steve Miller, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**





**CITY OF CITRUS HEIGHTS**  
**CITY COUNCIL STAFF REPORT**  
**MEMORANDUM**

**DATE:** December 9, 2021

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

**FROM:** Casey Kempenaar, Community Development Director  
 Alison Bermudez, Associate Planner

**SUBJECT: Urgency Ordinance and Resolution– Urban Lot Splits and Two-Unit Residential Development related to SB 9**

**Summary and Recommendation**

SB 9 (Atkins) was signed by Governor Newsom on September 16, 2021 and will become effective January 1, 2022. This law requires local agencies to ministerially approve two new types of housing developments:

- 1) Housing developments of no more than two single-family units on a lot; and
- 2) Urban lot splits.

Given that SB 9 was not signed until mid-September, there was insufficient time to adopt an ordinance through standard hearings before the Planning Commission and City Council and have it in place by January 1, 2021. Therefore, the ordinance is proposed to be introduced as an urgency basis pursuant to GC Section 36937(b). Urgency ordinances require a 4/5th vote of the City Council.

The following motions are recommended to amend both Municipal Code and amend the Master Fee Schedule in regard to the implementation of SB 9:

Motion 1: Move to adopt urgency Ordinance No. 2021\_\_\_\_\_ 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.

Motion 2: Move to adopt Resolution No. 2021\_\_\_\_\_ 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.

### **Fiscal Impact**

There is no direct fiscal impact. A resolution has been provided which includes an update to the Master Fee Schedule to include the new application type of Urban Lot Splits. The fee collected will be fully funded by Urban Lot Split applicants to cover staff's time to review the Urban LotSplit application. More information is provided under the Application and Development Fee section of this report.

### **Background and Analysis**

SB 9 can be broken into two primary components: 1) provisions that allow subdivisions of a single-family zoned lot into two individual lots; and 2) provisions that allow construction of two units on a single-family zoned property. These provisions can be used in concert, so an applicant could also subdivide and build two units on each parcel.

Below is an overview of the key components to SB 9:

#### *Qualifying Properties*

SB 9 applies to any property zoned single-family. In Citrus Heights, this includes the RD-1 through RD-5 zones and Special Planning Areas that allow single-family residences. Properties are precluded from using SB 9 for two-unit projects and/or subdivisions if they are located in any of the following areas:

- Within a special flood hazard area or regulatory floodway, unless certain requirements are met;
- Lands identified for conservation in an adopted conservation plan or under a conservation easement; and
- Within a historic district or on a site that is designated as historic.

#### *Number of Units*

The legislation allows for the development of two-units on qualified properties. It is possible that a property developed under SB 9 may utilize both the lot split and two-unit development provisions resulting in an ultimate build out of four units, even though the property is zoned single-family.

#### *Development Standards*

The law allows the city to apply objective development standards, however; those standards cannot preclude construction of at least two units, each at least 800 square feet in size. Objective standards are standards that involve no exercise in judgment to apply, such as numeric setback requirements, height, lot coverage, etc. The city has developed an Urban Lot Split and Two-Unit Development Ordinance for developments that take advantage of SB 9.

SB 9 includes the following mandatory development standards for both the urban lot split and two-unit development projects:

- Cannot require more than four-foot side and rear setbacks;
- No setback can be required for existing structures nor can the city require the correction of non-conforming zoning conditions on a property as a condition of approval of a project or deny a project due to existing non-conforming conditions (applies only to the Urban Lot Split);
- Easements must be provided for public services and facilities;
- Cannot require more than one parking space per unit. Cannot require any parking for projects within a half-mile walking distance of high-quality transit or major transit stops, as defined by state law, or if there is a car share vehicle located within one block; and
- Must allow construction of attached units; however, attached units must be designed to meet all requirements for selling each unit individually.

SB 9 also includes several protections for existing affordable and rental housing stock and provisions to ensure that the units created by SB 9 add to a jurisdiction's housing stock. Specifically:

- Units created by SB 9 cannot be rented for terms of 30 days or less. This applies to both two-unit projects under SB 9 and to properties that are subdivided according to SB 9; and
- SB 9 projects cannot alter or demolish deed-restricted units or units that have been occupied by a tenant within the prior three years.

In addition to standards stipulated under the law, the city has included the following objective standards into the Urban Lot Split ordinance:

- Parcels must provide easements for the provision of public services and facilities;
- Lots proposed adjacent to or crossed by a watercourse shown on Figure 3-1 of Section 106.30.040 shall meet the minimum lot area exclusive of the creekside setback requirements; and
- Parcels must have frontage on or direct access to a public street. To be considered direct access, the proposed lot split may allow one lot to access a public street by way of a recorded 20-foot minimum width easement.

The city has included the following objective standard into the Two-Unit Development ordinance:

- The required parking space may be covered or uncovered but shall be at least 9 feet wide x 20 foot in length; and
- New units proposed adjacent to or crossed by a watercourse shown on Figure 3-1 of Section 106.30.040 shall meet the creekside setback requirements.

It should also be noted the city cannot impose these objective standards if the application of the standards precludes the development of at least two units of 800 square feet each.

### *Application Review*

Both two-unit projects and urban lot splits authorized under SB 9 must be processed ministerially, meaning no public hearing and no review under the California Environmental Quality Act (CEQA). While this is not a significant change for the two-unit developments, it's significantly different from the traditional parcel map processing which requires Planning Commission approval when land is subdivided.

