CITY OF CITRUS HEIGHTS
CITY COUNCIL
Special and Regular Meeting of Wednesday, February 25, 2026
City Hall Council Chambers 6360 Fountain Square Drive, Citrus Heights, CA
2:00 PM SPECIAL MEETING
6:00 PM REGULAR MEETING

HOW TO PARTICIPATE:

The City of Citrus Heights welcomes your interest and involvement in the City's legislative process. The Council may take up any agenda item at any time, regardless of the order listed. If you wish to address the Council during the meeting, please fill out a Speaker Identification Sheet and give it to the City Clerk. When you are called upon to speak, step forward to the podium and state your name for the record. Normally, speakers are limited to three (3) minutes each. The Mayor has the discretion to lengthen or shorten the allotted times. Alternatively, you may submit your comment by 4:00 p.m. on the meeting day 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.

LEVINE ACT:

The Levine Act (Government Code Section 84308) requires parties to a proceeding before the City of Citrus Heights involving a license, permit or other entitlement for use to disclose any contribution over $500 made to a City elected or appointed officer (including Council Members and Planning Commissioners) within the 12 months before and 12 months after the City decision, and are prohibited from making, participating in, or using their official position to influence the decision.

02-25-26 Item 8 Staff Report UPDATED

Subsequent to the posting of the agenda packet, a typographical error was discovered in the staff report. The Current 2026 Rate for Citrus Heights listed in the table on Page 7 has been corrected and the updated staff report has been distributed.

Documents:

02-25-26 ITEM 8 STAFF REPORT UPDATED.PDF

February 25, 2026 City Council Agenda Packet

Documents:

02-25-26 SPECIAL AND REGULAR COUNCIL AGENDA PACKET.PDF

CALL SPECIAL MEETING TO ORDER

1. Roll Call: Council Members: Karpinski-Costa, Nelson, Schaefer, Middleton, Lopez-Taff

PUBLIC COMMENT

CLOSED SESSION

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
Number of potential cases: 1

REPORT OUT OF CLOSED SESSION

ADJOURNMENT

CALL REGULAR MEETING TO ORDER

1. Flag Salute

2. Roll Call: Council Members: Karpinski-Costa, Nelson, Schaefer, Middleton, Lopez-Taff

3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

4. Proclamation Of The City Of Citrus Heights Proclaiming March 1 – March 7, 2026 As Women In Construction Week

PUBLIC COMMENT

Members of the public are entitled to address the City Council concerning any item within the City Council's subject matter jurisdiction. Pursuant to the Brown Act, the City Council is prohibited from discussing or acting on any item raised during "Public Comment" not appearing on the posted agenda.

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

CONSENT CALENDAR

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

5. SUBJECT: Approval Of Minutes

RECOMMENDATION: Approve the Minutes of the Special and Regular Meeting of January 28, 2026

6. SUBJECT: Second Reading – Ordinance Repealing Chapter 2, Article IV, Division 5 Construction Board Of Appeals And Adding Chapter 18, Article XXXI, Building Code Board Of Appeals

STAFF REPORT: C. Kempenaar / A. Van / J. Cuffe
RECOMMENDATION: Adopt Ordinance No. 2026-002, An Ordinance of the City Council of the City of Citrus Heights, California, Repealing Chapter 2, Article IV, Division 5 Construction Board of Appeals and Adding Chapter 18, Article XXXI Building Code Board of Appeals, to the Citrus Heights Municipal Code Relating to Buildings and Building Regulations

7. SUBJECT: Proposed Amendments To The Citrus Heights Parking Violation Fine Schedule - AB 413 "Daylighting"

STAFF REPORT: A. Turcotte / R. Jones / W. Dunning
RECOMMENDATION: Adopt Resolution No. 2026-___, A Resolution of the City Council of the City of Citrus Heights, California, Amending the Citrus Heights Parking Violation Fine Schedule to include Section 22500(n)(1)(A) of the California Vehicle Code

REGULAR CALENDAR

8. SUBJECT: Options For Residential Solid Waste And Recycling Collection Services Procurement – Results Of 60-Day Negotiations

STAFF REPORT: R. Cave / M. Poole
RECOMMENDATION: Staff recommends that the City Council either:
a. Adopt Resolution No. 2026-____, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Amended and Restated Residential Solid Waste and Recycling Collection Services Agreement with Allied Waste Services of North America, LLC, Subject to Results of a Public Hearing Regarding Proposed Rate Increases; or
b. Direct staff to issue a Request for Proposal (RFP) for the Residential Solid Waste and Recycling Collection Services contract.

9. SUBJECT: Discussion Item Of Strategic Goal Related To Massage Establishments

STAFF REPORT: A. Turcotte / K. Frey / W. Dunning / D. Miller / C. Kempenaar / A. Bermudez
RECOMMENDATION: Staff recommends that the City Council review the information presented in this report and accompanying presentation and provide staff with feedback and direction on possible code amendments.

DEPARTMENT REPORTS

CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

ADJOURNMENT

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CITRUS HEIGHTS
Solid roots. New growth.

CITY OF CITRUS HEIGHTS

MEMORANDUM

DATE: **February 24, 2026**

TO: Mayor and City Council

FROM: City Clerk's Office

SUBJECT: **ITEM 8 - Options for Residential Solid Waste and Recycling Collection Services Procurement – Results of 60-Day Negotiations**

Subsequent to the posting of the agenda packet, a typographical error was discovered in the staff report. The Current 2026 Rate for Citrus Heights listed in the table on Page 7 has been corrected and the updated staff report is attached for Council's review.

ATTACHMENTS:

(1)

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM (Updated 2/24/26)

DATE: February 25, 2026

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Regina Cave, General Services Director
Mary Poole, Operations Manager

SUBJECT: **Options for Residential Solid Waste and Recycling Collection Services Procurement – Results of 60-Day Negotiations**

Recommendation

Receive the presentation and provide direction related to procurement options for a new residential solid waste and recycling services collection contract for the term beginning on January 1, 2028. The current agreement expires December 31, 2027.

Staff recommends that the City Council either:

a.) Adopt Resolution No. 2026 – ____, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Amended and Restated Residential Solid Waste and Recycling Collection Services Agreement with Allied Waste Services of North America, LLC, Subject to Results of a Public Hearing Regarding Proposed Rate Increases; or

b.) Direct staff to issue a Request for Proposal (RFP) for the residential solid waste and recycling collection services contract.

Staff also seeks direction regarding potential service modifications, including:

- Inclusion of residential street sweeping in the solid waste bill,
- Refinements to the Neighborhood Cleanup (NCU) program, and
- Addition of a local Household Hazardous Waste (HHW) drop off event

City Council Strategic Goal/Objective

This item is in alignment with the following City Council priority:

Goal: "Maintain and Enhance Fiscal Stability and Operational Excellence."
Objective: "Initiate residential garbage and recycling procurement and issue a request for proposals."

Fiscal Impact

No new expenditures are proposed as part of this item. Estimated procurement pathway costs are provided in the table below.

Procurement Process	Estimated Cost
Negotiations Only	$ 50,000
RFP Only	$125,000
Negotiations + RFP	$175,000

If an RFP is pursued, procurement costs will be reimbursed by the successful proposer. Republic Services will reimburse the City for up to $50,000 for negotiations costs, if the amended agreement is approved.

Street Sweeping

The current Street Sweeping services contract term expires December 31, 2027. If residential street sweeping is not included in the residential solid waste and recycling services agreement, the City will need to procure these services separately through an RFP. A separate procurement will likely increase costs, which would continue to be borne by special revenue funds.

Residential street sweeping is currently funded through Measure A Maintenance funds, Stormwater Utility fees, and commercial Solid Waste fees. The FY 2025–26 costs are estimated at:

- Residential streets $363,961
- Arterial streets: $212,482

Street Sweeping	Estimated Cost
2027 Residential Street Sweeping Current Contractor	$ 392,196
2028 Residential Street Sweeping (Republic Services)	$ 378,400
Estimated Monthly Cost Per Customer with Republic Services	$1.19

Including residential street sweeping services into the solid waste contract would shift these costs to the customer rate structure and allow the special revenue funds to be reprogrammed for use on maintaining and enhancing transportation and stormwater-related infrastructure. Arterial street sweeping would remain funded by special revenues.

Bundling the street sweeping services into the residential solid waste and recycling services agreement will also improve pricing for arterial and on-call sweeping, which would continue to be invoiced separately to the City. Solid waste collection results in street sweeping needs, in which case many jurisdictions include street sweeping in a solid waste contract to ensure the cost for the service is aligned with the demand generator. Staff recommends the street sweeping service be included as part of the solid waste contract accordingly.

Background and Analysis

Solid Waste services are not subject to formal bidding requirements under the Public Contracting Code. Thus, the City Council may approve a negotiated agreement or direct staff to conduct a competitive RFP process. Consistent with this discretion, the existing agreement with Republic Services includes a provision allowing the City to enter negotiations near the end of the contract term, with no obligation on the City to extend the term of the contract.

The current residential franchise agreement with Republic Services expires December 31, 2027. On November 12, 2025, the City Council considered two procurement approaches:

Option 1 – Negotiate with Current Provider

- Enter a 60-day negotiation period.
- If mutually acceptable terms are reached, present key terms for City Council approval and direction
- If City Council does not approve the proposed terms and/or options thereof, initiate an RFP process.

Option 2 – Competitive Request for Proposals

- Issue an RFP allowing multiple qualified haulers to compete on service, innovation, and pricing.

The City Council directed staff to pursue Option 1 (Negotiations). Negotiations were conducted from November 14, 2025, through January 2026, and included six formal negotiation sessions.

Negotiation Focus Areas

Negotiations were structured around the following policy areas:

- Maintaining high customer satisfaction and service reliability
- Preserving regional rate competitiveness
- Addressing NCU program blight and traffic safety concerns
- Evaluating cost efficiencies and service tradeoffs
- Exploring inclusion of residential street sweeping
- Evaluating feasibility of a local HHW event

Proposed Rate Framework

Republic Services proposed the following for a 10-year term:

Initial Adjustment (2028)

- One-time 2.5% market adjustment effective January 1, 2028
- 3.5% adjustment effective January 1, 2028 (equivalent to current contract Consumer Price Index [CPI] Water Sewer Trash cap)
- This would result in a total one-time rate increase of 6% effective January 1, 2028

Ongoing Adjustments for the 10-Year Term (2029–2037)

- Annual CPI cap of 4.25% based on the CPI-Water-Sewer-Trash (WST) index
- One-year rollover provision
    - If the CPI for the WST index is above 4.25% one year and lower than 4.25% the next, then the overage in the first year may be applied in the second year up to the 4.25% cap. This would only apply for two-year increments; thus a higher index in year one could not be rolled over to year three, but a higher index in year two could be rolled over to year three and so on.
- If CPI-WST index is lower, lower index applies
    - 10-year WST CPI average ~ 4.0%
    - WST CPI exceeded 5% in each of the past three years
    - WST CPI has averaged a 4.73 annual growth rate from 1997-2026

Service Options and Estimated Rate Impacts

In addition to the proposed rate adjustment, Republic Services proposed several options to reduce costs and/or enhance services. The options highlighted below represent a subset of the options discussed, specifically those with the most significant cost and service impacts related to street sweeping and the NCU services.

Under the current contract, NCU services are provided 3 times per year on a pre-scheduled cycle, allowing a maximum of 10 cubic yards per household per scheduled pickup. The following tables summarize these high-impact options and compare estimated cost impacts for combined packages.

High Impact Option	Estimated Monthly Impact
Reduce NCU from 3 to 2 times/year	($0.77)
Reduce NCU volume from 10 CY to 5 CY	($0.14)
Add residential street sweeping	$1.19

Option	Combined High Impact Options	Estimated Net Monthly Impact
1	Add residential street sweeping, no other changes	$1.19
2	Add residential street sweeping; reduce NCU from 3 to 2 times/year*	$0.42
3	Add residential street sweeping; reduce NCU to 10 CY to 5 CY	$1.05
4	Reduce NCU frequency from 3 to 2 only	($0.77)
5	Reduce NCU volume from 10 CY to 5 CY only	($0.14)

* Recommended

Should the City Council direct staff to develop an amended and restated franchise agreement with Republic Services, direction as to one of the options listed in the table above is requested.

Additional Proposed Enhancements (~Cost Neutral)

Republic Services also proposed the following service enhancements which will result in a cost neutral impact and/or a small reduction to the monthly rate

- One annual local HHW drop-off event (cost neutral to residents)
- Website interface improvements
- SB 1383 compliance monitoring enhancements
- Dedicated customer service manager
- Skid steer for community compost distribution and related activities
- Utility truck for illegal dumping response
- Increased illegal dump tonnage
- Alternative collection vehicle pilot program within 18-24 months

In advance of the presentation of procurement options to City Council on November 12, 2025, a number of surveys and opportunities for community input took place. This was discussed in more detail at the November 12, 2025, City Council meeting. A summary of the information is provided below.

Community Values

Community input was gathered through customer service satisfaction surveys, FlashVotes, neighborhood association meetings, and the customer service channels within the City. Formal survey results were discussed in more detail in the November 12, 2025, City Council meeting and are summarized below for reference. For the Republic Services annual customer satisfaction surveys, the 2021 and 2024 surveys are referenced as they had the most respondents; however, Republic Services consistently receives high marks for overall customer satisfaction in all input channels.

2021 Annual Republic Services Customer Service Survey (414 respondents):

- 90% overall satisfaction
    - 50% extremely satisfied
    - 40% satisfied

2024 Annual Republic Services Customer Service Survey (700+ respondents):

- 91% overall satisfaction
    - 62.1% very satisfied
    - 29.2 satisfied with weekly collection service

2024 City FlashVote - focused on NCU (407 respondents in August 2024):

- 90% of the respondents used the NCU service
- Vast majority strongly supportive of the NCU program
- The most common recommendation was to enforce the original 48-hour set out rule

2025 FlashVote - Focused on overall customer satisfaction as well as NCU Waste Services) 404 respondents in November 2025:

- 92% used NCU in past year
- 93% reported overall service satisfaction with Republic Services for the price paid
    - 23% Excellent
    - 36% Good
    - 23% OK

Throughout all channels of community input, the feedback consistently supports retaining the NCU program. Primary concerns relate to early set-outs and blight attributed to materials in the public right of way. The 48-hour enforcement rule reinstated in 2025 was an initial step to

address NCU concerns. Additional changes such as reducing the NCU frequency or the volume of material allowed to be set out were considered as part of the negotiation process,

In both FlashVotes, and in community outreach encounters, there has also been a consistent interest in hosting a local annual HHW drop-off event. This has been proposed by Republic Services as a cost neutral option to add to the regular service package.

Regional Rate Comparison

Citrus Heights continues to maintain its position as having one of the lowest residential garbage and recycling rates in the region. The tables that follow showcase the current (2026) and projected (2028) Citrus Heights rates in comparison to Sacramento County jurisdictions.

Current 2026 Rates in Sacramento County

Jurisdiction	Service Provider	Default 64-gallon Rate
City of Sacramento	Municipal	$54.08 *
Folsom	Municipal	$51.00
Rancho Cordova	Atlas	$41.28 *
Sacramento County	Municipal	$41.03
Elk Grove	Republic Services	$36.54
Citrus Heights	**Republic Services**	~~**$33.04**~~ **$34.20**

* *includes street sweeping*

Estimated 2028 Rates (Factoring in a 3.5% estimated CPI) in Sacramento County

Jurisdiction	Service Provider	Default 64-gallon Estimated 2028 Rates
City of Sacramento	Municipal	$57.93 *
Folsom	Municipal	$54.63
Sacramento County	Municipal	$43.95
Rancho Cordova	Atlas	$44.22*
Elk Grove	Republic Services	$39.14
Citrus Heights	**Republic Services**	**$37.52- 38.71****

*Includes street sweeping
**Options selected will determine rates.

Regardless of what service options are selected, moving forward with a negotiated service agreement with Republic Services will result in Citrus Heights continuing to have the lowest rates in Sacramento County (not including Isleton and Galt) and the lowest or close to the lowest rates in the greater Sacramento region.

Final 2028 Rates

The customer rates will be finalized as part of the contract package and will be subject to a public hearing and approval process prior to the start of the new agreement term.

Additional Policy Considerations

Road Impacts
Heavy collection vehicles contribute an estimated:

- $2.9 million annually in residential street wear
- $334,000 annually on arterials

Republic Services is evaluating alternative fleet pilot options that it intends to implement in the next 18-24 months. They have advised staff that they have had several discussions with original equipment chassis manufacturers regarding Citrus Heights' desire to reduce truck impacts to roadways. As steerable rear-axel waste trucks are not currently available in the industry, Republic Services is moving forward with partnering with these manufacturers to develop a steerable rear-axel pilot program. The development of the pilot program will take 4-6 months, and building the truck will take another 12-18 months. The pilot program will be cost neutral for the trial period. If the results of the pilot project warrant consideration of transitioning to a new collection vehicle type, a proposal would be presented for City Council consideration. Should the amended agreement be approved, this option will be included in the agreement.

Tri-Monthly Billing
Republic has suggested moving to a billing frequency of every three months versus every two months. A tri-monthly billing cycle is becoming common in many jurisdictions and does achieve some administrative savings of approximately $0.10 per month. Staff is supportive of this cost saving measure.