To allow the required ministerial review of land divisions under SB 9, the creation of a new application review process called "Urban Lot Split" has been added to Section 82 of the city's Municipal Code (Attachment 1). The following allowances and restrictions will apply to Urban Lot Split applications:

- Urban Lot Splits will apply to single-family zoned property;
- The lots must be subdivided into two roughly proportional lots. To ensure rough proportionality, SB 9 specifies that one lot cannot be less than 40 percent the size of the other;
- Lots must be at least 1,200 square feet in area;
- Dedication of right-of-way or construction of off-site improvements (such as installation of sidewalk where there is none) are not required; and
- Applicant must sign an affidavit stating that the applicant intends to live on one of the properties as their primary residence for at least three years after the date of the subdivision approval. This requirement does not apply to an urban land trust or qualified non-profit.

To accommodate the allowance for ministerial review of two-unit developments proposed under SB 9, a new application review process called "Two-Unit Development" has been created. Two-Unit Development projects will initially file an application through the Planning Division for site plan review. This process will confirm the proposed SB 9 development meets the criteria of the ordinance prior to the applicant submitting for a building permit. Additionally, this initial review will provide the necessary data needed to track the number of developments under SB 9.

SB 9 provides limited ability for the denial of an SB 9 project. Two-Unit Development projects or Urban Lot Splits that otherwise meet the requirements of SB 9, may be denied only if the Building Official determines it will result in a specific, adverse impact on health and safety and there is no feasible way to mitigate the impact.

### *Application & Development Fees*

Two-Unit Developments will initially be processed through the Planning Division for review of the site plan. The Planning Division will not collect any fee for this review. The development will be required to pay the required fees when the project is submitted to the Building Division for permits. It should also be noted that unlike ADU legislation, which eliminated and reduced many of the impact fees collected on ADU development, SB 9 does not provide the same exemptions.

**Subject: SB 9 Urgency Ordinance**

**Date: December 9, 2021**

**Page 5 of 5**

Residential units developed under SB 9 will pay impact fees at the same rate currently collected for single-family developments.

Urban Lot Splits will require the processing of a formal application to review compliance with SB 9 as well as the Subdivision Map Act. Since the review of Urban Lot Split application will require significant staff time to review and process, an application fee is proposed to cover the costs.

The most recent Master Fee Schedule (Effective October 15, 2021) does not have a provision for Urban Lot Splits since this is a new process and was not considered in previous fee studies. As a result, staff is proposing the application fee be based upon a time and material basis, the same process currently used to review final maps.

The applicant will pay an initial deposit at the time the application is submitted and funds will be deducted from the deposit based upon staff's actual time reviewing the application. Any unused portions will be returned to the applicant following the final action on the application. A motion has been provided to adopt a resolution adding the Urban Lot Split application type to the Master Fee Schedule.

### **Conclusion**

At the time of the writing of this memorandum, no guidance has been issued and the ordinance is considered compliant with SB 9. It is expected that as this new legislation is put into practice, interpretations and clarifications will be provided from the State Department of Housing and Community Development (HCD). As that occurs, the ordinance may require amendments to satisfy new interpretations. Any future changes will be brought forth to the Planning Commission and City Council for review and approval.

### **Attachments:**

1. Urgency Ordinance No. 2021\_\_\_\_\_ 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.
2. Resolution No. 2021\_\_\_\_\_ 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.
3. SB 9 Text
4. City of Citrus Heights FAQ's Related to SB 9 (draft)

**URGENCY ORDINANCE NO. \_\_\_\_**

**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 LOT SPLITS AND TWO (2) RESIDENTIAL UNITS PER LOT**

**WHEREAS**, on September 16, 2021 Governor Gavin Newsom approved Senate Bill 9 (SB 9, Chapter 162) related to the creation of two residential units per lot which requires local agencies to ministerially approve housing development containing no more than two residential units per lot and ministerially approve an urban lot split; and

**WHEREAS**, SB 9 takes effect on January 1, 2022; and

**WHEREAS**, SB 9 allows local agencies to impose objective zoning, subdivision, and design review standards; and

**WHEREAS**, given that SB 9 was not signed into law until mid-September 2021, there was insufficient time to process this Ordinance through noticed hearings before the Planning Commission and City Council and have the Ordinance in place by January 1, 2022; and

**WHEREAS**, the public is already beginning to express interest in developing under this new law and it is necessary to have standards in place by the time SB 9 becomes effective; and

**WHEREAS**, for the immediate preservation of the public peace, health and safety, it is declared that the adoption of the Ordinance is an urgency under Section 36937(b) of the Government Code; and

**WHEREAS**, a public notice of the proposed Ordinance was published in the newspaper on November 26, 2021; and

**WHEREAS**, the Ordinance must be passed by a four-fifths vote of the City Council.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Article XXII Section 82-750 through Section 82-758 is hereby added to the Citrus Heights Municipal Code to read as follows:

**ARTICLE XXII. PARCEL MAPS FOR URBAN LOT SPLITS**

Sec. 82-750. Definitions.

For purposes of this Section, the following definition shall apply:

*Lot Area* means the area included within the lot lines of the lot, expressed in square feet or acres, and exclusive of floodways and area of easements on the lot for streets or driveways that are not for the exclusive use of the lot.

*Single-family Residential Zone* means a lot with a zoning classification of RD-1 through RD-5 and Special Planning Areas that allow single-family residential.

*Unit* means any dwelling unit, including but not limited to a primary dwelling unit, an accessory dwelling unit, or a junior accessory dwelling unit.

*Urban lot split* means a lot split of a single-family residential lot into two parcels that meets the requirements of this section.

#### Sec. 82.751 Approval Process

The city shall ministerially approve a parcel map for a lot split that meets the following requirements:

- (1) The parcel is located within a single-family residential zone.
- (2) The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area, provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel.
- (3) Both newly created parcels are no smaller than 1,200 square feet.
- (4) The parcel is not located in any of the following areas and does not fall within any of the following categories:
  - a. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
    - i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or

- ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
  - b. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
  - c. Lands under a conservation easement.
  - d. Within a historic district or on a site that is designated as historic.
- (5) The proposed lot split would not require demolition or alteration of any of the following types of housing:
- a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
  - b. Housing that is subject to any form of rent or price control by the city;
  - c. Housing that has been occupied by a tenant in the last three years;
  - d. Housing on a parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application.
- (6) The lot split does not create more than two units on a parcel.

#### Sec. 82-752. Standards and Requirements.

The following requirements shall apply to urban lot splits:



- (1) The lot split conforms to all applicable objective requirements of the Subdivision Map Act and Chapter 106 of the Citrus Heights Municipal Code, except as the same are modified by this section.
- (2) No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
- (3) Except for those circumstances described in Section 82-752.(2) above, the setback for side and rear lot lines shall be four feet. The front setback shall be as set forth in the underlying single-family residential zone.
- (4) The applicant shall provide easements for the provision of public services and facilities as required.
- (5) An application for an Urban Lot Split shall not require the correction of nonconforming zoning provisions as a condition for the lot split.
- (6) Except for those circumstances described in Section 82.751(5), the demolition or alteration of a structure is allowed for land divisions proposed under this Section.
- (7) Development of residential units on the lots created by the Urban Lot Split shall be governed by Section 106.42.260.

#### Sec. 82-753. Dedications and Improvements

Dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of approval for the parcel map shall not be imposed on urban lot splits.

#### Sec. 82-754 Objective Standards

The following objective standard shall apply to urban lot splits provided the objective subdivision standard shall not be imposed if it would have the effect of physically precluding the construction of two units on either of the resulting parcels in a unit size of less than 800 square feet.

- (1) Each lot shall have frontage on or direct access to a public street. To be considered direct access, the proposed lot split may allow one lot to access a public street by way of a recorded 20-foot minimum width easement.

- (2) Lots proposed adjacent to or crossed by a watercourse shown on Figure 3-1 of Section 106.30.040 shall meet the minimum lot area exclusive of the creekside setback requirements.

#### Sec. 82-755. Application Denial

- (1) An application for an urban lot split shall not be denied solely because it proposes adjacent or connected structures provided that that all building code safety standards are met and they are sufficient to allow a separate conveyance.
- (2) An application for an urban lot split may be denied if the Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

#### Sec. 82-756 Affidavit Required

An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the City Attorney stating the following:

- (1) That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a “community land trust” or a “qualified nonprofit corporation” as the same are defined in the Revenue and Taxation Code.
- (2) That the uses shall be limited to residential uses.
- (3) That any rental of any unit created by the lot split shall be for a minimum of thirty-one days.
- (4) That the maximum number of units to be allowed on the parcels is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, or junior accessory dwelling units.

#### Sec. 82-757 Section Applicability

This section shall not apply to:

- (1) Any parcel which has been established pursuant to a lot split in accordance with this section; or
- (2) Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, “acting in concert” shall include, but not be limited to, where the owner of a property proposed for an urban lot split is the same, related to, or connected by partnership to the owner, buyer or seller (if transferred within the previous three years) of an adjacent lot.

**SECTION 2.** Chapter 106 and Chapter 108 of the Citrus Heights Municipal Code are hereby amended to read as set forth below:

Section 106.42.260 is hereby added to the Citrus Heights Municipal Code to read as follows:

**Section 106.42.260 Two-Unit Housing Development**

This Section provides standards for housing developments of no more than two units, where allowed by this section. The provisions of this section supersede any contrary provisions in the Citrus Heights Municipal Code to the contrary.

A. **Allowed Locations.** A housing development in compliance with this Section shall be approved ministerially if it meets the following requirements:

1. The parcel is located within a single-family residential zone.
2. The parcel is not located in any of the following areas and does not fall within any of the following categories:
  - a. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subparagraph if either of the following are met:
    - i. The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or

- ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the Nation Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii);
  - b. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subparagraph and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
  - c. Lands under a conservation easement.
  - d. Within a historic district or on a site that is designated as historic.
- 3. The proposed housing development would not require demolition or alteration of any of the following types of housing:
  - a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
  - b. Housing that is subject to any form of rent or price control by the city;
  - c. Housing on a parcel or parcels on which an owner of residential real property exercised rights under Government Code section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date of the application; or
  - d. Housing that has been occupied by a tenant in the last three years.
- B. **Standards and Requirements.** The following requirements shall apply in addition to all other objective standards pertaining to the underlying single-family residential zone:
  - 1. No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

2. Except for those circumstances described in section 106.42.260.B.1, the setback for side and rear lot lines shall be four feet. The front setback shall be as set forth in the single-family residential zone.
  3. Except for those circumstances described in section 106.42.260.A.3, the demolition or alteration of a structure is allowed for developments proposed under this Section.
  4. The applicant shall provide easements for the provision of public services and facilities as required.
  5. Off-street parking shall be limited to one space per unit, except that no parking requirements shall be imposed if the parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code section 21155(b) or a major transit stop as defined in Public Resources Code section 21064.3.
  6. Any residential accessory structure proposed in conjunction with or following the development of, a two-unit development shall meet the requirements of Citrus Heights Municipal Code Chapter 106.
  7. The maximum number of units allowed under this Section is two per lot.
- C. **Objective Standards.** The following objective standard shall apply to two-unit developments provided the objective standard shall not be imposed if it would have the effect of physically precluding the construction of two units of less than 800 square feet.
1. The required parking space may be covered or uncovered but shall be at least 9 feet wide x 20 foot in length.
  2. New units proposed adjacent to or crossed by a watercourse shown on Figure 3-1 of Section 106.30.040 shall meet the creekside setback requirements.
  3. The applicant shall provide easements for the provision of public services and facilities as required.
- D. **Application Review.** A housing development in compliance with this Section shall be approved ministerially if it meets the requirements of this Section. An application project shall not be denied based on any of the following:

1. The imposition of any objective zoning or design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.
  2. Solely because it proposes adjacent or connected structures provided that that all building code safety standards are met and they are sufficient to allow a separate conveyance.
- E. **Housing Development in Conjunction with Urban Lot Split.** If the project includes an urban lot split, the shall be required to sign an affidavit in a form approved by the City Attorney to be recorded against the property stating the following:
1. That the uses shall be limited to residential uses.
  2. That the rental of any unit created pursuant to this section shall be for a minimum of thirty-one days.
  3. That the maximum number of units to be allowed on the parcels is two, including but not limited to units otherwise allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to Section 106.42.015.
- F. **Building Official Authority.** The city may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

Section 106.80.020 of the Citrus Heights Municipal code is hereby amended by adding the following definitions to read as follows:

**Single-family Residential Zone.** Zoning districts of RD-1 through RD-5 and Special Planning Areas that allow single-family residential.

**Two-Unit Housing Development.** A project of no more than two residential units within a single-family zone that meets the requirements of Section 106.42.260. A duplex is considered two-units.

**Unit.** Any dwelling unit, including but not limited to a primary dwelling unit, an accessory dwelling unit, or a junior accessory dwelling unit.

**SECTION 3.** This adoption of this Ordinance is not a project under CEQA pursuant to SB 9.

**SECTION 4.** This Ordinance shall take effect immediately because of the need for the preservation of the public peace, health and safety as set forth in the Whereas clauses in the beginning of this Ordinance.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights this \_\_\_\_\_ day of \_\_\_\_\_ 2021 by the following vote:

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

\_\_\_\_\_  
**Steve Miller, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Amy Van, City Clerk**

**RESOLUTION NO. 2021-\_\_****A RESOLUTION 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**

**WHEREAS**, on September 16, 2021, California Governor Gavin Newsom signed into law Senate Bill 9 (SB (9) which in part included a new type of development application referenced as “Urban Lot Splits”;

**WHEREAS**, given that SB 9 was not signed until mid-September, there was insufficient time to include the newly created application type “Urban Lot Splits” into the most recent Master Fee Schedule;

**WHEREAS**, pursuant to Government Code Sections 66014, 66017 and 66018, the specific fees to be charged for certain services must be adopted by resolution, following notice and public hearing;

**WHEREAS**, pursuant to California Government Code Sections 66016 and 66018, the City Council has conducted at least one duly noticed public hearing with respect to the proposed fee prior to adoption of this Resolution;

**WHEREAS**, the proposed fee shall go into effect 60 days after adoption of the Resolution.

**NOW THEREFORE BE IT RESOLVED AND ORDERED** that the City of Citrus Heights does hereby determine:

- A. The Master Fee Schedule will be amended to include a new application fee type “Urban Lot Splits” under the Planning Fee Section of the Master Fee Schedule as shown below:

<b>Planning Fee</b>	<b>2021 Fee</b>	<b>New Fee due to SB 9</b>
Urban Lot Splits	N/A	Deposit & Actual Cost

- B. All other provisions of the Master Fee Schedule remain in effect.

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9<sup>th</sup> day of December 2021 by the following vote, to wit:

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

\_\_\_\_\_  
**Steve Miller, Mayor**

**ATTEST:**

\_\_\_\_\_



**Amy Van, City Clerk**

## Senate Bill No. 9

### CHAPTER 162

An act to amend Section 66452.6 of, and to add Sections 65852.21 and 66411.7 to, the Government Code, relating to land use.

[Approved by Governor September 16, 2021. Filed with  
Secretary of State September 16, 2021.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 9, Atkins. Housing development: approvals.

The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions.

This bill, among other things, would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving the construction of 2 residential units, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of up to 2 units or physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances.

The Subdivision Map Act vests the authority to regulate and control the design and improvement of subdivisions in the legislative body of a local agency and sets forth procedures governing the local agency's processing, approval, conditional approval or disapproval, and filing of tentative, final, and parcel maps, and the modification of those maps. Under the Subdivision Map Act, an approved or conditionally approved tentative map expires 24

months after its approval or conditional approval or after any additional period of time as prescribed by local ordinance, not to exceed an additional 12 months, except as provided.

This bill, among other things, would require a local agency to ministerially approve a parcel map for an urban lot split that meets certain requirements, including, but not limited to, that the urban lot split would not require the demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the parcel is located within a single-family residential zone, and that the parcel is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving an urban lot split, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of 2 units, as defined, on either of the resulting parcels or physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances. The bill would require an applicant to sign an affidavit stating that they intend to occupy one of the housing units as their principal residence for a minimum of 3 years from the date of the approval of the urban lot split, unless the applicant is a community land trust or a qualified nonprofit corporation, as specified. The bill would prohibit a local agency from imposing any additional owner occupancy standards on applicants. By requiring applicants to sign affidavits, thereby expanding the crime of perjury, the bill would impose a state-mandated local program.

The bill would also extend the limit on the additional period that may be provided by ordinance, as described above, from 12 months to 24 months and would make other conforming or nonsubstantive changes.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment. CEQA does not apply to the approval of ministerial projects.

This bill, by establishing the ministerial review processes described above, would thereby exempt the approval of projects subject to those processes from CEQA.

The California Coastal Act of 1976 provides for the planning and regulation of development, under a coastal development permit process, within the coastal zone, as defined, that shall be based on various coastal resources planning and management policies set forth in the act.