Proposed Timeline

The proposed timeline for the procurement options is as follows:

Timeline	Action
Nov 2025	City Council directed staff to enter into negotiations
Nov 2025 – Jan 2026	60-day negotiation period
Feb 2026	Present negotiated terms; City Council decision point, if negotiated amendment is supported, move forward with contract amendment

Timeline	Action
March 2026	If negotiated amendment is not supported by City Council, staff to finalize and release RFP (if directed)
May 2026	Finalize negotiated contract amendment (if directed); IF RFP, proposals due
August 2026	IF RFP, consideration of contract award
August – November 2027	Noticing and Public Hearing on final customer rates for new contract term
January 2028	New contract term begins

Summary of Requested Policy Direction

Staff requests direction on the following:

Procurement Path

1. Proceed with a negotiated amended and restated agreement; **or**
2. Initiate a competitive RFP.

Service Package Considerations

1. Include residential street sweeping in the franchise agreement – Staff recommends including street sweeping in the franchise agreement.
2. Modify NCU program:
    - Reduce frequency (3 to 2 per year) – Staff recommends reducing the frequency from 3 to 2 times per year.
    - Reduce volume (10 CY to 5 CY) - Staff recommends retaining the 10 CY volume

Conclusion

The 60-day negotiation period resulted in a proposed rate framework and options for service adjustments that met City goals to maintain competitive rates, achieve continued high customer satisfaction, and provide opportunities to continue to address blight and traffic safety concerns with the NCU while preserving the highly valued bulky waste collection program benefits.

Based on results of the 60-day negotiations, staff recommends proceeding with a negotiated amended and restated agreement. City Council direction is requested on the procurement path

and service options so that staff may proceed with contract amendment preparation or RFP issuance.

Attachment

1) Resolution No. 2026-___, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Amended and Restated Residential Solid Waste and Recycling Collection Services Agreement with Allied Waste Services of North America, LLC, Subject to Results of a Public Hearing Regarding Proposed Rate Increases

Resources

Link to November 12, 2025, City Council agenda packet:
https://citrusheights.net/AgendaCenter/ViewFile/Item/9530?fileID=45851

Link to November 12, 2025, City Council Meeting Item on YouTube video
https://www.youtube.com/live/GiuIvfiFqcs?si=v3HzYMtN-PO1IDYl&t=6622

CITRUS HEIGHTS
CALIFORNIA
Solid roots. New growth.

MariJane Lopez-Taff, *Mayor*
Porsche Middleton, *Vice Mayor*
Dr. Jayna Karpinski-Costa, *Council Member*
Kelsey Nelson, *Council Member*
Tim Schaefer, *Council Member*

CITY OF CITRUS HEIGHTS
CITY COUNCIL
Special and Regular Meetings of Wednesday, February 25, 2026
City Hall Council Chambers, 6360 Fountain Square Dr., Citrus Heights, CA
Special Meeting 2:00 p.m.
Regular Meeting 6:00 p.m.

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February 20, 2026

Amy Van, City Clerk

SPECIAL CITY COUNCIL MEETING
2:00 PM

CALL SPECIAL MEETING TO ORDER

1. Roll Call: Council Members: Karpinski-Costa, Nelson, Schaefer, Middleton, Lopez-Taff

PUBLIC COMMENT

CLOSED SESSION

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
   Number of potential cases: 1

REPORT OUT OF CLOSED SESSION

ADJOURNMENT

REGULAR CITY COUNCIL MEETING
6:00 PM

CALL REGULAR MEETING TO ORDER

1. Flag Salute

2. Roll Call: Council Members: Karpinski-Costa, Nelson, Schaefer, Middleton, Lopez-Taff

3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

4. Proclamation of the City of Citrus Heights Proclaiming March 1 – March 7, 2026 as Women in Construction Week

PUBLIC COMMENT
This is an opportunity to make a public comment on non-agenda items. Pursuant to the Brown Act, the City Council is prohibited from discussing or acting on any item raised during "Public Comment" not appearing on the posted agenda.

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

CONSENT CALENDAR (Estimated Start Time 6:45 p.m.)
It is recommended that all consent items be acted on simultaneously unless separate discussion and/or action are requested by a Council Member.

5. **SUBJECT:** Approval of Minutes
RECOMMENDATION: Approve the Minutes of the Special and Regular Meeting of January 28, 2026

6. **SUBJECT:** Second Reading – Ordinance Repealing Chapter 2, Article IV, Division 5 Construction Board of Appeals and Adding Chapter 18, Article XXXI, Building Code Board of Appeals
STAFF REPORT: C. Kempenaar / A. Van / J. Cuffe
RECOMMENDATION: Adopt Ordinance No. 2026-002, An Ordinance of the City Council of the City of Citrus Heights, California, Repealing Chapter 2, Article IV, Division 5 Construction Board of Appeals and Adding Chapter 18, Article XXXI Building Code Board of Appeals, to the Citrus Heights Municipal Code Relating to Buildings and Building Regulations

7. **SUBJECT:** Proposed Amendments to the Citrus Heights Parking Violation Fine Schedule - AB 413 "Daylighting"
STAFF REPORT: A. Turcotte / R. Jones / W. Dunning
RECOMMENDATION: Adopt Resolution No. 2026-___, A Resolution of the City Council of the City of Citrus Heights, California, Amending the Citrus Heights Parking Violation Fine Schedule to include Section 22500(n)(1)(A) of the California Vehicle Code

REGULAR CALENDAR (Estimated Start Time 6:50 p.m.)

8. **SUBJECT:** Options for Residential Solid Waste and Recycling Collection Services Procurement – Results of 60-Day Negotiations
STAFF REPORT: R. Cave / M. Poole
RECOMMENDATION: Staff recommends that the City Council either:

   a. Adopt Resolution No. 2026-____, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Amended and Restated Residential Solid Waste and Recycling Collection Services Agreement with Allied Waste Services of North America, LLC, Subject to Results of a Public Hearing Regarding Proposed Rate Increases; or

   b. Direct staff to issue a Request for Proposal (RFP) for the Residential Solid Waste and Recycling Collection Services contract.

9. **SUBJECT:** Discussion Item of Strategic Goal Related to Massage Establishments
STAFF REPORT: A. Turcotte / K. Frey / W. Dunning / D. Miller / C. Kempenaar / A. Bermudez
RECOMMENDATION: Staff recommends that the City Council review the information presented in this report and accompanying presentation and provide staff with feedback and direction on possible code amendments.

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CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

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CITY OF CITRUS HEIGHTS
CITY COUNCIL
MINUTES
Special and Regular Meetings of Wednesday, January 28, 2026
City Hall Council Chambers
6360 Fountain Square Dr., Citrus Heights, CA 95621

CALL SPECIAL MEETING TO ORDER

The special meeting was called to order at 5:30 p.m. by Mayor Lopez-Taff.

1. Roll Call: Council Members present: Karpinski-Costa, Nelson, *Schaefer, Middleton, Lopez-Taff
   Council Members absent: None
   Staff Members present: Feeney, Jones, Van

*Note: Council Member Schaefer joined remotely for "just cause" pursuant to Government Code Section 54953.8.3(c)(5).

PUBLIC COMMENT

None

CLOSED SESSION

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
   Number of potential cases: 1

The City Council, City Manager and City Attorney participated in the closed session.

REPORT OUT OF CLOSED SESSION

There was no reportable action from closed session.

ADJOURNMENT

Mayor Lopez-Taff adjourned the special meeting at 6:00 p.m.

CALL REGULAR MEETING TO ORDER

The regular meeting was called to order at 6:05 p.m. by Mayor Lopez-Taff.

1. The Flag Salute was led by Vice Mayor Middleton.

2. Roll Call: Council Members present: Karpinski-Costa, Nelson, *Schaefer, Middleton, Lopez-Taff
   Council Members absent: None
   Staff Members present: Feeney, Huber, Jones, Kempenaar, Piva, Poole, Van and department directors.

*Note: Council Member Schaefer joined remotely for "just cause" pursuant to Government Code Section 54953.8.3(c)(5). All votes taken during this teleconferenced meeting were conducted by roll call.

3. The video statement was read by City Clerk Van.

APPROVAL OF AGENDA

ACTION: On a motion by Council Member Karpinski-Costa, seconded by Council Member Nelson, the City Council approved the agenda.

AYES:	Karpinski-Costa, Nelson, Schaefer, Middleton, Lopez-Taff
NOES:	None
ABSENT:	None

PRESENTATIONS

4. Presentation by Republic Services – Poster Contest Winners

Colin Wallace and Megan Smith-Fajardo with Republic Services recognized the following student winners who submitted artwork for the annual Republic Services Calendar in partnership with the San Juan Unified School District and Citrus Heights schools: Oliviia L., Sienna T., Karolina G., Emma C., Aubree A., Emma M., Juannahlyn F., Alanna A., Bryson G., Natan H., Amy R. and Daniil R.

5. Proclamation of the City of Citrus Heights Proclaiming January 2026 as "Neighborhood Area Awareness Month"

Council Member Karpinski-Costa read and presented the Proclamation to the neighborhood area leaders and members in attendance. Kathy Morris, president of the Residents' Empowerment Association of Citrus Heights (R.E.A.C.H.) expressed appreciation for the City's support and recognition of the areas. She announced that a community potluck is planned for March 9, 2026.

City Council comments followed.

PUBLIC COMMENT

Bethany Brown spoke about immigration enforcement. She stated that it must be conducted with the utmost respect for both human dignity and rule of law. She urged the City Council to follow the example set by the Sacramento City Council and vote to affirm its status as a sanctuary city and outline legislative and programmatic support for immigrants and refugees. She also urged the City Council to pass or reaffirm legislation that would ensure community safety and uphold fundamental rights guaranteed in the U.S. and California constitutions. She provided examples of potential legislation and specifically requested that the City update its website to include answers to frequently asked questions regarding immigration and constitutional rights, resources for immigrants, refugees, protesters, and observers, and clear messaging from the Citrus Heights Police Department regarding their role in immigration enforcement.

Thomas Spencer spoke about connectiveness in the community and the value of having open doors with neighbors. He stated that while helping with neighborhood projects, he would often set up a table with City information, considering himself an "ambassador". It may be more appropriate to use the term "hub" for the City being the center and spokespersons being like the spokes in a wheel; this approach has worked for years to build connection in the community organically.

City Clerk Van read the following written public comment submitted by K. DeMarco, "I keep seeing news (in the Sentinel) about yet another shuttered business at Sunrise Mall and another about how the fines are stacking up for the Mall owners. My question is what is the city actually doing to move along this Sunrise Tomorrow agenda. Seems like sunrise never at this rate."

Mayor Lopez-Taff invited high school students in the audience for their government classes to the podium to introduce themselves and take pictures with the City Council. The Council also welcomed a Boy Scout who was in attendance to fulfill his communication merit badge.

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

Council Member Karpinski-Costa attended a Sacramento-Yolo Mosquito & Vector Control District Board meeting. She went to the Citrus Heights Chamber Luncheon where Assemblyman Hoover was the speaker. She went to the Sacramento Metro Chamber Dinner and the Kiwanis Crab Feed.

Council Member Schaefer provided an update on possible remote attendance at future Council meetings.

Vice Mayor Middleton attended the Metro Chamber Dinner. She discussed the Kiwanis Crab Feed and how the Key Club volunteered in conjunction with the event to earn funds for projects and an end-of-year field trip.

Council Member Nelson stated she had nothing to report.

Mayor Lopez-Taff attended the annual installation meeting for the Sacramento Association of Realtors as well as a pizza party for her neighborhood area Citrus Heights Areas 7, 8 & 9(CHASEN). She went to the Capitol Region Chamber Mixer hosted by Citrus Heights Chamber Executive Director Sheri Merick. She attended the Chamber Luncheon and the Education Committee 2x2. She attended the League of California Cities (Cal Cities) Sacramento Valley Division reception. She went to meetings of the Sacramento Public Library Authority Board and Sacramento Metropolitan Air Quality Management District (SMAQMD) She noted that she is on the Environmental Quality Policy Committee for Cal Cities. She went to the Kiwanis Crab Feed.

CONSENT CALENDAR

6. **SUBJECT:** Approval of Minutes
   RECOMMENDATION: Approve the Minutes of the Special and Regular Meetings of January 14, 2026

7. **SUBJECT:** Authorization to Submit the Permanent Local Housing Allocation Application and Amendment No. 2 of the Five-Year Spending Plan
   STAFF REPORT: C. Kempenaar / N. Piva
   RECOMMENDATION: Adopt Resolution No. 2026-003,A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the Application and Amending the PLHA Plan for the Permanent Local Housing Allocation Program

ACTION: On a motion by Council Member Karpinski-Costa, seconded by Vice Mayor Middleton, the City Council adopted Consent Calendar Items 6 and 7.

AYES: Karpinski-Costa, Nelson, Schaefer, Middleton, Lopez-Taff
NOES: None
ABSENT: None

PUBLIC HEARINGS

8. **SUBJECT:** Commercial Property Reoccupancy Program Ordinance and Establishment of Fees
STAFF REPORT: M. Huber / C. Kempenaar / A. Turcotte / S. Lui / A. Aguirre
RECOMMENDATION: Staff recommends the City Council:

a. Introduce for a First Reading, read by title only, and waive the first full reading of Ordinance No. 2026-001 An Ordinance of the City Council of the City of Citrus Heights, California, Adding Chapter 52 to the Citrus Heights Municipal Code to Establish a Commercial Property Reoccupancy Program; and

b. Adopt Resolution 2026-004, A Resolution of the City Council of the City of Citrus Heights, California, Adopting a Fee Schedule for the Commercial Property Reoccupancy Program.

Economic Development & Community Engagement Director Huber and Community Development Director Kempenaar provided a presentation referencing the strategic planning work done on City Council strategic goals to advance community image and blight abatement; reviewing community sentiment data on blight abatement and commercial vacancies; progress on the Economic Development Work Plan; and ordinance research and stakeholder engagement. Director Huber stated that the proposed ordinance was designed as a partnership and is not meant to be punitive. Rather, the intent is to reach compliance so that Citrus Heights can attract more businesses. She reported that over 450 surveys about the ordinance were mailed to commercial property owners and only three responses were received. Director Kempenaar stated that this ordinance will help the City keep properties leasable and market-ready. He reviewed the main components of the ordinance: registration, monitoring and fees, and explained how the ordinance has been refined since its first version, based on feedback. The proposed fees were calculated to recover the cost of providing these services, based on time and materials for City staff. Director Kempenaar noted that property owners who proactively register and keep their properties well-kept will be eligible for a fee waiver.

City Council questions and comments followed.

Mayor Lopez-Taff opened the public hearing at 7:23 p.m. Hearing no requests for public comment, she closed the public hearing.

ACTION: On a motion by Council Member Schaefer, seconded by Council Member Karpinski-Costa, the City Council Introduced for a First Reading, read by title only, and waived the first full reading of Ordinance No. 2026-001, An Ordinance of the City Council of the City of Citrus Heights, California, Adding Chapter 52 to the Citrus Heights Municipal Code to Establish a Commercial Property Reoccupancy Program.

AYES: Karpinski-Costa, Nelson, Schaefer, Middleton, Lopez-Taff
NOES: None
ABSENT: None

ACTION: On a motion by Council Member Schaefer, seconded by Vice Mayor Middleton, the City Council adopted Resolution No. 2026-004, A Resolution of the City Council of the City of Citrus Heights, California, Adopting a Fee Schedule for the Commercial Property Reoccupancy Program.

AYES: Karpinski-Costa, Nelson, Schaefer, Middleton, Lopez-Taff
NOES: None
ABSENT: None

REGULAR CALENDAR

9. **SUBJECT:** Homeless and Housing Partnership Model and Senate Bill 802 Discussion
STAFF REPORT: C. Kempenaar / N. Piva

City Manager Feeney introduced the item and provided a brief overview of the discussions to date. Housing and Human Services Program Coordinator Piva introduced Emily Halcon, Director of the Sacramento County Department of Homeless Services and Housing, who provided a presentation outlining the Homeless & Housing System Partnership model, previously presented to the City Council on September 10, 2025 and modified and approved by the Board of Supervisors. The main difference in the updated model is the use of the existing administrative infrastructure of the Continuum of Care (CoC) Board and the revision of board membership to a majority of elected officials and retaining seats for community members. A Joint Powers Authority (JPA) option was discussed, but not favored by the Board of Supervisors. Ms. Halcon reported on next steps and the actions taken by neighboring city jurisdictions.

Program Coordinator Piva reviewed Senate Bill 802, introduced by Senator Angelique Ashby, which proposes the creation of the Sacramento Area Housing and Homeless Agency, also known as SAHHA. The bill would restructure the Sacramento Housing Redevelopment Agency with the goal of consolidating regional housing and homelessness programs and funding. Under this bill, the SAHHA board would consist of 11 elected officials: three from Sacramento County, three from the City of Sacramento, two from the City of Elk Grove and one each from Citrus Heights, Folsom and Rancho Cordova. The bill was introduced without input from local governments, leading the City of Citrus Heights to formally oppose it based on the City's core pillars of local control and fiscal responsibility. Regional opposition led to negotiations with city managers for amendments. Senator Ashby then indicated that if all three cities, Citrus Heights, Elk Grove, and Rancho Cordova did not withdraw their opposition, local control protections would be removed and all housing funds from all three cities would be redirected to the new SAHHA.

City Council comments and questions followed.

Public Comment

Ayden Jennings inquired about the 29-member composition of the Continuum of Care.

Mary Rose McCoy asked for clarification on the involvement of the Continuum of Care with funding.

Director Halcon responded to these questions and offered to share several PowerPoint presentations on CoCs with the students.

ACTION: On a motion by Vice Mayor Middleton, seconded by Council Member Karpinski-Costa, the City Council voted to remain neutral on Sacramento County's Homeless and Housing Partnership Model.

AYES:	Karpinski-Costa, Nelson, Middleton, Lopez-Taff
NOES:	Schaefer
ABSENT:	None

ACTION: On a motion by Vice Mayor Middleton, seconded by Council Member Nelson, the City Council voted to adopt a neutral position on Senate Bill 802. The City Manager was directed to work with the Mayor in drafting a letter, to be delivered on behalf of the City, outlining this neutral stance and including the following points:

1. Secure local control over funding
2. Suburban city supermajority voting requirement in composition of any JPA
3. Address unfunded mandates for staffing to run these programs
4. Propose shelving the bill
5. Geographic equity relative to allocation of existing populations of origin
6. Language in the bill that explicitly preserves local funding in perpetuity

AYES:	Karpinski-Costa, Nelson, Schaefer, Middleton, Lopez-Taff
NOES:	None
ABSENT:	None

DEPARTMENT REPORTS

10. **SUBJECT:** Annual Communications Update
DEPARTMENT: Economic Development & Community Engagement

Communications Officer Brown presented the 5th annual update on strategic communications at the City, which support City Council's strategy, mission, goals and objectives and builds community. She provided an overview of how the Communications team functions, communications channels, media relations, finding Citrus Heights news, awards and accolades and she gave a preview of what is to come in 2026. She thanked City Hall's Public Information Team (PIT) for its engagement.

City Council questions and comments followed.

Council Member Schaefer left the meeting at 8:45 p.m.

CITY MANAGER ITEMS

City Manager Feeney thanked the staff team for their preparation of the items on this meeting's agenda. He announced that a community interest meeting for the 2026 Big Day of Service is scheduled for January 29. He discussed Sacramento Metropolitan Fire District's "Fill the Boot" fundraiser taking place February 4-7. He reported that the Sacramento Area Council of Governments (SACOG) recently adopted the regional *Blueprint* and thanked staff for representing the City and Council Member Schaefer for his advocacy as a SACOG board member.

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

Council Member Karpinski-Costa requested a presentation from the Sacramento Municipal Utility District (SMUD) on the process for its tree trimming program, seconded by Vice Mayor Middleton.

Vice Mayor Middleton requested a Resolution be brought in support of Congressman Ami Bera's "National Day of Play", seconded by Mayor Lopez-Taff.

ADJOURNMENT

Mayor Lopez-Taff adjourned the regular meeting at 9:00 p.m. with an invitation to give a standing ovation in celebration of the life of Citrus Heights resident David Shelton, who recently passed away.

Respectfully submitted,

_____
Amy Van, City Clerk

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: February 25, 2026

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Casey Kempenaar, Community Development Director
Amy Van, City Clerk
Joesph Cuffe, Chief Building Official

SUBJECT: **Second Reading of Ordinance No. 2026-002 Repealing Chapter 2, Article IV, Division 5. Construction Board of Appeals and Adding Chapter 18, Article XXXI, Building Code Board of Appeals**

Recommendation

On February 11, 2026, the City Council introduced, read by title only and waived the first full reading of Ordinance No. 2026-002, An Ordinance of the City Council of City of Citrus Heights, California, Repealing Chapter 2, Article IV, Division 5 Construction Board of Appeals and adding Chapter 18, Article XXXI Building Code Board of Appeals, to the Citrus Heights Municipal Code relating to Buildings and Building Regulations. The City Council did not make any amendments to the proposed ordinances at the first reading. The detailed analysis can be found in the February 11, 2026 staff report, available on the City's website

Staff recommends the City Council adopt:

a. Ordinance No. 2026-002 An Ordinance of the City Council of City of Citrus Heights, California, Repealing Chapter 2, Article IV, Division 5 Construction Board of Appeals and adding Chapter 18, Article XXXI Building Code Board of Appeals, to the Citrus Heights Municipal Code relating to Buildings and Building Regulations.

Fiscal Impact

There will be no fiscal impact associated with this ordinance; however, the City will achieve some cost savings through reduced recruitment efforts and other various administrative document filings.

Attachment

1. Ordinance No. 2026-002, An Ordinance of the City Council of the City of Citrus Heights, California, Repealing Chapter 2, Article IV, Division 5 Construction Board of Appeals and adding Chapter 18 Article XXXI Building Code Board of Appeals to the Citrus Heights Code relating to Buildings and Building Regulations.

ORDINANCE NO. 2026-002

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, REPEALING CHAPTER 2, ARTICLE IV, DIVISION 5 CONSTRUCTION BOARD OF APPEALS AND ADDING CHAPTER 18, ARTICLE XXXI BUILDING CODE BOARD OF APPEALS TO THE CITRUS HEIGHTS MUNICIPAL CODE RELATING TO BUILDINGS AND BUILDING REGULATIONS

THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS HEREBY DOES ORDAIN AS FOLLOWS:

SECTION 1. Declaration of Intent.

In order to hear and decide appeals of orders, decisions or determinations made by the Chief Building Official relative to the application and interpretation of the technical building & safety codes of the State of California and the Citrus Heights Municipal Code ("Code"), there shall be and is hereby created a Building Code Board of Appeals.

SECTION 2. Repeal of Municipal Code Chapter 2, Article IV, Division 5 Sections 2-300 to 2-320.

Citrus Heights Municipal Code Article IV, Division 5 – Construction Board of Appeals, Sections 2-300 to 2-320 are hereby repealed in their entirety.

SECTION 3. Add Article XXXI to Chapter 18 of the Citrus Heights Municipal Code

Article XXXI, Chapter 18, Citrus Heights Building Code Board of Appeals, is hereby added to the Citrus Heights Municipal Code and shall read as set forth below:

Sec. 18-900. Title.

This article shall be known as the "Citrus Heights Building Code Board of Appeals" (referred to as the "Board"). The Board has authority to hear appeals to the following laws and regulations of the State of California, the City of Citrus Heights, and other regulations, statues, and standards that pertain to building construction and Fire, Panic and Life-Safety:

- Title 24 of the California Code of Regulations (commonly known as the California Building Codes).
- Citrus Heights Municipal Code Title 18, Buildings and Building Regulations.
- Portions of the 2018 International Swimming Pools and Spa Code.
- Portions of the California Health and Safety Code.
- Portions of the California Business and Professions Code.
- Portions of the California Government Code.

- Other Technical Codes.

Sec. 18-901. Membership:

a. The Building Code Board of Appeals shall be composed of three Chief Building Officials, with two alternates, serving in jurisdictions outside of the City of Citrus Heights, which may include employees of consultant companies serving as Chief Building Officials in a local jurisdiction. A list of accepted board members will be kept by the City Clerk, and members will be called upon in successive order by the City Clerk when needed. Board members will serve until the appeal case reaches its resolution, or they are dismissed by the City Council.

Sec. 18-902. Qualifications:

The Building Code Board of Appeals shall consist of members who are qualified by experience and training to pass upon matters pertaining to building construction, all building systems, and the public health and life-safety aspects of said systems and standards and are not employees of the jurisdiction. A member may not have any interest in the property which is the subject of the appeal to the board.

Sec. 18-903. Administration:

The Citrus Heights Chief Building Official shall take action in accordance with the decision of the Citrus Heights Building Code Board of Appeals.

Sec. 18-904. Meetings:

The Building Code Board of Appeals shall hold meetings as needed. At this meeting, a Board chairperson shall be selected, and the Board may consider items such as implementing processes, and recommendations relating to future hearings and procedures.

Sec. 18-905. Limitations on authority:

a. An application for appeal shall be based on a claim that the true intent of the Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the Code do not fully apply or an equally good or better interpretation of construction is proposed.

b. No decision of the Board may reduce any life-safety issue, fire protection requirements or any degree of structural integrity, nor lessen the strict adherence to the codes. The Building Code Board of Appeals shall not set division policy, or over-ride existing division policy aside from where it involves interpretation of the code.

Sec. 18-906. Granting Modifications:

Whenever there are practical difficulties involved with carrying out the provisions of the technical codes of the City of Citrus Heights, the Building Code Board of Appeals may grant modifications for individual cases, provided it is found that special circumstances make strict adherence to the code(s) impractical and that the modification is in conformity with the intent and purpose of the code(s) and

that such modification does not reduce any life-safety issue, fire protection requirements or any degree of structural integrity.

Sec. 18-907. Hearing Procedure:

a. For any matter in which an action or decision by the jurisdiction has been appealed by the Appellant, no representative of the jurisdiction shall be permitted to participate on the Board, vote on, or consider the matter under appeal. The jurisdiction may only participate in such hearing as an advocate and interested party.

b. The Appellant shall submit the application and payment to the Chief Building Official of the jurisdiction. Once received, the jurisdiction shall date stamp the application; within 10 business days process the payment, schedule and secure a meeting room for the hearing; notify the Board chairperson of the request along with a proposed hearing date. A hearing before the Board of Appeals shall be attempted to be set for a date that is not more than 60 business days from the date that the request for hearing is filed, but in any event, no later than 90 business days. The person requesting the hearing shall be notified of the time and place set for the hearing at least 10 business days before the hearing. If the Chief Building Official submits a written report or other documentation to the Secretary of the Board for consideration at the hearing, then a copy of such report or documentation shall be served on the person requesting the hearing at least five business days before the hearing.

c. No hearing shall be held unless the Building Code Board of Appeals hearing fee has been paid in advance, as adopted by the City.

d. **Failure to Appear.** The failure of the person requesting the hearing to appear at the hearing shall constitute a forfeiture of the fee and will exhaust his or her administrative remedies.

e. The chairperson shall notify the Board of the hearing date requested. If a quorum is available, the chairperson will notify the Jurisdiction which in turn will notify the Appellant confirming the hearing date, time and place.

f. The Jurisdiction, upon confirmation of the hearing date, shall forward any necessary documentation to the Subject Matter Expert (SME) in that jurisdiction, qualified to advocate on that jurisdiction's behalf and make a recommendation to the Board on the subject matter under consideration. The SME at the hearing may or may not necessarily be the Chief Building Official of that jurisdiction.

g. **Rules of Order.** The Board of Building Appeals shall endeavor to follow Robert's Rules of Procedure.

h. At the hearing, the Appellant shall have a time limit of 20 minutes to present its case to the Board. At the Appellant's discretion, the Appellant may provide exhibits; call upon expert testimony; and in any reasonable way, provide evidence to support its case.

i. The Jurisdiction's Subject Matter Expert shall then be given the opportunity to provide exhibits, call upon expert testimony, and in any reasonable way, provide evidence to justify the decision/code interpretation that is being appealed. The Subject Matter Expert will have 20 minutes to present its rebuttal. The Chief Building Official of the Jurisdiction will not have a vote at the hearing and will not serve on the Board which hears the appeal.

j. The appellant and the jurisdiction will be allowed one final summary statement, limited to 10 minutes each, to the Board prior to final deliberations;

k. **Continuances.** The Building Code Board of Appeals may continue the hearing and may request additional information from the Chief Building Official or the person requesting the hearing before issuing the decision.
   l. The Board shall then deliberate:
      I. Render a decision; or
      II. Deem it necessary to set dates/times for additional tests, hear additional witnesses, conduct research, or
      III. deliberate further, as needed prior to rendering a decision.

m. A decision shall be made by a majority of the quorum.

n. Once a decision is rendered, either at the time of the hearing or later, the final determination letter will be prepared within 10 days of the final decision;

o. The Jurisdiction will be responsible for taking minutes of the hearing and preparing the final determination letter;

p. In any appeal, the Appellant making the request shall incur the cost of any tests required by the Board to substantiate the Appellant's claims.

q. The chairperson will forward a digital copy of the application, documents, plans, minutes, letter, etc. after each hearing to the City Clerk for filing and record retention purposes.

Sec. 18-908. Decision:

After considering the testimony and evidence presented at the hearing, the Building Code Board of Appeals shall issue a written decision to uphold, reject, or modify the Chief Building Official's determination. The Building Code Board of Appeals shall state the reasons for the decision and shall send a copy of the decision to the person that requested the hearing and to the Chief Building Official. The decision of the Building Code Board of Appeals is final, and may not be further appealed administratively.

Sec. 18-909. Notices Served:

Method of Service. The decision required to be given shall be served on the responsible party either by personal service, by first class mail, or by certified mail, return receipt requested, or e-mail.

SECTION 4. Severability.

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

SECTION 5. ENVIRONMENTAL REVIEW

This action is excluded from the definition of a "project" under §15378(b)(4) of the State CEQA Guidelines, and is exempt from CEQA under § 15061(b)(3) of the CEQA Guidelines (the "common sense exemption") as it does not involve commitment to a "specific project which may result in a potentially significant physical impact on the environment.

SECTION 6. Effective Date and Notice.

This ordinance shall take effect thirty (30) days after its adoption, provided it is published in full or in summary within fifteen (15) days of its adoption, 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 this 25th day of February 2026 by the following vote, to wit:

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

MariJane Lopez-Taff, Mayor

ATTEST:

Amy Van, City Clerk

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: February 25, 2026

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Alexander A. Turcotte, Chief of Police
William Dunning, Police Lieutenant
Ryan Jones, City Attorney

SUBJECT: **Proposed Amendments to the Citrus Heights Parking Violation Fine Schedule - AB 413 "Daylighting"**

Summary and Recommendation

Staff recommends the City Council adopt Resolution No. 2026-____, A Resolution of the City Council of the City of Citrus Heights, California, Amending the Citrus Heights Parking Violation Fine Schedule to Include Section 22500(n)(1)(A) of the California Vehicle Code.

City Council Strategic Goal/Objective

This item is in alignment with the following City Council priority:

Goal: Preserve and enhance public safety

Fiscal Impact

This action has no direct impact on the General Fund.

Background and Analysis

At the September 24, 2025 City Council meeting, staff presented regarding implementation of Assembly Bill 413 (the "Daylighting Law"), which added Section 22500(n)(1)(a) to the California Vehicle Code. Council requested additional research on potential modifications to AB 413, but as a state statute, the bill could not be amended locally.

Assembly Bill (AB) 413, known as the "Daylighting" law, was approved on October 10, 2023, and officially went into effect January 1, 2024. It amends Section 22500 of the California Vehicle Code (CVC) prohibiting stopping, standing, or parking a vehicle within 20 feet of the

vehicle approach side of any marked or unmarked crosswalk, or within 15 feet of a crosswalk with a curb extension. This safety measure aims to improve visibility at crosswalks for pedestrians, cyclists, and drivers by ensuring vehicles do not obstruct sightlines. Beginning January 1, 2025, local jurisdictions were able to begin taking enforcement action, including warnings or citations, regardless of curb markings or signage.

The purpose of AB 413 is to reduce preventable collisions within residential neighborhoods and school zones. As such, this amendment adds Section 22500(n)(1)(A) to Section 22500 of the CVC and reads as follows:

> A person shall not stop, park, or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in any of the following places:
>
> CVC 22500(n)(1)(A): Within 20 feet of the vehicle approach side of any marked or unmarked crosswalk or within 15 feet of any crosswalk where a curb extension is present.

Sections 94-48 and 94-49 of Chapter 94 of the Citrus Heights Municipal Code authorize the City Council—within the limits set by State law—to establish, by resolution, penalties, fines, fees, and related charges for parking and associated violations under both the California Vehicle Code and the Citrus Heights Municipal Code.

In addition, California Vehicle Code Section 40203.5 requires the City Council to adopt a schedule of fines and penalties for parking violations within the City. These fines must be standardized, to the extent feasible, with those of other agencies within the same county.

To ensure consistency, staff contacted other agencies within Sacramento County and found the following:

Agency	Fine Amount
Sacramento County	Has not added this violation to their Parking Fine Schedule
City of Sacramento	$25
City of Elk Grove	Has not added this violation to their Parking Fine Schedule
City of Rancho Cordova	$77.50
City of Folsom	Has not added this violation to their Parking Fine Schedule
City of Galt	$43

Since the majority of cities do not impose a charge for this violation, staff recommends the City Council set the fine at $62.50—consistent with the amount currently charged for similar violations on the existing Parking Violation Fine Schedule.

Outreach

As part of the consideration for adopting this section of the California Vehicle Code, the City has developed an outreach flyer to inform residents about the proposed resolution. The law would prohibit parking within 20 feet of the vehicle approach side of any marked or unmarked crosswalk, or within 15 feet of a crosswalk with a curb extension, regardless of curb markings or signage.

If approved by the City Council, the Police Department plans to distribute the flyers throughout the community, including to local schools, Neighborhood Area Associations, and via social media channels. In addition, the Police Department will implement a 30-day grace period following adoption, during which officers will issue warnings and focus on community education regarding the new regulation. Additionally, following the 30-day grace period and to remain consistent with regional agencies, officers would utilize this section of the California Vehicle Code as predominately a complaint-based enforcement and educational tool.