This bill would exempt a local agency from being required to hold public hearings for coastal development permit applications for housing developments and urban lot splits pursuant to the above provisions.

By increasing the duties of local agencies with respect to land use regulations, the bill would impose a state-mandated local program.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

*The people of the State of California do enact as follows:*

SECTION 1. Section 65852.21 is added to the Government Code, to read:

65852.21. (a) A proposed housing development containing no more than two residential units within a single-family residential zone shall be considered ministerially, without discretionary review or a hearing, if the proposed housing development meets all of the following requirements:

(1) The parcel subject to the proposed housing development is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(2) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(3) Notwithstanding any provision of this section or any local law, the proposed housing development would not require demolition or alteration of any of the following types of housing:

(A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(B) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(C) Housing that has been occupied by a tenant in the last three years.

(4) The parcel subject to the proposed housing development is not a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(5) The proposed housing development does not allow the demolition of more than 25 percent of the existing exterior structural walls, unless the housing development meets at least one of the following conditions:

(A) If a local ordinance so allows.

(B) The site has not been occupied by a tenant in the last three years.

(6) The development is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(b) (1) Notwithstanding any local law and except as provided in paragraph (2), a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards that do not conflict with this section.

(2) (A) The local agency shall not impose objective zoning standards, objective subdivision standards, and objective design standards that would have the effect of physically precluding the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area.

(B) (i) Notwithstanding subparagraph (A), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(ii) Notwithstanding subparagraph (A), in all other circumstances not described in clause (i), a local agency may require a setback of up to four feet from the side and rear lot lines.

(c) In addition to any conditions established in accordance with subdivision (b), a local agency may require any of the following conditions when considering an application for two residential units as provided for in this section:

(1) Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(2) For residential units connected to an onsite wastewater treatment system, a percolation test completed within the last 5 years, or, if the percolation test has been recertified, within the last 10 years.

(d) Notwithstanding subdivision (a), a local agency may deny a proposed housing development project if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is

no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(f) Notwithstanding Section 65852.2 or 65852.22, a local agency shall not be required to permit an accessory dwelling unit or a junior accessory dwelling unit on parcels that use both the authority contained within this section and the authority contained in Section 66411.7.

(g) Notwithstanding subparagraph (B) of paragraph (2) of subdivision (b), an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(h) Local agencies shall include units constructed pursuant to this section in the annual housing element report as required by subparagraph (I) of paragraph (2) of subdivision (a) of Section 65400.

(i) For purposes of this section, all of the following apply:

(1) A housing development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing unit.

(2) The terms “objective zoning standards,” “objective subdivision standards,” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(3) “Local agency” means a city, county, or city and county, whether general law or chartered.

(j) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(k) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for a housing development pursuant to this section.

SEC. 2. Section 66411.7 is added to the Government Code, to read:

66411.7. (a) Notwithstanding any other provision of this division and any local law, a local agency shall ministerially approve, as set forth in this section, a parcel map for an urban lot split only if the local agency determines that the parcel map for the urban lot split meets all the following requirements:

(1) The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.

(2) (A) Except as provided in subparagraph (B), both newly created parcels are no smaller than 1,200 square feet.

(B) A local agency may by ordinance adopt a smaller minimum lot size subject to ministerial approval under this subdivision.

(3) The parcel being subdivided meets all the following requirements:

(A) The parcel is located within a single-family residential zone.

(B) The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(C) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(D) The proposed urban lot split would not require demolition or alteration of any of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(iv) Housing that has been occupied by a tenant in the last three years.

(E) The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(F) The parcel has not been established through prior exercise of an urban lot split as provided for in this section.

(G) Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split as provided for in this section.

(b) An application for a parcel map for an urban lot split shall be approved in accordance with the following requirements:

(1) A local agency shall approve or deny an application for a parcel map for an urban lot split ministerially without discretionary review.

(2) A local agency shall approve an urban lot split only if it conforms to all applicable objective requirements of the Subdivision Map Act (Division

2 (commencing with Section 66410)), except as otherwise expressly provided in this section.

(3) Notwithstanding Section 66411.1, a local agency shall not impose regulations that require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map for an urban lot split pursuant to this section.

(c) (1) Except as provided in paragraph (2), notwithstanding any local law, a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards applicable to a parcel created by an urban lot split that do not conflict with this section.

(2) A local agency shall not impose objective zoning standards, objective subdivision standards, and objective design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.

(3) (A) Notwithstanding paragraph (2), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(B) Notwithstanding paragraph (2), in all other circumstances not described in subparagraph (A), a local agency may require a setback of up to four feet from the side and rear lot lines.

(d) Notwithstanding subdivision (a), a local agency may deny an urban lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) In addition to any conditions established in accordance with this section, a local agency may require any of the following conditions when considering an application for a parcel map for an urban lot split:

(1) Easements required for the provision of public services and facilities.

(2) A requirement that the parcels have access to, provide access to, or adjoin the public right-of-way.

(3) Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(f) A local agency shall require that the uses allowed on a lot created by this section be limited to residential uses.

(g) (1) A local agency shall require an applicant for an urban lot split to sign an affidavit stating that the applicant intends to occupy one of the



housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.

(2) This subdivision shall not apply to an applicant that is a “community land trust,” as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code.

(3) A local agency shall not impose additional owner occupancy standards, other than provided for in this subdivision, on an urban lot split pursuant to this section.

(h) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(i) A local agency shall not require, as a condition for ministerial approval of a parcel map application for the creation of an urban lot split, the correction of nonconforming zoning conditions.

(j) (1) Notwithstanding any provision of Section 65852.2, 65852.21, 65852.22, 65915, or this section, a local agency shall not be required to permit more than two units on a parcel created through the exercise of the authority contained within this section.