Attachments

1. Resolution No. 2026- ____ A Resolution of the City Council of the City of Citrus Heights, California, Amending the Citrus Heights Parking Violation Fine Schedule
    a. Parking Violation Fine Schedule – AB 413
2. Daylighting flyer

RESOLUTION NO. 2026- ___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, UPDATING THE CITRUS HEIGHTS PARKING VIOLATION FINE SCHEDULE

WHEREAS, Sections 94-48 and 94-49 of Chapter 94 of the Citrus Heights Municipal Code provide that the City Council, subject to limitations imposed by State law, shall by resolution establish penalties, fines, fees, and related charges for parking and related violations under both the California Vehicle Code and the Citrus Heights Municipal Code;

WHEREAS, Section 22500(n)(1)(A) of the California Vehicle Code prohibits stopping, parking, or leaving standing any vehicle within 20 feet of the vehicle approach side of any marked or unmarked crosswalk, or within 15 feet of a crosswalk where a curb extension is present, to ensure pedestrian safety and visibility;

WHEREAS, Section 40203.5 of the California Vehicle Code requires the City Council to establish a schedule of fines and related penalties for parking violations within the City, and such fines shall be standardized, to the extent possible, among agencies within the same county;

WHEREAS, consistent with Section 40203.5 of the California Vehicle Code the City Council of the City of Citrus Heights wishes to update parking and related penalties in the City of Citrus Heights, taking into consideration those penalties applicable for the same violations outside of the City within Sacramento County;

WHEREAS, the current fines for parking and related penalties need updating to reflect the addition of Section 22500(n)(1)(A) in the amount of $62.50; and

WHEREAS, the fines and charges set forth in the "City of Citrus Heights Parking Violation Fine Schedule" attached hereto as Exhibit A comply with the limitations imposed by State law; and

NOW THEREFORE BE IT RESOLVED AND ORDERED that the City of Citrus Heights does hereby adopt the updated Citrus Heights Parking Violation Fine Schedule.

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 25th day of February 2026 by the following vote, to wit:

AYES: Council Members:
NOES: Council Members:

ABSTAIN: Council Members:
ABSENT: Council Members:

MariJane Lopez-Taff, Mayor

ATTEST:

Amy Van, City Clerk

Exhibits

A. Citrus Heights Parking Violation Fine Schedule

Exhibit A

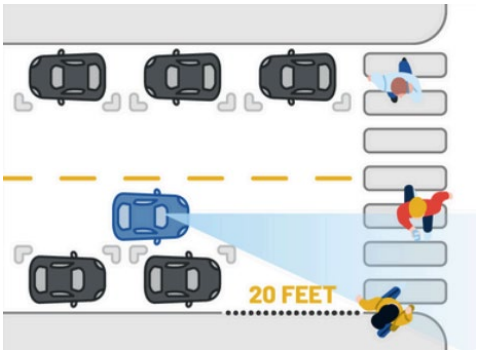
Citrus Heights Parking Violation Fine Schedule Updates

Description	Code	Section	Current Fine	Proposed Fine
Prohibited Zone Within Park	CHMC	9.36.065(d)	$62.50	
Parking Within Closed Park	CHMC	9.36.065(e)	$62.50	
Curb marking – Red	CHMC	10.24.0101	$62.50	
Curb marking – Yellow	CHMC	10.24.0102	$62.50	
Curb marking – Green	CHMC	10.24.0103	$62.50	
Curb marking – Blue (disabled)	CHMC	10.24.0104	$412.50	
Washing vehicle on highway	CHMC	94-8	$62.50	
Repairing vehicle on highway	CHMC	94-9	$62.50	
Obstruction of emergency vehicle	CHMC	94-137	$62.50	
Prohibited Stop/Stand/Park	CHMC	94-263	$62.50	
Narrow Streets/Special Places	CHMC	94-264	$62.50	
Emergency Parking Signs	CHMC	94-265	$62.50	
Alleys – Parkways	CHMC	94-266	$62.50	
Vehicles for Sale	CHMC	94-267(a)	$62.50	
72 Hours or More – Parking or Storing	CHMC	94-267(b)	$62.50	
Left-hand Parking on Divided Highway	CHMC	94-267(c)	$62.50	
Parking on Public Right-of-Way	CHMC	94-267(d)	$62.50	
Prohibit Parking in Residential District/Commercial	CHMC	94-267(f)	$112.50	
Prohibit Parking in Residential District/Recreational Vehicle	CHMC	94-267(g)	$112.50	
One-Way Streets	CHMC	94-268	$62.50	
Loading Zone	CHMC	94-269(d)	$62.50	
Limited-Time Parking (7AM-6PM)	CHMC	94-270(a)	$62.50	
Limited-Time Parking (Signs)	CHMC	94-270(b)	$62.50	
Continuing Parking Violation	CHMC	94-271	$62.50	
Curb Parking – Right of Way	CHMC	94-272	$62.50	
Parking in Intersection	CHMC	94-273	$62.50	
Angle Parking	CHMC	94-274	$62.50	
Keys in Ignition	CHMC	94-276	$62.50	
Prohibited Parking on City Property	CHMC	94-277(b)	$62.50	
Prohibited Parking in City Parking Areas	CHMC	94-278	$62.50	
Parking on Private Property without Permission	CHMC	94-279	$62.50	
Prohibit Parking on Public Streets / Commercial Vehicle	CHMC	94-281	New	$112.50
Parking Outside Space Markings	CHMC	94-370(b)	$62.50	
Current Tabs	CVC	5204(a)	$120.50	
Vehicle on School or Public Grounds	CVC	21113(a)	$62.50	

Obstruction of Bikeway/Bicycle Path or Trail	CVC	21211(b)	$62.50	
Prohibit Stop/Park – Intersection	CVC	22500(a)	$62.50	
Prohibit Stop/Park – Crosswalk	CVC	22500(b)	$62.50	
Prohibit Stop/Park – Safety Zone	CVC	22500(c)	$62.50	
Prohibit Stop/Park – Fire Station Driveway	CVC	22500(d)	$62.50	
Prohibit Stop/Park – Driveway	CVC	22500(e)	$62.50	
Prohibit Stop/Park – Sidewalk	CVC	22500(f)	$62.50	
Prohibit Stop/Park – Blocking Excavation	CVC	22500(g)	$62.50	
Prohibit Stop/Park – Double Park	CVC	22500(h)	$62.50	
Prohibit Stop/Park – Bus Zone	CVC	22500(i)	$372.50	
Prohibit Stop/Park – Tunnels	CVC	22500(j)	$62.50	
Prohibit Stop/Park – Bridges	CVC	22500(k)	$62.50	
Prohibit Stop/Park – Block Wheelchair Curb	CVC	22500(l)	$412.50*	
Prohibit Stop/Park - 20’ of marked or unmarked crosswalk, 15’ of crosswalk with curb extension	CVC	22500(n)(1)(A)	$62.50	
Prohibit Stop/Park – Fire Lane	CVC	22500.1	$112.50	
Curb Parking	CVC	22502	$62.50	
Angled Parking or More than 18 Inches	CVC	22502(a)	$62.50	
Wrong Side of Street	CVC	22502(b)	$62.50	
Parallel Parking (left) One Way Street	CVC	22502(e)	$62.50	
State Highway Parking Restricted Area	CVC	22505(b)	$62.50	
Disabled Space	CVC	22507.8(a)	$412.50	
Blocking Disabled Space	CVC	22507.8(b)	$412.50	
Parked on Lines/Boundaries of Disabled Space	CVC	22507.8(c)(1)	$412.50	
Disabled Parking Crosshatched	CVC	22507.8(c)(2)	$412.50	
Fire Hydrant	CVC	22514	$112.50	
Unattended Vehicle/Motor Running/No Brake Set	CVC	22515(a)	$62.50	
Parking Upon/Near Railroad Track	CVC	22521	$62.50	
Parking Near Sidewalk Access Ramp	CVC	22522	$392.50	
Abandoned Vehicle	CVC	22523	$112.50	
Repeat Violations – Second Within One Year	CVC	42001(a)(2)	Base, plus 100%, up to $200**	
Repeat Violations – Third and Subsequent Within One Year	CVC	42001(a)(3)	Base, plus 150%, up to $250**	
	**Increased fines for repeat violations do not apply to: CVC 22500(l), CVC 22507.8 and CVC 22522.			

CALIFORNIA'S DAYLIGHTING LAW – AND OTHER NO PARKING ZONES

Have you heard about the new "Daylighting" law? Citrus Heights is committed to improving safety for all users. Enforcing the new Assesmbly Bill No. 413 (AB 413), or "Daylighting" law, is one of the many ways the City intends to accomplish this. AB 413 went into effect on January 1, 2025 and aims to reduce preventable traffic collisions by increasing pedestrian and bicyclist visibility in intersections. Parked cars can hinder the view for drivers as they approach an intersection or crossswalk, making it more likely for pedestrians and bicyclists to be involved in an incident. AB 413 prevents the parking or stopping of vehicles within a certain distance of crosswalks, with the goal to enhance visibility and increase safety for everyone.

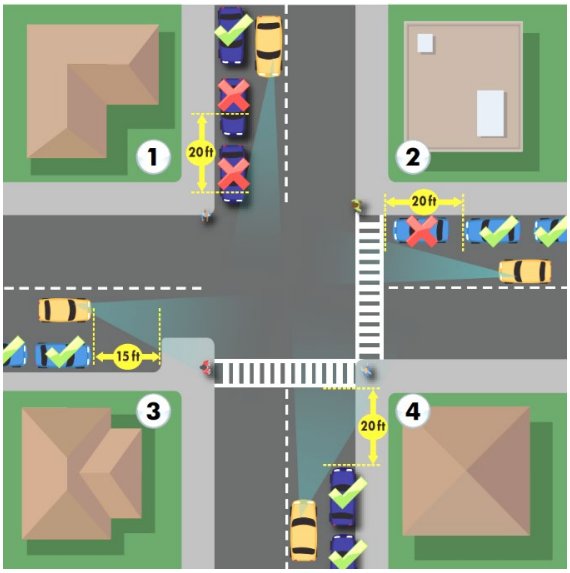


WANT TO LEARN MORE ABOUT THE DAYLIGHTING LAW AND OTHER NO PARKING ZONES?
See below for common questions, answers, and tips to learn how to contribute to making our intersections and crosswalks safer for all users!

WHAT IS THE "DAYLIGHTING" LAW?

Daylighting is the concept that safety is improved by removing parked cars next to crosswalks. **Assembly Bill 413** prohibits the stopping, standing, or parking of a vehicle within 20 feet of the approach side of any unmarked or marked crosswalk or within 15 feet of any crosswalk where a curb extension (bulb-out) is present. An **unmarked crosswalk** is defined as the portion of a roadway between the prolongation or connection between sidewalks at roadway intersections.

The goal of the new law is to improve safety of all roadway users by increasing visibility at intersections. By keeping the area next to crosswalks clear of parked vehicle obstructions, people walking, driving or riding near intersections can see each other better.



WHAT DO I NEED TO DO?

- Leave at least 20 feet (the length of one large car) between your car and marked or unmarked crosswalks (as shown in scenario 4, on the diagram to the right).
- At curb extensions, leave at least 15 feet between your car and the beginning of the curb extension (as shown in scenario 3).
- Not leaving the required clearance greatly reduces visibility (as shown in scenarios 1 and 2).

Source: (1) San Fernando Daylighting Flyer; (2) Menlo Park Daylighting Law Summary Page

FREQUENT QUESTIONS ABOUT "DAYLIGHTING"

WHAT HAPPENS IF I PARK AT A DAYLIGHTING ZONE?

The City may issue a citation for people who park in daylighting zones (whether adjacent to marked or unmarked crosswalks).

WHAT ACTION IS BEING TAKEN BY CITRUS HEIGHTS?

Through the existing Multi Modal Transportation Safety Program (MMTSP) City staff will prioritize intersections and identify modifications at crosswalks. As part of this effort, staff will evaluate existing marked/unmarked parking spaces to ensure that they are consistent with the new state standard.

WHAT'S THE DIFFERENCE BETWEEN A MARKED AND UNMARKED CROSSWALK?

Marked crosswalks are indicated for pedestrian crossing with white stripes (or yellow when near a school) on the surface of the roadway. Such indications are not present for unmarked crosswalks. Citations can be issued whether a crosswalk is marked or unmarked.

IS DAYLIGHTING EFFECTIVE?

In 2023, the pedestrian fatality rate in California was about 23% higher than the national average (GHSA Pedestrian Traffic Fatalities by State 2023 Preliminary Data). According to the US Department of Transportation Federal Highway Administration (FHWA), daylighting laws can reduce pedestrian crashes up to 30%!

CALIFORNIA'S DAYLIGHTING LAW – AND OTHER NO PARKING ZONES

WHAT ARE SOME OTHER COMMON NO PARKING ZONES?

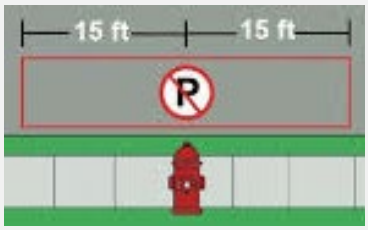
Under California Vehicle Code (CVC) § 22500, it is unlawful to stop, park, or leave a vehicle standing in certain locations, unless necessary to avoid conflict with other traffic or as directed by a peace officer or traffic control device. While some of these areas may be marked with red paint, unmarked zones remain enforceable and may result in citation or towing.

DESIGNATED NO PARKING ZONES

- Within any intersection
- Within a crosswalk
- On any portion of a sidewalk
- Beside another parked vehicle (double parking)
- Where indicated by a No Parking sign or painted red curb

FIRE ACCESS ZONES

- Within 15 feet of a fire hydrant, on either side per CVC § 22514
- Within areas designated as fire lanes by the Fire Department



DRIVEWAYS

- Within 15 feet of the driveway entrance to a fire station
- In front of a public or private driveway, except by a bus or taxi while actively loading and unloading passengers

CURB RETURNS/ADA RAMPS

- At curb returns/ADA ramps or in front of/upon portion of a curb that has been cut, lowered or constructed for wheelchair accessibility

MARKED/UNMARKED CROSSWALKS/CROSSINGS

- Within 20 feet of any marked or unmarked crosswalk ("daylighting")
- Within 15 feet of any crosswalk where a curb extension is present ("daylighting")

TEMPORARY NO PARKING ZONES

- Where indicated by an authorized sign or cone for construction, special events, or local authority instruction.

IF YOU NOTICE VEHICLES PARKED IN ANY NO PARKING ZONES

Please call the **Citrus Heights Police Department**'s Non-Emergency Phone Number at (916) 727-5500 to report violations or report it online at the City's website: https://www.citrusheights.net/1099/make-a-report

FREQUENT QUESTIONS ABOUT NO PARKING ZONES

CAN YOU PAINT THE CURB IN FRONT OF A FIRE HYDRANT RED?

Due to the cost of maintenance of painting red curbs, it is not the practice of the City to paint the curb in front of all fire hydrants red. Per CVC § 22514, no person shall stop, park, or leave standing any vehicle within 15 feet of a fire hydrant. The Police Department and Fire Department can enforce fire hydrant parking violations whether or not the curb is painted red, so please report as noted above.

THERE ARE "NO PARKING" SIGNS INSTALLED ALONG A ROADWAY BUT CAN YOU ALSO INSTALL RED CURB?

Due to the cost of maintenance of painting red curbs, it is not the practice of the City to paint the curb where "No Parking" and "No Stopping" signs are installed. If a "No Parking" or "No Stopping" signs are present at the location, the Police Department can enforce parking violations whether or not the curb is painted, so please report as noted above.

I DON'T HAVE ENOUGH VISIBILITY AT A SPECIFIC INTERSECTION. CAN YOU INSTALL RED CURB?

Recently, the City adopted the MMTSP which is a comprehensive street safety program that provides an equitable and transparent process to receive, evaluate and prioritize neighborhood traffic safety requests for countermeasures. Intersection sight distance is one of the features that is evaluated. **Please visit our website at http://www.citrusheights.net/945 or call the Citrus Heights General Services Department at (916) 727-4770.**

SOURCE: (1) CA Legislation Assembly Bill 413 (2) California Vehicle Code Section 22500

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: February 25, 2026

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Regina Cave, General Services Director
Mary Poole, Operations Manager

SUBJECT: **Options for Residential Solid Waste and Recycling Collection Services Procurement – Results of 60-Day Negotiations**

Recommendation

Receive the presentation and provide direction related to procurement options for a new residential solid waste and recycling services collection contract for the term beginning on January 1, 2028. The current agreement expires December 31, 2027.

Staff recommends that the City Council either:

a.) Adopt Resolution No. 2026 – ____, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Amended and Restated Residential Solid Waste and Recycling Collection Services Agreement with Allied Waste Services of North America, LLC, Subject to Results of a Public Hearing Regarding Proposed Rate Increases; or

b.) Direct staff to issue a Request for Proposal (RFP) for the residential solid waste and recycling collection services contract.

Staff also seeks direction regarding potential service modifications, including:

- Inclusion of residential street sweeping in the solid waste bill,
- Refinements to the Neighborhood Cleanup (NCU) program, and
- Addition of a local Household Hazardous Waste (HHW) drop off event

City Council Strategic Goal/Objective

This item is in alignment with the following City Council priority:

Goal: "Maintain and Enhance Fiscal Stability and Operational Excellence."
Objective: "Initiate residential garbage and recycling procurement and issue a request for proposals."