(2) For the purposes of this section, “unit” means any dwelling unit, including, but not limited to, a unit or units created pursuant to Section 65852.21, a primary dwelling, an accessory dwelling unit as defined in Section 65852.2, or a junior accessory dwelling unit as defined in Section 65852.22.

(k) Notwithstanding paragraph (3) of subdivision (c), an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(l) Local agencies shall include the number of applications for parcel maps for urban lot splits pursuant to this section in the annual housing element report as required by subparagraph (I) of paragraph (2) of subdivision (a) of Section 65400.

(m) For purposes of this section, both of the following shall apply:

(1) “Objective zoning standards,” “objective subdivision standards,” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(2) “Local agency” means a city, county, or city and county, whether general law or chartered.

(n) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be

considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(o) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for urban lot splits pursuant to this section.

SEC. 3. Section 66452.6 of the Government Code is amended to read:

66452.6. (a) (1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 24 months. However, if the subdivider is required to expend two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way that abut the boundary of the property to be subdivided and that are reasonably related to the development of that property, each filing of a final map authorized by Section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 48 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

(2) Commencing January 1, 2012, and each calendar year thereafter, the amount of two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) shall be annually increased by operation of law according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The effective date of each annual adjustment shall be March 1. The adjusted amount shall apply to tentative and vesting tentative maps whose applications were received after the effective date of the adjustment.

(3) "Public improvements," as used in this subdivision, include traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities, and lighting facilities.

(b) (1) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.

(2) The length of time specified in paragraph (1) shall be extended for up to three years, but in no event beyond January 1, 1992, during the pendency of any lawsuit in which the subdivider asserts, and the local agency that approved or conditionally approved the tentative map denies, the existence or application of a development moratorium to the tentative map.

(3) Once a development moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

(c) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the local agency pursuant to this section. After service of the initial petition or complaint in the lawsuit upon the local agency, the subdivider may apply to the local agency for a stay pursuant to the local agency's adopted procedures. Within 40 days after receiving the application, the local agency shall either stay the time period for up to five years or deny the requested stay. The local agency may, by ordinance, establish procedures for reviewing the requests, including, but not limited to, notice and hearing requirements, appeal procedures, and other administrative requirements.

(d) The expiration of the approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed with the legislative body without first processing a new tentative map. Once a timely filing is made, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording, may lawfully occur after the date of expiration of the tentative map. Delivery to the county surveyor or city engineer shall be deemed a timely filing for purposes of this section.

(e) Upon application of the subdivider filed before the expiration of the approved or conditionally approved tentative map, the time at which the map expires pursuant to subdivision (a) may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years. The period of extension specified in this subdivision shall be in addition to the period of time provided by subdivision (a). Before the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

(f) For purposes of this section, a development moratorium includes a water or sewer moratorium, or a water and sewer moratorium, as well as other actions of public agencies that regulate land use, development, or the provision of services to the land, including the public agency with the authority to approve or conditionally approve the tentative map, which thereafter prevents, prohibits, or delays the approval of a final or parcel map. A development moratorium shall also be deemed to exist for purposes of this section for any period of time during which a condition imposed by the city or county could not be satisfied because of either of the following:

(1) The condition was one that, by its nature, necessitated action by the city or county, and the city or county either did not take the necessary action or by its own action or inaction was prevented or delayed in taking the necessary action before expiration of the tentative map.

(2) The condition necessitates acquisition of real property or any interest in real property from a public agency, other than the city or county that approved or conditionally approved the tentative map, and that other public agency fails or refuses to convey the property interest necessary to satisfy the condition. However, nothing in this subdivision shall be construed to require any public agency to convey any interest in real property owned by it. A development moratorium specified in this paragraph shall be deemed to have been imposed either on the date of approval or conditional approval of the tentative map, if evidence was included in the public record that the public agency that owns or controls the real property or any interest therein may refuse to convey that property or interest, or on the date that the public agency that owns or controls the real property or any interest therein receives an offer by the subdivider to purchase that property or interest for fair market value, whichever is later. A development moratorium specified in this paragraph shall extend the tentative map up to the maximum period as set forth in subdivision (b), but not later than January 1, 1992, so long as the public agency that owns or controls the real property or any interest therein fails or refuses to convey the necessary property interest, regardless of the reason for the failure or refusal, except that the development moratorium shall be deemed to terminate 60 days after the public agency has officially made, and communicated to the subdivider, a written offer or commitment binding on the agency to convey the necessary property interest for a fair market value, paid in a reasonable time and manner.

SEC. 4. The Legislature finds and declares that ensuring access to affordable housing is a matter of statewide concern and not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Sections 1 and 2 of this act adding Sections 65852.21 and 66411.7 to the Government Code and Section 3 of this act amending Section 66452.6 of the Government Code apply to all cities, including charter cities.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act or

because costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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# Senate Bill 9 -City of Citrus Heights

## Frequently Asked Questions

**What is Senate Bill 9 (SB 9)?** SB 9 was signed into law by Governor Newsom on September 16, 2021 and becomes effective on January 1, 2022. SB 9 focuses on adding opportunities for infill housing in existing single-family neighborhoods. SB 9 can be broken into two primary components: 1) provisions that allow subdivisions of a single-family zoned lot into two lots; and 2) provisions that allow construction of two units on a single-family zoned property. These provisions can be used in concert, so an applicant could subdivide and build two units on each parcel.

Both two-unit projects and subdivisions authorized under SB 9 must be processed ministerially, meaning no public hearing and no review under the California Environmental Quality Act (CEQA). Applications for SB 9 developments are available from the Planning Division (916) 727-4740 or email [planning@citrusheights.net](mailto:planning@citrusheights.net).