Fiscal Impact

No new expenditures are proposed as part of this item. Estimated procurement pathway costs are provided in the table below.

Procurement Process	Estimated Cost
Negotiations Only	$ 50,000
RFP Only	$125,000
Negotiations + RFP	$175,000

If an RFP is pursued, procurement costs will be reimbursed by the successful proposer. Republic Services will reimburse the City for up to $50,000 for negotiations costs, if the amended agreement is approved.

Street Sweeping

The current Street Sweeping services contract term expires December 31, 2027. If residential street sweeping is not included in the residential solid waste and recycling services agreement, the City will need to procure these services separately through an RFP. A separate procurement will likely increase costs, which would continue to be borne by special revenue funds.

Residential street sweeping is currently funded through Measure A Maintenance funds, Stormwater Utility fees, and commercial Solid Waste fees. The FY 2025–26 costs are estimated at:

- Residential streets $363,961
- Arterial streets: $212,482

Street Sweeping	Estimated Cost
2027 Residential Street Sweeping Current Contractor	$ 392,196
2028 Residential Street Sweeping (Republic Services)	$ 378,400
Estimated Monthly Cost Per Customer with Republic Services	$1.19

Including residential street sweeping services into the solid waste contract would shift these costs to the customer rate structure and allow the special revenue funds to be reprogrammed for use on maintaining and enhancing transportation and stormwater-related infrastructure. Arterial street sweeping would remain funded by special revenues.

Bundling the street sweeping services into the residential solid waste and recycling services agreement will also improve pricing for arterial and on-call sweeping, which would continue to be invoiced separately to the City. Solid waste collection results in street sweeping needs, in which case many jurisdictions include street sweeping in a solid waste contract to ensure the cost for the service is aligned with the demand generator. Staff recommends the street sweeping service be included as part of the solid waste contract accordingly.

Background and Analysis

Solid Waste services are not subject to formal bidding requirements under the Public Contracting Code. Thus, the City Council may approve a negotiated agreement or direct staff to conduct a competitive RFP process. Consistent with this discretion, the existing agreement with Republic Services includes a provision allowing the City to enter negotiations near the end of the contract term, with no obligation on the City to extend the term of the contract.

The current residential franchise agreement with Republic Services expires December 31, 2027. On November 12, 2025, the City Council considered two procurement approaches:

Option 1 – Negotiate with Current Provider

- Enter a 60-day negotiation period.
- If mutually acceptable terms are reached, present key terms for City Council approval and direction
- If City Council does not approve the proposed terms and/or options thereof, initiate an RFP process.

Option 2 – Competitive Request for Proposals

- Issue an RFP allowing multiple qualified haulers to compete on service, innovation, and pricing.

The City Council directed staff to pursue Option 1 (Negotiations). Negotiations were conducted from November 14, 2025, through January 2026, and included six formal negotiation sessions.

Negotiation Focus Areas

Negotiations were structured around the following policy areas:

- Maintaining high customer satisfaction and service reliability
- Preserving regional rate competitiveness
- Addressing NCU program blight and traffic safety concerns
- Evaluating cost efficiencies and service tradeoffs
- Exploring inclusion of residential street sweeping
- Evaluating feasibility of a local HHW event

Proposed Rate Framework

Republic Services proposed the following for a 10-year term:

Initial Adjustment (2028)

- One-time 2.5% market adjustment effective January 1, 2028
- 3.5% adjustment effective January 1, 2028 (equivalent to current contract Consumer Price Index [CPI] Water Sewer Trash cap)
- This would result in a total one-time rate increase of 6% effective January 1, 2028

Ongoing Adjustments for the 10-Year Term (2029–2037)

- Annual CPI cap of 4.25% based on the CPI-Water-Sewer-Trash (WST) index
- One-year rollover provision
    - If the CPI for the WST index is above 4.25% one year and lower than 4.25% the next, then the overage in the first year may be applied in the second year up to the 4.25% cap. This would only apply for two-year increments; thus a higher index in year one could not be rolled over to year three, but a higher index in year two could be rolled over to year three and so on.
- If CPI-WST index is lower, lower index applies
    - 10-year WST CPI average ~ 4.0%
    - WST CPI exceeded 5% in each of the past three years
    - WST CPI has averaged a 4.73 annual growth rate from 1997-2026

Service Options and Estimated Rate Impacts

In addition to the proposed rate adjustment, Republic Services proposed several options to reduce costs and/or enhance services. The options highlighted below represent a subset of the options discussed, specifically those with the most significant cost and service impacts related to street sweeping and the NCU services.

Under the current contract, NCU services are provided 3 times per year on a pre-scheduled cycle, allowing a maximum of 10 cubic yards per household per scheduled pickup. The following tables summarize these high-impact options and compare estimated cost impacts for combined packages.

High Impact Option	Estimated Monthly Impact
Reduce NCU from 3 to 2 times/year	($0.77)
Reduce NCU volume from 10 CY to 5 CY	($0.14)
Add residential street sweeping	$1.19

Option	Combined High Impact Options	Estimated Net Monthly Impact
1	Add residential street sweeping, no other changes	$1.19
2	Add residential street sweeping; reduce NCU from 3 to 2 times/year*	$0.42
3	Add residential street sweeping; reduce NCU to 10 CY to 5 CY	$1.05
4	Reduce NCU frequency from 3 to 2 only	($0.77)
5	Reduce NCU volume from 10 CY to 5 CY only	($0.14)

* Recommended

Should the City Council direct staff to develop an amended and restated franchise agreement with Republic Services, direction as to one of the options listed in the table above is requested.

Additional Proposed Enhancements (~Cost Neutral)

Republic Services also proposed the following service enhancements which will result in a cost neutral impact and/or a small reduction to the monthly rate

- One annual local HHW drop-off event (cost neutral to residents)
- Website interface improvements
- SB 1383 compliance monitoring enhancements
- Dedicated customer service manager
- Skid steer for community compost distribution and related activities
- Utility truck for illegal dumping response
- Increased illegal dump tonnage
- Alternative collection vehicle pilot program within 18-24 months

In advance of the presentation of procurement options to City Council on November 12, 2025, a number of surveys and opportunities for community input took place. This was discussed in more detail at the November 12, 2025, City Council meeting. A summary of the information is provided below.

Community Values

Community input was gathered through customer service satisfaction surveys, FlashVotes, neighborhood association meetings, and the customer service channels within the City. Formal survey results were discussed in more detail in the November 12, 2025, City Council meeting and are summarized below for reference. For the Republic Services annual customer satisfaction surveys, the 2021 and 2024 surveys are referenced as they had the most respondents; however, Republic Services consistently receives high marks for overall customer satisfaction in all input channels.

2021 Annual Republic Services Customer Service Survey (414 respondents):

- 90% overall satisfaction
    - 50% extremely satisfied
    - 40% satisfied

2024 Annual Republic Services Customer Service Survey (700+ respondents):

- 91% overall satisfaction
    - 62.1% very satisfied
    - 29.2 satisfied with weekly collection service

2024 City FlashVote - focused on NCU (407 respondents in August 2024):

- 90% of the respondents used the NCU service
- Vast majority strongly supportive of the NCU program
- The most common recommendation was to enforce the original 48-hour set out rule

2025 FlashVote - Focused on overall customer satisfaction as well as NCU Waste Services) 404 respondents in November 2025:

- 92% used NCU in past year
- 93% reported overall service satisfaction with Republic Services for the price paid
    - 23% Excellent
    - 36% Good
    - 23% OK

Throughout all channels of community input, the feedback consistently supports retaining the NCU program. Primary concerns relate to early set-outs and blight attributed to materials in the public right of way. The 48-hour enforcement rule reinstated in 2025 was an initial step to

address NCU concerns. Additional changes such as reducing the NCU frequency or the volume of material allowed to be set out were considered as part of the negotiation process,

In both FlashVotes, and in community outreach encounters, there has also been a consistent interest in hosting a local annual HHW drop-off event. This has been proposed by Republic Services as a cost neutral option to add to the regular service package.

Regional Rate Comparison

Citrus Heights continues to maintain its position as having one of the lowest residential garbage and recycling rates in the region. The tables that follow showcase the current (2026) and projected (2028) Citrus Heights rates in comparison to Sacramento County jurisdictions.

Current 2026 Rates in Sacramento County

Jurisdiction	Service Provider	Default 64-gallon Rate
City of Sacramento	Municipal	$54.08 *
Folsom	Municipal	$51.00
Rancho Cordova	Atlas	$41.28 *
Sacramento County	Municipal	$41.03
Elk Grove	Republic Services	$36.54
Citrus Heights	**Republic Services**	**$33.04**

***** *includes street sweeping*

Estimated 2028 Rates (Factoring in a 3.5% estimated CPI) in Sacramento County

Jurisdiction	Service Provider	Default 64-gallon Estimated 2028 Rates
City of Sacramento	Municipal	$57.93 *
Folsom	Municipal	$54.63
Sacramento County	Municipal	$43.95
Rancho Cordova	Atlas	$44.22*
Elk Grove	Republic Services	$39.14
Citrus Heights	**Republic Services**	**$37.52- 38.71****

*Includes street sweeping
**Options selected will determine rates.

Regardless of what service options are selected, moving forward with a negotiated service agreement with Republic Services will result in Citrus Heights continuing to have the lowest rates in Sacramento County (not including Isleton and Galt) and the lowest or close to the lowest rates in the greater Sacramento region.

Final 2028 Rates

The customer rates will be finalized as part of the contract package and will be subject to a public hearing and approval process prior to the start of the new agreement term.

Additional Policy Considerations

Road Impacts
Heavy collection vehicles contribute an estimated:

- $2.9 million annually in residential street wear
- $334,000 annually on arterials

Republic Services is evaluating alternative fleet pilot options that it intends to implement in the next 18-24 months. They have advised staff that they have had several discussions with original equipment chassis manufacturers regarding Citrus Heights' desire to reduce truck impacts to roadways. As steerable rear-axel waste trucks are not currently available in the industry, Republic Services is moving forward with partnering with these manufacturers to develop a steerable rear-axel pilot program. The development of the pilot program will take 4-6 months, and building the truck will take another 12-18 months. The pilot program will be cost neutral for the trial period. If the results of the pilot project warrant consideration of transitioning to a new collection vehicle type, a proposal would be presented for City Council consideration. Should the amended agreement be approved, this option will be included in the agreement.

Tri-Monthly Billing
Republic has suggested moving to a billing frequency of every three months versus every two months. A tri-monthly billing cycle is becoming common in many jurisdictions and does achieve some administrative savings of approximately $0.10 per month. Staff is supportive of this cost saving measure.

Proposed Timeline

The proposed timeline for the procurement options is as follows:

Timeline	Action
Nov 2025	City Council directed staff to enter into negotiations
Nov 2025 – Jan 2026	60-day negotiation period
Feb 2026	Present negotiated terms; City Council decision point, if negotiated amendment is supported, move forward with contract amendment

Timeline	Action
March 2026	If negotiated amendment is not supported by City Council, staff to finalize and release RFP (if directed)
May 2026	Finalize negotiated contract amendment (if directed); IF RFP, proposals due
August 2026	IF RFP, consideration of contract award
August – November 2027	Noticing and Public Hearing on final customer rates for new contract term
January 2028	New contract term begins

Summary of Requested Policy Direction

Staff requests direction on the following:

Procurement Path

1. Proceed with a negotiated amended and restated agreement; **or**
2. Initiate a competitive RFP.

Service Package Considerations

1. Include residential street sweeping in the franchise agreement – Staff recommends including street sweeping in the franchise agreement.
2. Modify NCU program:
    - Reduce frequency (3 to 2 per year) – Staff recommends reducing the frequency from 3 to 2 times per year.
    - Reduce volume (10 CY to 5 CY) - Staff recommends retaining the 10 CY volume

Conclusion

The 60-day negotiation period resulted in a proposed rate framework and options for service adjustments that met City goals to maintain competitive rates, achieve continued high customer satisfaction, and provide opportunities to continue to address blight and traffic safety concerns with the NCU while preserving the highly valued bulky waste collection program benefits.

Based on results of the 60-day negotiations, staff recommends proceeding with a negotiated amended and restated agreement. City Council direction is requested on the procurement path

and service options so that staff may proceed with contract amendment preparation or RFP issuance.

Attachment

1) Resolution No. 2026-___, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Amended and Restated Residential Solid Waste and Recycling Collection Services Agreement with Allied Waste Services of North America, LLC, Subject to Results of a Public Hearing Regarding Proposed Rate Increases

Resources

Link to November 12, 2025, City Council agenda packet:
https://citrusheights.net/AgendaCenter/ViewFile/Item/9530?fileID=45851

Link to November 12, 2025, City Council Meeting Item on YouTube video
https://www.youtube.com/live/GiuIvfiFqcs?si=v3HzYMtN-PO1IDYl&t=6622

RESOLUTION NO. 2026-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDED AND RESTATED RESIDENTIAL SOLID WASTE AND RECYCLING COLLECTION SERVICES AGREEMENT WITH ALLIED WASTE SERVICES OF NORTH AMERICA, LLC, SUBJECT TO RESULTS OF A PUBLIC HEARING REGARDING PROPOSED RATE INCREASES

WHEREAS, the City entered into a residential refuse and recycling collection services agreement (Agreement) with BFI Waste Systems of North America, Inc. (Contractor) on September 8, 2004; and

WHEREAS, the City executed a Form of Assignment Letter with Allied Waste Systems of North America (Allied) on December 8, 2005; and

WHEREAS, the City executed an Amendment to the Agreement related to the bulky waste collection program on August 1, 2006; and

WHEREAS, the City and Contractor executed an amended Agreement effective January 1, 2011 through December 31, 2017, with an option to negotiate an extension or initiate a procurement process toward the end of the term; and

WHEREAS, the City and Contractor negotiated and entered into the 2016 Amended Residential Solid Waste and Recycling Collection Services Contract on March 10, 2016, and extended the term of the contract through December 31, 2027; and

WHEREAS, the City executed an Amendment to the 2016 Amended Residential Solid Waste and Recycling Collection Services Contract on November 9, 2017, to update agreement terms related to provision of Household Hazardous Waste (HHW) collection and disposal services; and

WHEREAS, the City executed the 2021 Amended and Restated Residential Solid Waste and Recycling Collection Services Contract on October 28, 2021, to ensure city compliance with Senate Bill 1383; and

WHEREAS, the City executed an Amendment to the 2021 Amended and Restated Residential Solid Waste and Recycling Collection Services Contract on November 13, 2024, to reinstate penalties for materials set out in more than 48 hours in advance of the scheduled Neighborhood Cleanup (NCU) service dates; and

WHEREAS, the term of the current Agreement expires on December 31, 2027; and

WHEREAS, the Agreement contains a provision whereby the city may negotiate an extension with the current service provider or request proposals from qualified contractors to provide collection services; and

WHEREAS, on November 12, 2025, the City Council directed staff to enter into a 60-day negotiation process with Contractor and present the resulting proposed negotiated amendment terms for City Council consideration; and

WHEREAS, the City and Contractor negotiated in good faith on the terms of the proposed amendment; and

WHEREAS, the negotiated terms include adding residential street sweeping, an annual local HHW collection event, and reducing NCU frequency to two times per year as well as operational and administrative enhancements and additional cost neutral value-added benefits; and

WHEREAS, all services and benefits related to the proposed amendment are to commence and/or be in place on January 1, 2028.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Citrus Heights that the City Manager is hereby authorized to develop, finalize and execute an Amended and Restated Residential Solid Waste and Recycling Collection Services Contract between the City of Citrus Heights and Allied Waste Services of North America, LLC, consistent with the negotiated terms presented at the February 25, 2026, City Council meeting and subject to results from a Public Hearing to be held in FY 27/28 on proposed rate increases.

BE IT FURTHER RESOLVED, that the resulting Amended and Restated Residential Solid Waste and Recycling Collection Services Contract shall be approved as to form by the City Attorney prior to execution.

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 25th day of February, 2026 by the following vote, to wit:

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

_____
MariJane Lopez-Taff, Mayor

ATTEST:

_____
Amy Van, City Clerk

CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: February 25, 2026

TO: Mayor and City Council Members
Ashley J. Feeney, City Manager

FROM: Alexander A. Turcotte, Chief of Police
Kris Frey, Police Commander
William Dunning, Police Lieutenant
Debra Miller, Police Services Supervisor
Casey Kempenaar, Community Development Director
Alison Bermudez, Senior Planner

SUBJECT: **Discussion Item of Strategic Goal Related to Massage Establishments**

Recommendation

During the March 2025 Annual Strategic Planning Session, the City Council established an objective for staff to evaluate and present Zoning and Municipal Code updates related to high visibility or high impact uses to include massage establishments and provide a consistency comparison between the City and surrounding jurisdictions.

Staff conducted a thorough review of Chapter 22, Article VIII, of the Citrus Heights Municipal Code regulating massage establishments, and completed a comparison with other jurisdictions within the region. Based on the review, staff identified several areas which would strengthen the City's regulatory framework governing massage establishments. Updating the current ordinance would clarify operational standards, enhance accountability for business owners and managers, improve enforcement tools, and align local regulations with public safety and neighborhood quality-of-life objectives.

The proposed amendment updates also recognize massage therapy as a legitimate health-related profession while addressing documented concerns related to illegal activity, human trafficking, nuisance impacts, and noncompliance with existing regulations.