***The following FAQ's apply to both Two-Unit Development and Urban Lot Splits proposed under SB 9.***

**Can I modify and/or demolish an existing residential unit and then develop the property under SB 9?** If the existing living unit has been occupied by a tenant within the prior three years, the unit may not be altered or demolished for the development of an SB 9 project. In certain other situations a unit may not be modified or demolished. Criteria for lot splits can be found in CHMC Section 82-751 and for two-unit developments, refer to CHMC Section 106.42.260.A.3.

**Can the units be used as a short-term rental?** Any housing unit developed under SB 9 must be rented for periods longer than 30 days.

**If my property is within a flood hazard area, am I eligible to develop under SB 9?** SB 9 overrides the City's requirements for no new structures in the flood hazard areas ***in certain situations as listed below:***

Property in 100-year flood hazard areas: SB 9 states a development may occur within a flood hazard area if either of the following are met:

- The site has been subject to a Letter of Map Revision prepared by FEMA and issued to the city; or
- The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program as further spelled out in Government Code section 65913.4(a)(6)(G)(ii).

The property owner will need to obtain a LOMR (Letter of Map Revision) from FEMA before the portion in the floodplain can count towards the property's net area. A LOMR requires surveyed elevations of the parcel and the adjacent ground, grading plans for proposed grades AND a hydraulic study for the watershed where the parcel is located. FEMA reviews this and determines that the new development brought this parcel/area above the BFE (Base Flood Elevation) and the LOMR is issued.

The LOMR is issued AFTER the grading work is completed. In the interim, the developer would need a CLOMR (Conditional LOMR) that approves the proposed work with the condition of actually getting it done (and any other FEMA conditions put upon the proposed work).

Floodway: If development is proposed within a floodway, the property owner will need to conduct a hydraulic study to demonstrate there is zero-rise upstream & downstream of the floodway if the development was constructed.

***Note: Either situation will require an extensive hydraulic study. These exemptions only apply to development of a residence (not any accessory structures) proposed under SB 9. Development proposed without the application of SB 9 must comply with City of Citrus Heights' Floodplain Management Regulations and Policies.***

**If my property has a creek, does the creek setback apply?** Creekside setbacks are applied to projects adjacent to or crossed by a watercourse shown in Figure 3-1 of Section 106.30.040 of the Zoning Code. If the application of the setback requirements precludes the development of two units of 800 square feet, this setback is not applied.

### ***The following FAQ's apply to Two-Unit Development proposed under SB 9.***

**Is there a maximum square footage allowed for the units under SB 9?** Unlike ADUs where the maximum size allowed is 1200 sf, housing development under SB 9 is not capped at a maximum size. The allowable size is only limited by the objective development standards i.e. lot coverage, setbacks, access, parking etc. It should also be noted that regardless of the development standards, a minimum of two 800 sf living units would be allowed. Refer to CHMC Section 106.42.260 for the standards for two-unit developments.

**Must parking be provided for the development?** Each unit must be provided at least one parking space with a minimum size of 9 feet wide x 20 feet in length. The parking space may be covered or uncovered. In certain situations an exemption from the parking requirement is allowed. Refer to CHMC Section 106.42.260.B.4 for exemption criteria.

**Can I apply for the two-unit development on my property under SB 9?** The legislation allows two-unit developments in single-family zones. In Citrus Heights, RD-1 through RD-5 and Special Planning Areas (SPAs) where single-family is allowed, are considered single-family zoning and would qualify for the two-unit development.

**If I have an existing home on my property, can I add another home?** If the property is zoned RD-1 through RD-5 or in an SPA that allows single-family, the property would qualify as eligible under SB 9 for an additional unit. It should be noted that if the property already has two-units, including a duplex, an ADU or JADU, an additional unit would not be allowed. The maximum number of units per lot allowed under SB 9 is two.

**Can I build a duplex?** An attached two-unit structure may be constructed and would count as two units. However, the utilities provided for each of the units shall be independent of each other.

**What are the application fee/process for Two-Unit Development projects?** Applications for Two-Unit Developments will submit an application for site plan review to the Planning Division. After the site plan has been approved, the applicant can submit to the Building Division for permit. There are no fees paid to the Planning Division for the review of the two-unit development under SB 9. Fees are collected and paid when drawings are submitted to the Building Division for the permit. For more information on fees, refer the Development Impact Fee Brochure or reach out to the Building Division at (916) 727-4760.

***The following FAQ's apply to Urban Lot Splits proposed under SB 9.***

**If a property is subdivided, do the lots have to meet the minimum size requirements for the zoning district?** Under the subdivision provisions of SB 9, the property does not have to meet the minimum lot size requirements of the zoning district but each lot must be at least 1,200 square feet. The land division must create two roughly proportional lots. To ensure rough proportionality, SB 9 specifies that one lot cannot be less than 40 percent the size of the other.

**How is the lot area calculated?** Net area deducting any flood zone or floodway unless meeting the criteria as stated in CHMC Section 106.42.260.A.2.

**What access is required to the new lot?** Each lot shall have direct access to or adjoin the public right-of-way. A recorded easement can be considered direct access if the easement is at least 20-feet in width and the easement connects to a public street.

**Will frontage or street dedications be required?** Easements may be required to convey public utilities, access, and other services. Offsite dedications or improvements are not required for projects developed under SB 9.

**Must the property owner live on the property?** If a property is subdivided under SB 9, the applicant must sign an affidavit stating they intend to live on either of the parcels as a primary residence for at least three years. In addition, the owner of the property being subdivided may not own any adjoining property or work in concert with an adjoining land owner.