Staff recommends that the City Council review the information presented in this report and accompanying presentation; and provide staff with feedback and direction on possible code amendments.

City Council Strategic Goal/Objective

This item is in alignment with the following City Council priority:

> **Goal:** Preserve and Enhance Public Safey
> **Objective:** To maintain consistency with regional and adjacent jurisdictions, present Zoning and Municipal Code updates. Consider regulations for high visibility or high impact uses including massage establishments, vending/food trucks, and similar challenges facing the region.

Fiscal Impact

There is no direct impact to the City's general fund.

Background and Analysis

Certain types of business activities can proliferate within a community and across a region, sometimes bringing positive impacts and other times creating challenges. Examples include massage establishments, and mobile food vendors, which staff presented to Council on December 10, 2025. To ensure a balanced approach and avoid localized impacts, it is important that the City's regulations for these uses are generally consistent with those of surrounding jurisdictions. Alignment among neighboring cities helps prevent an over-concentration of such uses in any one area due to the "path of least resistance" in permitting or regulatory standards.

Chapter 22, Article VIII of the Citrus Heights Municipal Code regulates massage establishments. Staff conducted a thorough review of the current ordinance, which was last updated in 2018. While the existing ordinance provides foundational licensing and operational requirements, staff has identified the need for clearer standards, enhanced application requirements, and more effective enforcement mechanisms to deter illegal conduct while supporting legitimate massage establishments within the city.

During the review process, staff completed a comprehensive review and comparison of massage establishment ordinances within the region to include, the City of Sacramento, County of Sacramento, City of Rancho Cordova, and the City of Roseville. Based on staff's review, it was determined the County of Sacramento and City of Roseville's ordinances, both updated in 2025, provided staff with up-to-date ordinances to model for proposed amendments to the existing massage establishment ordinance.

Regional Massage Ordinances	
City of Sacramento	Updated in 2021
County of Sacramento	Updated in 2025
City of Rancho Cordova	Updated in 2016
City of Roseville	Updated in 2025
City of Citrus Heights	Updated in 2018

Current Number of Massage Establishment Licenses			
Jurisdiction	**Population**	**# Establishments**	**Per Capita Calculation**
City of Sacramento	527,979	327	1 per 1,614 persons
County of Sacramento	602,760	140	1 per 4,305 persons
Rancho Cordova	85,451	9	1 per 9,494 persons
Roseville	158,494	14	1 per 11,321 persons
Citrus Heights	86,280	35	1 per 2,465 persons
Total	**1,460,964**	**525**	**1 per 2,782 persons**

Proposed Updates

Based on staff's research and number of massage establishments within the city, staff recommends the council provide direction after considering the potential updates to align with regional partners and promote legitimate massage use within the City of Citrus Heights. The regulatory updates considered in this section are consistent with the County of Sacramento and the City of Roseville, there are no requirements being considered that are more restrictive than these two neighboring jurisdictions.

Purpose and Intent: Amend Section 22-602 to explicitly frame massage therapy as a valid health service while emphasizing ethics, crime deterrence, blight reduction, and neighborhood protection. Owners and managers bear full responsibility for all on-site conduct, a common accountability measure to combat illicit operations disguised as legitimate businesses.

Licensing and Application Enhancements: These strengthen vetting and transparency:

- Amend Section 22-613(a)(6)(f) to broaden criminal history disclosures to include prior criminal charges and convictions.
- Amend Section 22-613(5) to require applicants to provide documentation if they are proposing to retain a massage therapist as an independent contractor. This update would result in an amendment to Section 22-604- Definitions.
- Amend Section 22-613(b) to establish clear timelines for application review and completion for incomplete applications.
- Add Section 22-613(d) to require a current and valid policy of liability insurance providing minimum coverage of $1,000,000.
- Add Section 22-622(a) to require the property owner or landlord information to allow notifications to property owners regarding violations.

Location and Density Control: Add Section 22-623(a) to create a 1,000-foot separation between establishments to prevent the overconcentration. Owner operated massage establishments (owner is the sole provider) would be exempt from this update.

License Renewal Requirements: Add Section 22-630(f) to require all unpaid citations or uncorrected violations must be corrected prior to the renewal of a business license.

Operational and Facility Standards: These updates would establish and clarify current standards within the existing ordinance language.

- Amend Section 22-682 to prohibit any person from entering a massage establishment under the influence of alcohol or drug.
- Amend Section 22-683 to prohibit the residential use (living facilities) of a commercial massage establishment.
- Amend Section 22-684 to restrict therapist attire to prohibit transparent, see-through, or garments which substantially expose the anatomical areas.
- Amend Section 22-685 to expand prohibited conduct to prohibit the touching of anatomical areas of a female customer without their written consent.
- Amend Section 22-687 to allow security cameras at the reception desk and rear entry/exit of the business.
- Amend Section 22-692 to create advertising restrictions, to include sexually suggestive content and advertising on websites known to promote illicit activity.
- Add Section 22-695 to define window covering requirements to allow visibility into a massage establishment during the hours of operation.
- Add Section 22-696 to prohibit the installation or use of table showers.
- Add Section 22-697 to mandate the posting of notices which include victim and human trafficking information pursuant to California Civil Code Section 52.6.

Enforcement: Amend Section 22-702 and Chapter 50, Article II. Based on current enforcement practices within regional jurisdictions, this update would identify correctable and non-correctable violations to enable the city to improve compliance with this article.

Public Outreach

As part of the ordinance review, staff created a dedicated webpage on the City's website for massage establishments, providing the community with access to information related to the proposed updates. In addition, staff from the police department and the community development department participated in a community workshop held on January 22, 2026. The purpose of the workshop was to provide massage establishment owners, managers, and employees with an opportunity to ask questions directly to staff regarding the proposed ordinance changes.

The workshop was attended by approximately 20 participants, who raised several concerns related to the proposed updates. Specifically, attendees expressed concerns regarding the 1,000-foot separation requirement, indicating it would make it difficult to open a new massage establishment within the city. Additionally, attendees expressed concerns related to early warning devices and window coverings, stating these are added security features for employees and window coverings prevent sun and additional heat from entering the business. Attendees were receptive to the addition of video camera requirements but mentioned they would like video camera requirement to extend to the exterior of the businesses Attendees also voiced concerns

about their personal safety if certain security measures were restricted under the proposed ordinance.

Next Steps

Staff requests City Council feedback and direction regarding the potential amendments and any additional areas of concern and whether council supports proceeding with the potential amendments to better align regulations for massage establishments with those of surrounding and regional jurisdictions. Feedback received during Council discussion will be used to inform staff and guide the next steps for amending Chapter 22, Article VIII, massage establishments.

Attachments

1. CHMC Chapter 22, Article VIII – Massage Establishments

ARTICLE VIII. MASSAGE ESTABLISHMENTS[1]

DIVISION 1. GENERALLY

Sec. 22-600. Title.

This article shall be known as the "Massage Establishment Licensing Law of the City of Citrus Heights."

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-601. Authority.

This article is enacted pursuant to Chapter 6, Part 1 of Division 1 of Title 5 of the California Government Code (commencing with Section 51030).

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-602. Purpose and intent.

The purpose of this article is to provide for the orderly regulation of the business of massage and massage therapists in the city, and to protect the public's health and safety by establishing certain licensing standards pertaining to massage therapy business activities within the City of Citrus Heights and to recognize massage therapy as a legitimate business occupation and health-related service.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-603. Construction of this article with other city codes.

To the extent that there is any conflict between the provisions of this article and the provisions of any other section(s) of this Code, the provisions of this article shall prevail.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-604. Definitions.

The definitions contained in this section shall govern the construction of this article. Words contained in this article but not defined by this section shall be construed according to the ordinary and common usage of the word,

[1]Editor's note(s)—Ord. No. 2016-010, § 1, adopted September 22, 2016, amended article VIII, in its entirety to read as herein set out. Former article VIII, §§ 22-600—22-606, 22-610—22-627, 22-640—22-643, 22-650, 22-651, 22-660—22-662, 22-670—22-677, 22-680—22-692 and 22-700—22-703, pertained to similar material, and derived from Ord. No. 2003-06, adopted Sept. 10, 2003; Ord. No. 2008-10, adopted May 8, 2008 and Ord. No. 2009-005, adopted December 10, 2009.

taking into consideration the context of the language and the definition of the word as provided in a standard English language dictionary:

Applicant means any person who applies for a license as required by this article. In the event the applicant is a non-natural person (e.g., a corporation), the term applicant shall also include the responsible person legally authorized to act on behalf of the applicant and, submit an application to the city pursuant to this article.

Approved national massage organization or association means an organization recognized by the City of Citrus Heights, specifically the: American Massage Therapy Association (AMTA) or the Associated Bodywork and Massage Professionals (ABMP), or a similar organization which requires: completion of at least 100 hours of massage training or experience; possession of practioner's liability insurance coverage in the minimum amount of $2,000,000.00 per event; adherence to a code of ethics; and renewal of an annual membership.

Business license administrator means the City of Citrus Heights Business License Administrator or his/her designee.

California Massage Therapy Council or *CAMTC* means the nonprofit organization created pursuant to Business and Profession Code § 4600 et seq. to regulate and issue massage practitioner and therapist certificates.

CAMTC certificate or *certificatemeans the certificate, or conditional certificate, issued by the California Massage Therapy Council to massage therapists and to massage practitioners that entitles the holder to practice massage. When used in this article, "CAMTC certification" or "CAMTC-certified* means a person who has a valid, unexpired CAMTC certificate.

CAMTC identification card means a valid and unexpired identification card issued by the California Massage Therapy Council containing a certificate holder's name, photograph, and certification number.

Certificate holder means a person who has a valid, unexpired certificate from, and who is in good standing with, the California Massage Therapy Council.

Chief of police means the Citrus Heights Police Department Chief of Police or his/her designee.

City means the City of Citrus Heights.

City clerk means the City Clerk of the City of Citrus Heights or his/her designee.

City council means the City Council of the City of Citrus Heights.

Compensation means a payment, loan, advance, donation, contribution, deposit, or gift of money, or anything of value.

Employee means a person who performs any massage service on the premises of a massage establishment on a full-time, part-time, or contract basis, whether or not the person is denominated an employee, independent contractor, agent, or otherwise and whether or not the person is paid a salary, wage or other compensation by the massage establishment.

Home occupation massage therapist means a massage therapist who engages in the business of massage therapy in his/her home or residence, or who engages in massage therapy in both his/her home or residence and in a massage establishment.

Licensee means any person operating or maintaining a massage establishment pursuant to a massage establishment license.

Massage means any method of placing pressure on, or friction against, or manipulating, stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external parts of the human body below the neck with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, or with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations commonly used in the practice of massage.

Massage establishment means a fixed place of business where any person engages in or carries on massage in exchange for any form of compensation.

Massage establishment license or *license* means a license issued by the business license administrator and required pursuant to this article, to operate or maintain a massage establishment within the city, issued to the massage establishment's responsible person.

Massage therapist means any person who gives or administers a massage to another person, for any form of consideration whatsoever. Unless otherwise specified, "massage therapist" includes those persons with CAMTC certification and those individuals classified by his/her school of education as bodyworkers, bodywork therapists, massage practitioner, bodywork practitioner, or massage technicians.

Off-premises massage therapist means massage therapists who provide off-premises massage services and who are self-employed and/or who contract with or work for a business other than a massage establishment. Massage therapists who conduct massage as a home occupation are engaged in off-premises massage therapist businesses.

Owner means each of the following:

(1) For a sole proprietorship, the sole owner of the business;

(2) For a business association, each owner of more than ten percent of the business;

(3) For a corporation, each stockholder of the corporation and each officer and director of the corporation;

(4) For a limited liability company, each member of the company; and

(5) For a partnership, each partner, including limited partners, and where a partner is a corporation, the provisions pertaining to a corporate applicant in division (3) apply.

Person means any individual, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.

Recognized massage school means a facility that (1) teaches the theory, ethics, practice, profession or work of massage; (2) requires a resident course of study before the student shall be furnished with a diploma or a certificate of graduation from such school or institution of learning following the successful completion of such course of study or learning; and (3) meets the minimum standards for training and curriculum in massage and related subjects and that was either recognized by the Bureau of Private Postsecondary and Vocational Education pursuant to former Section 94739 of the California Education Code prior to July 1, 2007, and on the date the received his/her certificate, or is recognized by the department of consumer affairs, by an institution accredited by the Accrediting Commission for Senior Colleges and Universities or the Accrediting Commission for Community and Junior colleges of the Western Association for Schools and Colleges and that is one of the following: (a) a public institution, (b) an institution incorporated and lawfully operating as a nonprofit public benefit corporation under the State of California laws, and that is not managed by an entity for profit; (c) a for-profit institution; (d) an institution incorporated that does not meet all of the criteria in subparagraph (b) that is incorporated and lawfully operating as a nonprofit public benefit corporation, that has been continuously operating since April 15, 1997; (d) a college or university of the state of higher education system, as defined in Education Code § 100850; or (e) a school of greater or equal training that is approved by the corresponding agency recognized by the U.S. Department of Education. Schools or institutions of learning offering a correspondence course not requiring actual attendance shall not be deemed a recognized massage school. The applicant shall provide the documentation necessary, to the satisfaction of the business license administrator, to provide proof that his/her school is a recognized massage school.

Reflexology means a non-invasive complementary modality involving the use of alternating pressure applied to the reflexes within the reflex maps of the body located on the feet, hands, and outer ears.

Responsible person means the sole proprietor of a massage establishment or the person designated by the sole proprietor, partnership, firm, association, joint stock company, corporation, limited liability corporation, or other business entity to be responsible for the operation of the massage establishment.

Specified anatomical areas means, less than completely and opaquely covered: Human genitals, public regions, buttocks, or female breasts below a point immediately above the top of the areola, and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-605. Exemptions from article.

This article shall not apply to the following classes of persons and, except as provided in subsections (4), (5) and (7) below, a massage establishment license or CAMTC certificate shall not be required of such persons while engaged in the performance of the duties of their respective professions, but such persons must comply with the sanitation and decency requirements of this article:

(1) Physicians, surgeons, nurses, chiropractors, osteopaths, acupuncturists, naturopathic doctors and physical therapists who are duly licensed to practice their respective professions in the state, and massage therapists working under the direct supervision of such duly licensed physicians, surgeons, chiropractors, osteopaths, acupuncturists, naturopathic doctors and physical therapists;

(2) Trainers of any amateur, semiprofessional or professional athlete or athletic team;

(3) Hospitals, nursing homes, or persons working in any such establishments;

(4) Barbers or cosmetologists lawfully carrying out their particular occupation or business, and holding a valid, unrevoked license or certificate of registration issued by the State of California, and where massage comprises not more than 25 percent of the square footage of the establishment; however, any massage therapist engaged in massage at such establishment shall be required to obtain a CAMTC certificate;

(5) Athletic clubs or fitness facilities, where such facility is designed and equipped for indoor sports, exercise, or physical education and where massage comprises not more than ten percent of the square footage of the establishment shall not be required to obtain license pursuant to this article; however, any massage therapists engaged in massage at such establishment shall be required to obtain a CAMTC certificate;

(6) A recognized school of massage which: (i) teaches the theory, ethics, practice, profession and work of massage; (ii) requires a residence course of study to be given before the student is furnished with a diploma or certificate of learning or completion; and (iii) has been approved pursuant to Education Code § 94915, or, if said school is not located in California, has complied with the standards commensurate with those specified in Education Code § 94915;

(7) Reflexologists performing reflexology; however, any reflexologist engaged in massage shall be required to obtain a CAMTC certificate.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-606. Application of article to persons practicing massage under a license or permit issued by the city as of the effective date of this article; grandfather clause.

(a) For purposes of this section, "massage therapist permit" or "permit" means a permit issued to a person by the city prior to the effective date of Ordinance No. 2016-010, and which authorized such person to practice massage therapy within the city.

(b) For purposes of this section, "massage establishment license" or "license" means a license issued prior to the effective date of Ordinance No. 2016-010, which exempted the license holder from obtaining a massage therapist permit under the prior version of this article.

(c) Any person holding a valid, unsuspended and unrevoked massage therapist permit or massage establishment license issued by the city pursuant to the prior version of this article for the purpose of practicing massage or operating a massage business, and who has held the permit or license continually for five or more years as of the effective date of Ordinance No. 2016-010, shall be exempt from the requirement to possess a CAMTC certificate to practice massage within the city, provided all of the following criteria are met:

(1) No substantiated complaints have been lodged with the city regarding the permit or license holder under this article;

(2) The permit or license was valid and in good standing as of the effective date of Ordinance No. 2016-010; and

(3) The holder of the permit or license continues to maintain a valid, unsuspended and unrevoked permit or license issued by the city, and continues to meet all conditions and qualifications specified in the prior version of this article, including, but not limited to, insurance requirements, continuing education, tuberculosis skin testing, and cardiopulmonary resuscitation. This exemption shall no longer apply if such permit or license is suspended, revoked, or not renewed.

(d) Any person holding a valid, unsuspended and unrevoked massage therapist permit or massage establishment license issued by the city pursuant to the prior version of this article for the purpose of practicing massage or operating a massage business, and who has held the permit or license for less than five years as of the effective date of Ordinance No. 2016-010, shall be temporarily exempt from the requirement to possess a CAMTC certificate to practice massage within the city until November 1, 2017, provided all of the following criteria are met:

(1) No substantiated complaints have been lodged with the city regarding the permit or license holder under this article;

(2) The permit or license was valid and in good standing as of the effective date of Ordinance No. 2016-010; and

(3) The holder of the permit or license continues to maintain a valid, unsuspended and unrevoked permit or license issued by the city during the temporary exemption period, and continues to meet all conditions and qualifications specified in the prior version of this article, including, but not limited to, insurance requirements, continuing education, tuberculosis skin testing, and cardiopulmonary resuscitation. The temporary exemption shall no longer apply if such permit or license is suspended, revoked, or not renewed.

(e) The business license administrator shall process applications for renewal of massage therapist permits or massage establishment licenses during applicable exemption periods, and may deny the renewal of, suspend, or revoke such permits or licenses, pursuant to the prior version of this article.

(f) Each massage establishment shall comply with all provisions of this article as if the license holder or employed permit holder holds a CAMTC certificate, including, but not limited to, providing information about

a permit holder on its massage establishment license application, listing the employee on its register of employees, and posting an original copy of the employee's permit in a conspicuous public place on the premises.

(g) Except as expressly stated in this section, all terms and conditions of this article, including but not limited to, general business license and massage establishment license requirements, sanitation and decency provisions, and grounds for suspension, revocation, or denial, shall apply to all massage establishments and therapists in the jurisdiction, regardless of the date of issuance of the initial massage therapist permit or massage establishment license.

(h) For purposes of this section, "prior version of this article" means this article, as it existed from December 10, 2009, to the effective date of Ordinance No. 2016-010 (noninclusive).

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Secs. 22-607—22-609. Reserved

DIVISION 2. LICENSES AND CERTIFICATIONS

Sec. 22-610. Massage establishment—General business license and massage establishment license required.

Except as otherwise provided by this article, it is unlawful for any person to operate, engage in, carry on, or allow the operation of a massage establishment without having a valid and unexpired general business license issued pursuant to article II of this chapter and a massage establishment license issued pursuant to this article. A person shall be deemed to operate or conduct a business and violate this article if the person, without the required general business license and massage establishment license in effect, supervises, inspects, directs, organizes, manages or controls or is in any way responsible for, or in charge of, the business for which the license is required.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-611. Term of massage establishment license.

A massage establishment license issued pursuant to this article shall be valid for a period of one year from the date of its issuance and shall then automatically expire unless renewed pursuant to the terms of this article.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-612. Applicant/license holder must be the responsible person.

The applicant for a massage establishment license shall be the responsible person, who shall hold a valid and unexpired CAMTC certificate. The responsible person shall also provide documentation to the city evidencing that the business, corporation, partnership or entity that owns the massage establishment has designated him or her as the responsible person. If the license is issued, the responsible person shall hold a valid and unexpired CAMTC certificate throughout the term of the license.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-613. Massage establishment license application; application filing.

(a) Applications for a massage establishment license to operate a massage establishment shall be filed on a form by the responsible person and shall contain such information as required by the business license administrator, including but not limited to, all of the following information:

(1) The full legal name and any other names used by the responsible person.

(2) The business name, address and telephone number of the proposed massage establishment for which the license is sought.

(3) The current residential address and telephone number of the responsible person, and the two previous residential addresses and business addresses, if any.

(4) If the proposed massage establishment business is:

a. A sole proprietorship, the responsible person shall provide the name of the sole owner of the business (if different from the responsible person).

b. A partnership, the responsible person shall state the partnership's complete name, address, the name of each owner, whether the partnership is general or limited, and a copy of the partnership agreement, if any.

c. A corporation, the responsible person shall state the corporation's complete name, the date of its incorporation, evidence that the corporation is in good standing under the laws of California, the names and capacity of all officers and directors, the name of each owner, and the name of the registered corporate agent and the address of the registered office for service or process.

d. A business association, the responsible person shall state the business association's complete legal name and the name of each owner.

e. A limited liability company, the responsible person shall state the company's complete legal name and the name of each owner.

f. Another type of business entity, the responsible person shall state the entity's complete legal name and the name of each owner.

(5) A list stating the number of massage therapists the applicant intends to employ at the establishment, the full name, date of birth, current address, and telephone number of each person who will perform massage at the establishment, the identification number and expiration date of each therapist's CAMTC certificate, and how many massage therapists the applicant intends to be working on-site performing massages simultaneously.

(6) Except as specified in subsection (d), each owner of a massage establishment shall file an application for a background check, including the following:

a. The individual's legal name, height, weight, color of eyes, and hair;

b. A copy of a valid and current driver's license and/or identification issued by a state or federal government agency or other photographic identification bearing a bona fide seal by a foreign government showing, to the satisfaction of the city, that the individual is at least 18 years of age;

c. The individual's business, occupation or employment history for the five years immediately preceding the date of the application;

d. The name and address of any massage establishment or similar business owned or operated by the person whether inside or outside the city or state;

e. The massage or similar business license history of the individual, including whether such person, in previously operating in this city or another city, county or state under a license or permit, has had such license or permit revoked or suspended, and the reasons and dates for any such revocation or suspension;

f. All criminal convictions, except minor traffic violations;

g. Two identical passport photos; and

h. The individual shall be fingerprinted, and such fingerprints shall be submitted to the department of justice for a criminal background check.

(7) A statement as to whether the proposed business intends to provide massage services off-site.

(8) Information demonstrating that the proposed business is consistent with the applicable land use designation and city zoning code.

(9) A floor plan showing the layout of the massage establishment, to the specifications required by the community and economic development department.

(10) An acknowledgement signed by the responsible person and each owner of the massage establishment that all information contained in the application is true and correct; that the responsible person shall be responsible for all conduct of the business's employees; and acknowledging that the failure of the business, responsible person, any owner, or any employee to comply with Business and Professions Code § 4600 et seq., and any local, state, or federal law, including CAMTC rules or regulations and the provisions of this article, may result in revocation of the massage establishment license.

(11) Such other identification and information as may be required by the city to verify the truth of the matters specified in this section, or any additional information required to show that the applicant has met the minimum qualifications to be licensed pursuant of this article.

(b) An application is deemed complete and validly filed when the business license administrator has received all information required by this Code, including the results of the department of justice criminal background check, and has received any fees associated with the application or application processing. However, where a building permit is necessary as a prerequisite to occupancy of a building, the massage establishment license application is not complete and validly filed until proof of submittal of the building permit application is provided to the business license administrator.

(c) If an owner is a CAMTC certificate holder, submission of a copy of the CAMTC certificate and CAMTC identification card shall deem the person exempt from the requirements set forth in subsection (a)(6) of this section.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-614. Massage therapists—State certification required.

Except as otherwise provided in this article, it is unlawful for any person to perform massage without having a valid and unexpired CAMTC certificate.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-615. Massage establishment license fees; duplicate licenses.

(a) The business license administrator shall impose nonrefundable fees to recover the administrative costs of processing applications; issuing and renewing massage establishment licenses; and administering this

chapter. Such fees shall be established by resolution of the city council, amended from time to time. To the extent the city council determines practical, such fees may vary depending on the type of license for the sole purpose of apportioning relative regulatory costs to parties regulated.

(b) The business license administrator shall impose nonrefundable fees to recover the costs of issuing duplicate copies of massage establishment business licenses. Such fees shall be established by resolution of the city council, amended from time to time.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-616. Background investigation.

Under this article, the chief of police shall investigate the background of each owner, as deemed appropriate. The owner shall pay fees for fingerprinting or investigation required by the city for such services. If an owner is a CAMTC certificate holder, the chief of police shall waive the background investigation for that owner. The chief of police shall evaluate each application to evaluate whether an owner's involvement in the operation of the business involves an unreasonable risk to the health, safety or general welfare of the public.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-617. Issuance of licenses; transferability.

(a) The business license department shall issue the massage establishment license not later than 60 days after the date a complete application is filed, unless grounds for denial established in this article or otherwise applicable code sections exist.

(b) A massage establishment license shall not be transferable or assignable from one person to another, or from one location to another. A new massage establishment license application shall be required for any change in the identity of the responsible person and/or owner(s).

(c) No massage establishment license shall be issued for a change in the identity of the responsible person and/or owner, if the massage establishment, or another massage establishment operating at the same location, is under investigation by a law enforcement agency. Upon completion of the law enforcement agency's investigation, the business license administrator shall process the application for change in the identity of the responsible person and/or owner in accordance with this article.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-618. Conditions on massage establishment license; procedure for imposition of conditions.

(a) The business license administrator may issue a massage establishment license upon such conditions relating to the method or manner of operation of the business as he/she deems necessary to adequately protect members of the public in their patronage or dealings with the business or to reduce the incidence, detect the commission, or identify perpetrators of crime. Such conditions may be imposed at the time an establishment license is initially issued, upon renewal of the license, or at any time during the term of the license.

(b) Written notice of conditions imposed on the establishment license and the reasons for the conditions shall be provided to the applicant or license holder.

(c) Conditions imposed at the issuance of the establishment license become effective immediately following the date of service of the notice thereof. The applicant is entitled to appeal the conditions within the time and

manner prescribed; however, the massage establishment license shall not be effective until the appeal is finally determined.

(d) Conditions imposed at the time of renewal or during the term of the massage establishment license become effective 15 days following the date of service of the notice thereof; however, if an appeal is filed within the time and manner prescribed, the conditions shall not become effective until the appeal is finally determined.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-619. Grounds for denial of massage establishment license.

(a) The business license administrator shall deny an initial application for a massage establishment license or an application for renewal of a massage establishment license if the business license administrator finds in writing:

(1) That the applicant, massage establishment licensee, responsible person and/or owners of the massage business, have engaged in unlawful activity, or been convicted of any of the following offenses or convicted of an offense outside the state that would have constituted any of the following offenses if committed within the state:

a. Penal Code §§ 266i, 315, 316, 318 or 647(b) of the state or that the massage personnel or the owners of a massage establishment are required to register under Penal Code § 290;

b. Any felony offense involving the sale of a controlled substance specified in the Health and Safety Code §§ 11054, 11055, 11056, 11057 or 11058;

c. Any crime or unlawful activity, on the basis of which the chief of police reasonably concludes that by reason of the nature of the crime or activity, the applicant's operation of a massage establishment would pose a risk of harm to the public;

(2) That the applicant/responsible person, owners and/or employees of the massage business have engaged in unprofessional conduct, including but not limited to, personal conduct or operation of a business resulting in denial of a license, revocation, suspension, restriction, or any other disciplinary action taken against an applicant, licensee, responsible person, owner and/or employee by the city, by another state, by any other governmental agency, or by CAMTC;

(3) That the massage establishment is not operated in a manner, or housed within a building, which complies with all city, state, federal or otherwise applicable, codes, rules, regulations or laws, or CAMTC rules or regulations;

(4) That the applicant failed to provide information in connection with the application requested by the city, preventing the chief of police from making his or her determination as to suitability to conduct work at the business;

(5) That the applicant does not meet the qualifications necessary for issuance of a massage establishment license as required by this Code;

(6) That statements made in the application or any information submitted supplementary to the application are incorrect or untrue;

(7) That the responsible person is under the age of 18 years of age;

(8) That, based on specific facts identified by the chief of police, the chief of police reasonably concludes that the operation of the proposed massage establishment would pose a risk to the public, that the applicant would not conduct the business in a law abiding or professional manner, and/or that the operation of the proposed business would subject patrons of the business to a risk of harm or criminal, deceitful or otherwise unethical practices;

(9) That another massage establishment is or was operating at that same location and any of the following are true:

a. The other business's massage establishment license is suspended or was revoked or denied renewal for cause within the previous five years;

b. The other business's owner had a massage establishment license suspended, revoked, or denied for cause within the previous five years;

c. The business license administrator has served a notice of suspension, revocation, or denial of renewal regarding the other business's massage establishment license within the previous 15 days; or

d. An appeal from a notice of suspension, revocation, or denial of renewal is pending;

(b) In addition to the above grounds for denial of a massage establishment license, the business license administrator shall also deny an application for renewal of a massage establishment license if he/she determines that:

(1) One or more conditions applicable to the previous license have been violated;

(2) The business and/or its employees do not comply with city, state, federal or otherwise applicable, codes, rules, regulations or laws, including CAMTC rules or regulations.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-620. Method of denial of massage establishment license.

(a) The business license administrator's denial of an initial application or application for renewal of a massage establishment license shall be in writing, with the reasons stated therefor. Written notice of the denial, together and a copy of this division, or any applicable code provisions applicable to the license, shall be sent to the applicant.

(b) Denial of an initial application or application for renewal of a massage establishment license shall prohibit operation of the business at any location within the city.

(c) With respect to denial of an application for renewal of a massage establishment license the immediately preceding license shall be deemed to be in full force and effect for a period of 15 days following the date of service upon the applicant of the notice of denial. If the licensee files an appeal within the time and manner prescribed, the immediately preceding massage establishment license shall continue in full force and effect until the appeal is finally determined.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-621. Updated therapist list; proof of certification.

(a) Prior to any new employee performing massage at a massage establishment, a massage establishment shall provide the business license administrator with an updated list stating the number of massage therapists employed at the establishment, the full name, date of birth, current address, and telephone number of each person who performs or will perform massage at the establishment, the identification number and expiration date of each therapist's CAMTC certificate, and how many massage therapists the applicant intends to be working on-site performing massages simultaneously.

(b) Every massage therapist shall, prior to performing massage at any massage establishment in the city, appear in person before the business license administrator or his or her designee and present a copy of his or her

CAMTC certificate and CAMTC identification card. The business license administrator or his or her designee shall verify that the massage therapist appears on the list of employees provided by a massage establishment; verify the massage therapist's identity; and photocopy the therapist's CAMTC certificate and CAMTC identification card.

(c) A massage establishment shall notify the business license administrator in writing of the name and CAMTC identification number of each massage provider who is no longer an employee of the massage establishment within five days of that person no longer being employed at the business.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Secs. 22-622—22-629. Reserved.

DIVISION 3. RENEWAL OF MASSAGE ESTABLISHMENT LICENSES

Sec. 22-630. Massage establishment license renewal.

(a) At least 60 days prior to expiration of a massage establishment license, the business license administrator shall mail the licensee an application for renewal. The application for renewal shall be on a form provided by the business license administrator, and shall include the following:

(1) A current list stating all massage therapists employed by the massage establishment as of the renewal date, including each individual's full name, date of birth, current address, and telephone number, the identification number and expiration date of each therapist's CAMTC certificate, and how many massage therapists perform massages simultaneously;

(2) A copy of each massage therapist's unexpired CAMTC certificate; and

(3) A description of any and all improvements which the applicant has made upon the premises since the last massage establishment license was issued.

(b) The licensee shall file the application for renewal, and any required fees, with the business license administrator prior to the expiration of the immediately preceding license.

(c) The business license administrator shall investigate and process an application for renewal of a massage establishment license in the same manner as an initial application for a massage establishment license. Within 60 days of receiving a complete application, the business license administrator shall issue the massage establishment license unless grounds for denial identified in this article exist.

(d) With respect to any application for renewal which is filed on or before the date of expiration of the immediately preceding license, the business license administrator shall extend the term of the immediately preceding license, without charge, during the period of any investigation required in order to determine whether the license should be renewed.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-631. Added application fee for late renewals.

An application for a renewal of a massage establishment license will be deemed received late and subject to a penalty of 50 percent of the application fee if the complete application, including all fees, is not received by the finance department within 60 days of the date of expiration of the immediately preceding license. If a licensee

continues to operate without a valid license, the licensee may be subject to all other penalties authorized by the City Code, up to and including denial or revocation of a general business license or massage establishment license.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Secs. 22-632—22-639. Reserved.

DIVISION 4. REVOCATION OR SUSPENSION OF MASSAGE ESTABLISHMENT LICENSE

Sec. 22-640. Grounds for revocation or suspension.

A massage establishment license may be suspended for not longer than one year or revoked during its term if the business license administrator finds in writing:

(1) That pursuant to section 22-619, grounds for denial of an initial application for a massage establishment license exist, including but not limited to, untrue statements made in the application or conviction of a crime that would inhibit the person's ability to conduct the business in a law abiding manner; or

(2) The business has operated in a manner, or is housed on premises or within a building which violates or is in violation of any city, state, federal, or otherwise applicable codes, rules, regulations or laws, or CAMTC rules or regulations, including, but not limited to, violations by the responsible person or employees; or

(3) The licensee has violated one or more conditions imposed upon the license.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-641. Method of revocation or suspension.

(a) The finance department may revoke a massage establishment license by issuing written notice of the suspension or revocation, stating the reasons therefor, and serving the notice and a copy of this article or any otherwise applicable code sections, upon the holder of the license.

(b) The revocation or suspension shall become effective 15 days following the date of service upon the licensee of the notice of revocation or suspension. If the licensee files an appeal within the time and manner prescribed, the license shall remain in effect until the appeal is finally determined.

(c) A massage establishment license may be temporarily suspended pending disposition of an appeal, if any, if the business license administrator finds that such temporary suspension is necessary in order to protect against a serious and immediate threat to the health, safety or welfare of the public caused by exercise of the license. If the business license administrator orders a temporary suspension, the notice of suspension shall be delivered to each place of business licensed, served upon the licensee, and shall contain the following:

(1) The finding justifying the temporary suspension;

(2) The time, date, and place at which the licensee may appear in advance of the commencement of the temporary suspension for the purpose of showing cause to the hearing officer as to why the suspension is not necessary; and

(3) The time and date on which the temporary suspension commences, which shall not be earlier than 24 hours following the time and date of delivery of the notice.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-642. Appeals.