**What is the application fee/process for an Urban Lot Split?** Applications for an Urban Lot Split must be filed with the Planning Division for review. The application fee is collected on a time/material basis. Check with the Planning Division for more information on processing.





# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** December 9, 2021

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

**FROM:** Meghan Huber, Economic Development and Communications Manager  
Casey Kempenaar, Community Development Director  
Regina Cave, General Services Director  
Alison Bermudez, Associate Planner

**SUBJECT:** Sylvan Soil Remediation Project Award of Contract

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### **Summary and Recommendation**

On November 17, 2021, the City opened bids for the Sylvan Soil Remediation Project (Project). After evaluating the bids, staff determined Innovative Construction Solutions submitted the lowest responsive and responsible base bid.

Staff recommends the City Council approve Resolution No. 2021-\_\_\_\_, 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 for the Sylvan Soil Remediation Project and finds the project to be categorically exempt from the California Environmental Quality Act.

### **Fiscal Impact**

The proposed resolution will appropriate funding in the amount of \$96,998.00 from General Fund reserves to the Non-Departmental Budget (account 100-12-199-53401).

The contract award amount is based upon estimated quantities and final quantities may vary based upon field conditions and soil testing results. Change orders for amounts less than 15% of the total contract price shall require prior written approval of the City Manager. Change orders for amounts equal to or greater than 15% of the total contract price shall require prior written approval of the City Council.

### **Background and Analysis**

A Request for Proposal (RFP) was released on October 22, 2021. The RFP was necessary to solicit bids for hazardous waste contractor services to remediate contaminated soil on a vacant

city-owned property. The 11.32 acre site was the location of a former middle school that was demolished in 2016 and purchased by the city in 2019. In preparation to sell the property, Phase I and Phase II environmental reports were prepared, which identified the site was in need of remediation prior to residential development. A Remediation Plan was prepared and the RFP was released to implement the prepared Plan.

Sealed bids were received and read aloud on November 17, 2021. A total of four bids were received and after a thorough analysis, staff has determined that Innovative Construction Solution's bid of \$96,998.00 (Total Bid) was the lowest responsive and responsible bid.

For comparison purposes, the Request for Proposal included a predetermined estimate of \$20,000 to cover costs should additional soil testing beyond the estimated quantities be necessary. The chart below identifies the Base Bid Price, the Supplemental Work and the Total Bid. Staff is recommending the contract award include the supplemental work. The use of the supplemental funds will require staff authorization.

The complete bid results are shown in the following table:

<b>Bidder</b>	<b>Base Bid</b>	<b>Supplemental Work</b>	<b>Total Bid</b>
Environmental Waste Minimization, Inc. (bid disqualified)	--	--	--
Innovative Construction Solutions	\$76,998.00	\$20,000	\$96,998.00
RAH Environmental	\$79,057.65	\$20,000	\$99,057.65
Lund Construction	\$93,680.33	\$20,000	\$113,680.33

The bid submitted by Environmental Waste Minimization, Inc. was disqualified as it was not submitted utilizing the correct bid form and therefore did not reflect accurate bid quantities.

### **Environmental Review**

This project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15330 (Class 30) minor actions to prevent, minimize, stabilize, mitigate or eliminate the release or threat of release of hazardous waste or hazardous substances.

### **Attachments**

1. Resolution 2021-\_\_\_\_ 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 for the Sylvan Soil Remediation Project and finds the project to be categorically exempt from the California Environmental Quality Act.

**RESOLUTION NO. 2021-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A CONTRACT WITH INNOVATIVE CONSTRUCTION SOLUTIONS, INC. FOR THE SYLVAN SOIL REMEDIATION PROJECT AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the City Council of the City of Citrus Heights, California, wishes to proceed with the Sylvan Soil Remediation Project (Project);

**WHEREAS**, the Project will implement a prepared Remediation Plan for a vacant 11.32 acre property owned by the city;

**WHEREAS**, bids for the project were received, opened and read aloud on November 17, 2021, and Innovative Construction Solutions, Inc. was determined to be the lowest responsive, responsible bidder for the Project; and

**WHEREAS**, funds in the amount of \$96,998.00 will be appropriated from General Fund reserves to the Non-Departmental Budget; and

**WHEREAS**, the project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15330, Class 30.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the City Council of the City of Citrus Heights as follows,

1. The City Council finds that project is Categorically Exempt from CEQA pursuant to CEQA guidelines Section 15330.
2. The City Council awards the Sylvan Soil Remediation Project to Innovative Solutions Inc., who has been identified as the lowest responsive and responsible bidder in the November 17, 2021 bid opening.
3. The City Council funds in the amount of \$96,998.00 to be appropriated from the General Fund Reserves to the Non-Departmental Budget (account 100-12-199-53401).
4. The Interim City Manager is hereby authorized to execute an agreement with Innovative Construction Solutions Inc. in the total amount of \$96,998.00 (Base Bid and Supplemental Work) for the Sylvan Soil Remediation Project, and that a copy of the Agreement is available and on file in the City Clerk's office and is incorporated herein by reference and made a part of this Resolution.
5. Appropriate funding in the amount of \$96,998.00 from General Fund reserves to the Non-Departmental Budget (account 100-12-199-53401)

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

**Subject: Sylvan Soil Remediation Project – Award of Contract**

**Date: December 9, 2021**

**Page 2 of 2**

**PASSED AND ADOPTED** by the City Council of the City of Citrus Heights, California, this 9<sup>th</sup> day of December 2021 by the following vote, to wit:

**AYES: Council Members:**

**NOES: Council Members:**

**ABSTAIN: Council Members:**

**ABSENT: Council Members:**

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**Steve Miller, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**