(a) The holder of a massage establishment license or applicant for a massage establishment license may appeal from the following:

(1) The denial of an initial application or renewal of a massage establishment license;

(2) The imposition of conditions on an initial massage establishment license at the time of issuance;

(3) The imposition of conditions on a massage establishment license at the time of renewal of the license or during the term of the license;

(4) The suspension or revocation of a massage establishment license; or

(5) The determination that the licensing requirements of this division apply to any person or business.

(b) An appeal pursuant to this section shall be in writing, shall state the specific reasons for the appeal and the grounds asserted for relief, and be accompanied by a non-refundable appeals processing fee set by city council resolution. The appeal shall be filed with the business license administrator no later than 15 days after the date of service of the notice providing the grounds for appeal. The failure to file an appeal within the time or in the manner prescribed in this section, or to include the appeals processing fee, waives the right to appeal.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-643. Appeal hearing.

(a) No later than 30 days following the filing of a timely appeal, a hearing shall be held to determine whether the appeal shall be granted. The city shall provide the appellant written notice of the time, date, and place of the hearing no later than ten days before the hearing date.

(b) The business license administrator shall have the burden of proof during the hearing, and prove that by a preponderance of the evidence that grounds for the business license administrator's action exist. The provisions of the California Administrative Procedure Act, Government Code § 11500 et seq., and formal rules of evidence do not apply at the hearing. At the conclusion of the hearing, the hearing officer shall prepare a written decision which either grants or denies the appeal and contains findings of fact and conclusions. The written decision shall be filed with the business license administrator no later than ten days following the date on which the hearing is closed. The business license administrator shall, within five days of the filing of such decision, serve the applicant or licensee with notice and copy of the written decision.

(c) With regard to an appeal from the imposition of conditions during the term of a massage establishment license, or on an application for renewal of a massage establishment business license, the business license administrator must demonstrate by substantial evidence the necessity of the conditions. If the imposition of such conditions is upheld, the hearing officer shall specifically provide findings regarding the evidence within the record supporting the determination.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-644. Finality of determination.

(a) With respect to appeals from the denial of an initial application for a massage establishment license, or the imposition of conditions on an initial application for a massage establishment license, the hearing officer's decision is final upon service of the hearing officer's decision upon the appellant.

(b) With respect to an appeal from the denial of a renewal of a massage establishment license, from the imposition of conditions on a massage establishment license at the time of renewal or during the term of the business license, or from the revocation of a massage establishment license, the hearing officer's decision is final 15 days after service of the hearing officer's decision on the appellant, unless city council review is requested either by the business license administrator or appellant.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-645. Request for review by city council.

(a) To request city council review of the hearing officer's decision, the applicant for a license, licensee, or business license administrator shall file a written request with the city clerk within 15 days following the date of service of the hearing officer's decision. The request for review shall state in detail the reasons for review, the error alleged in the hearing officer's decision, and include a copy of the hearing officer's decision attached to the request for review, and an appeals processing fee as set by city council resolution.

(b) Upon receipt of a request for review by city council, the city clerk shall schedule city council review not later than 30 calendar days following the date of filing of the notice of appeal. The city clerk shall provide notice of the time and date of the hearing to the appellant at least ten days in advance. The city council shall be authorized to deny the introduction of evidence and decide the matter after oral argument presented during the hearing, to admit supplementary evidence with respect to challenges or particular findings, or reject the findings and conclusions and conduct a de novo hearing. The determination by the city council granting or denying the appeal shall be final and shall be accompanied by findings of fact and conclusions, which may consist of an adoption by reference of those by the hearing officer.

(c) The city council is authorized to order the issuance or renewal of the massage establishment license, the revocation of the massage establishment license, suspension of the massage establishment license, or order the massage establishment license to remain in effect upon such terms and conditions as the city council deems necessary and appropriate.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-646. Effect of revocation or denial of an application for renewal.

(a) The revocation of a massage establishment license or denial of renewal of a massage establishment license for cause shall terminate the right of the licensee to engage in the business authorized by the license anywhere within the city for a period of five years following the effective date of revocation or denial. At the conclusion of such period, the former holder may file a written application for issuance of a new license with the business license administrator. The business license administrator may grant or deny the application pursuant to such terms and conditions necessary to ensure compliance with the law, including conditions relating to the rehabilitation of the applicant.

(b) The revocation of a massage establishment license or denial of renewal of a massage establishment license for cause shall automatically and without notice also revoke or deny renewal of each general business license issued for the same business at each location where the business is located.

(c) Reserved.

(d) The revocation of a massage establishment's general business license or massage establishment license, or denial of renewal of a massage establishment license for cause, shall prohibit the operation of a massage establishment in that same location for a period of five years. The revocation of a massage establishment's general business license or massage establishment license, or denial of renewal of a massage establishment license for cause, shall also prohibit a massage establishment, or any other business establishment operating in the same location, from using the same name and/or same phone number as the revoked or denied massage establishment for a period of five years.

(e) If a massage establishment's general business license or massage establishment license is revoked or renewal of a massage establishment license is denied for cause, neither the spouse, child, brother, sister or parent of the holder of the revoked license nor a person possessing an ownership interest in the business for which the license was revoked or who was an employee thereof shall be entitled to issuance of a massage establishment license for the business.

(f) For purposes of this article, denial of renewal of a massage establishment license "for cause" means denial of renewal pursuant to subsections (a)(1)—(3) or (b) of section 22-619.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-647. Operation with revoked, suspended, or non-renewed license.

It is unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted or carried on, in or upon any premises in the city, the application of massage or the operation of a massage establishment if such person's license has been revoked, suspended, or denied renewal.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Secs. 22-648, 22-649. Reserved.

DIVISION 5. OFF-PREMISES MASSAGE THERAPISTS

Sec. 22-650. Requirements for home occupation massage therapists.

(a) It shall be unlawful to conduct massage therapy as a home occupation massage therapist without obtaining a valid and unrevoked CAMTC certificate and a home occupation business license pursuant to this Code. A home occupation massage therapist who lives within the city and operates out of his/her home must comply with the city's zoning and business license procedures.

(b) Home occupation massage therapists shall comply with all of the provisions of this article, except that a home occupation massage therapist need not comply with the facilities requirements of section 22-683.

(c) The location at which the home occupation massage therapist conducts his/her massage therapy business shall be subject to inspections pursuant to section 22-688.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-651. Requirements for off-premises massage therapists.

(a) It shall be unlawful to conduct massage therapy as an off-premises massage therapist without obtaining a valid and unrevoked CAMTC certificate.

(b) An off-premises massage therapist shall comply with all of the provisions of this article except that an off-premises massage therapist need not comply with the facilities requirements of section 22-663.

(c) Whenever an off-premises massage therapist conducts his/her massage business at any business or commercial establishment that is open to the public, that portion of the business or commercial establishment at which the off-premises massage therapist conducts his/her massage therapy business shall be subject to inspections pursuant to section 22-668. Whenever the off-premises massage therapist conducts his/her massage business at any place other than a business or commercial establishment that is open to the public, the city's agents may enter and inspect the premises or property to the extent authorized by law.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-652. Exemption for businesses at which off-premises massage therapy business is conducted.

(a) The owner and/or operator of a business at which off-premises massage therapy is conducted is not required to obtain a massage establishment license pursuant to this article, as long as the primary purpose of the business is not massage therapy. The business shall not be required to remain closed during the particular hours provided in this article; however, massage therapy shall only occur during the regular business hours of that business.

(b) The finance department, with input from any other department of the city, or any other appropriate agency or entity, shall be vested with discretion in determining the primary purpose of the business. If the finance department determines a business is operating as a massage establishment, notice of such determination and notice of the requirement to obtain a massage establishment license shall be sent to the business.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-653. Special and charitable events within the city.

(a) Massage therapists holding a valid and unexpired CAMTC certificate may volunteer their massage services at special events, charitable events, or non-profit events that have obtained required permits from the city. The holders of CAMTC certificates may volunteer at these events without having to obtain any additional permits from the city.

(b) Each massage therapist shall wear his/her CAMTC identification card on his/her outermost garment when working as a massage therapist a special or charitable event in the city.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Secs. 22-654—22-679. Reserved.

DIVISION 6. OPERATION OF BUSINESS AND CONDITIONS OF FACILITIES

Sec. 22-680. Compliance with article.

It is unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted or carried on, in or upon any premises in the city, the application of massage or the operation of a massage establishment in violation of the terms of this article, or in violation of any of the terms and conditions of any license issued pursuant to this article.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-681. Closed hours.

It is unlawful for a massage establishment to be open and carry on massage operations between the hours of 9:00 p.m. and 8:00 a.m. of the following day. All customers, patrons and visitors must be excluded from the massage establishment premises during those hours.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-682. Alcoholic beverages.

It is unlawful for any person to sell, give, dispense, provide or keep, or cause to be sold, given, dispensed, provided or kept, any alcoholic beverage, as defined in the Business and Professions Code § 23004, on the premises of any massage establishment or in conjunction with any massage business.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-683. Massage establishment facilities.

Except as otherwise provided by this article a massage establishment license shall not be issued until an inspection by the city reveals that the establishment complies with each of the following minimum requirements:

(1) The premises and restrooms comply with the current California Building Standards Code, beginning with Title 17 of the California Code of Regulations. All plumbing and electrical installations in the massage establishment must have been installed under permit and inspection by the building department, and installed in accordance with the California Building Standards Code.

(2) In any massage establishment which employs more than two massage therapists performing on-site massages simultaneously, separate restroom facilities shall be provided for each gender in convenient locations. All restroom facilities shall be equipped with self-closing doors opening in the direction of ingress to such facilities.

Upon a showing of good cause, the community development director may exempt a massage establishment from the requirement to maintain separate restroom facilities.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-684. Sanitation and decency.

(a) Every portion of a massage establishment, including appliances and apparatus, shall be kept clean and be operated in a sanitary condition.

(b) All massage establishments shall provide clean laundered sheets and towels in sufficient quantity which shall be laundered after each use, and stored in a sanitary manner. Receptacles shall be provided for the storage of soiled linens and paper towels.

(c) Wet and dry heat rooms, shower compartments, and toilet rooms shall be thoroughly cleaned each business day. Bathtubs shall be thoroughly cleaned after each use.

(d) Massages may not be carried on within any separate cubicle, room, booth or area within a massage establishment, which is fitted with a door capable of being locked. Additionally, except when there is no staff available to assure security for massage therapy patrons and staff who are behind closed doors, all reception and hallway doors must remain unlocked during business hours.

(e) All massage therapists shall wear garments which cover the entire body, exclusive of the head, neck, arms, legs, hands and feet. The massage therapist must be fully covered from a point not more than four inches above the center of the kneecap to the base of the neck, excluding the arms. Such garments shall not be transparent and must be maintained in a clean and sanitary condition.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-685. Prohibited conduct.

(a) It is unlawful for any massage therapist, to directly or indirectly, offer, administer, touch, or perform massage to a customer's specified anatomical areas.

(b) A patron's specified anatomical areas must be fully draped at all times while any employee of the massage establishment, massage therapist or person is in the massage therapy cubicle or room.

(c) It is unlawful for any massage therapist to perform massage without first draping the client. If at any time the draping falls off or is removed, the massage must stop until the client is redraped.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-686. Register and list of services.

(a) The licensee of a massage establishment shall maintain a current register of all persons employed as massage therapists by the massage establishment, on a form provided by the city. The register shall include the full name, date of birth, current address, phone number, CAMTC certificate number, and the CAMTC certificate expiration date of each employee. This register shall be available for inspection to city personnel at all times during regular business hours.

(b) A list of the services available and the price of such services shall be posted in an open and conspicuous public place on the premises. The services shall be described in readily understandable language. No massage establishment owner, operator, manager or person in charge of, or in control of, the massage establishment shall permit, and no massage therapist shall offer to perform, any services other than those posted.

(c) For each massage service provided, every massage business shall keep a complete and legible written record of the following information: the date and hour that service was provided; the service received; the name or initials of the employee entering the information; and the name of the massage practitioner administering the service. Such records shall be open to inspection and copying by police officers, or other city officials charged with enforcement of this chapter. These records may not be used by any massage practitioner or operator for any purpose other than as records of service provided and may not be provided to other parties by the massage practitioner or operator unless otherwise required by law. Such records shall be retained on

the premises of the massage business for a period of one year, and be immediately available for inspection during business hours.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-687. Prohibition against warning devices.

The presence of any device which can be utilized as an early warning system, to alert the employees or operator of a massages establishment to the presence of law enforcement or local authorities on the premises is prohibited in any massage establishment. Such prohibited devices include, but are not limited to, light or music dimmers, electronic detection devices, external or internal video equipment and alarm systems other than those used for fire alarms.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-688. Inspections.

Representatives of the city, including but not limited to members of the police department and any fire protection district of jurisdiction, may, at any time, with or without prior notice, inspect the subject premises and investigate the manner of the operation of the massage establishment to insure that it is operating in compliance with this article.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-689. Massage establishment license and CAMTC certificate posting requirements; identification cards.

(a) The original massage establishment license and original CAMTC certificate for each massage therapist working at the establishment shall be displayed in a conspicuous public place on the premises. It shall be unlawful to display photocopies of licenses or certificates. The massage establishment licensee shall be responsible for ensuring each massage therapist's certificate is displayed in a conspicuous place on the premises.

(b) Each massage therapist must wear his or her CAMTC identification card on his/her outermost garment when working in a massage establishment or at a business for the purpose of performing massage.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-690. Change of business name or location.

Except as otherwise provided by this article, no person granted a license pursuant to this article shall operate under any name or conduct his, her or its business at any location not specified in his/her or its license. If the business name, facilities and/or location is changed, a new license shall be obtained.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-691. Schools of massage.

No massage establishment shall use the facilities or premises of a school of massage in connection with the operation of a massage establishment. Students in training at a recognized school of massage may perform a

massage on a member of the general public while on the premises of the school of massage in compliance with the following requirements:

(1) The student performs the massage only under the direct personal supervision of an instructor certified by: The California Department of Consumer Affairs Bureau for post-secondary and vocational education, a state-approved educational facility, an approved national massage organization or association, or similar organization; and

(2) Massage is performed in compliance with sections 22-683 and 22-684 of this article.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-692. Prohibited advertising practices.

(a) It is a violation of this article for any person who does not possess a valid and unexpired CAMTC certificate, and for any massage establishment that employs or retains such a person, to:

(1) State or advertise or put out any sign, card, or other device, or to represent to the public through any print or electronic media, that such person is certified, registered or licensed by a governmental agency as a massage therapist; or

(2) Hold oneself out of use the title of "certified massage therapist" or "certified massage practitioner" or any other term, such as "licensed," "registered," or "CMT," that implies or suggests that the person is the holder of a certificate issued by CAMTC.

(b) No massage business shall place, publish or distribute, or cause to be placed, published or distributed any advertising matter that depicts any portion of the human body that would reasonably suggest to prospective clients that any service is available other than those services listed as an available service pursuant to section 22-686, nor shall any massage business employ language in the text of such advertising that would reasonably suggest to a prospective client that any service is available other than those services as described in compliance with the provisions of this chapter.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-693. Employment of minors prohibited.

(a) No massage establishment shall employ any person under 18 years of age as a massage therapist or in any other capacity.

(b) This section shall not prohibit a business, where massage is not the primary purpose of the business, from employing individuals under 18 years of age. However, massage therapists must still be at least 18 years of age.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-694. Massage therapy services rendered to minors prohibited.

No massage therapist shall perform, cause to be performed, or allow to be performed, any massage on any person under the age of 18, except at the special instance, request, and with the express written consent of a parent, guardian, or other person in lawful custody of the minor upon whose behalf the massage service is requested.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Secs. 22-695—22-699. Reserved.

DIVISION 7. ENFORCEMENT

Sec. 22-700. Separate offense for each day.

Any person who violates any provision of this article shall be guilty of a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes a violation thereof and, shall be punished accordingly.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-701. Public nuisance.

Any use or condition caused or permitted to exist in violation of any of the provisions of this article shall be and is hereby declared a public nuisance and may be abated by the city pursuant to the city's neighborhood enhancement code, chapter 50 of this Code.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-702. Criminal penalties.

Violations of this article are hereby declared to be infractions except that notwithstanding any other provision of this article or state law, any such violation may, in the discretion of the prosecuting attorney, be charged and prosecuted as a misdemeanor. A conviction of an infraction shall be punishable by fine as follows: Upon a first conviction, a fine not exceeding $100.00; upon the second conviction within one year of a prior conviction, by a fine not exceeding $200.00; upon any subsequent conviction within one year of two prior convictions, by a fine of not exceeding $500.00. Any person convicted of a misdemeanor shall be punishable by a fine of not more than $1,000.00 or by imprisonment not to exceed six months, or both.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)

Sec. 22-703. Civil injunction.

The violation of any provision of this article shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of city, create a cause for injunctive relief.

(Ord. No. 2016-010, § 1, 9-22-2016; Ord. No. 2018-03, § 1(Exh. A), 10-11-2018)