

AGENDA

Wednesday, April 9, 2025

CITY OF CITRUS HEIGHTS CITY COUNCIL

6:00 PM REGULAR MEETING

City Hall Council Chambers

6360 Fountain Square Drive, Citrus Heights, CA

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 five minutes each with 30 minutes being allowed for all comments. Any public comments beyond the initial 30 minutes may be heard at the conclusion of the agenda. 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.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection during normal business hours at City Hall, located at 6360 Fountain Square Drive. Audio / Visual presentation material must be provided to the City Clerk's Office at least 48 hours prior to the meeting. Email subscriptions of the agenda are available online by signing up with the City's [Notify Me](#) service.

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

April 09, 2025 City Council Agenda Packet

Documents:

CALL REGULAR MEETING TO ORDER

1. Flag Salute

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

3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

4. Proclamation Of The City Of Citrus Heights Proclaiming April 13-19, 2025 As National Public Safety Telecommunicators Week

5. Proclamation Of The City Of Citrus Heights Proclaiming April 13-19, 2025 As National Animal Care & Control Appreciation 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.

6. SUBJECT: Approval Of Minutes
RECOMMENDATION: Approve the Minutes of the Meeting of February 12, 2025 and March 26, 2025

7. SUBJECT: Arcade Creek Repairs – Mel Court Project – Award Of Construction Contract
STAFF REPORT: R. Cave / L. Blomquist / D. Kehrer
RECOMMENDATION: Adopt Resolution No. 2025- ____, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Agreement with Advanced Geotechniques, Inc. for the Arcade Creek Repairs - Mel Court Project

8. SUBJECT: Adoption Of Annual Strategic Planning Objectives
STAFF REPORT: A. Feeney
RECOMMENDATION: Adopt Resolution No. 2025- ____, A Resolution of the City Council of the City of Citrus Heights, California, Adopting the "Twelve- Month Strategic Planning Objectives for April 2025 - March 2026."

REGULAR CALENDAR

9. SUBJECT: City Council Project Tour Of The Denver Metro Area Presentation
STAFF REPORT: C. Kempenaar
RECOMMENDATION: Study Session Presentation
10. SUBJECT: Ordinance Amending Citrus Heights Municipal Code Chapter 38 – Fire Prevention And Protection, Article III. – Fireworks, Sections 38-78 And 38-81
STAFF REPORT: M. Wells / R. Jones
RECOMMENDATION: Introduce for a First Reading, and read by title only, of Ordinance No. 2025- ____ An Ordinance of the City of Citrus Heights Amending Citrus Heights Municipal Code Chapter 38 - Fire Prevention and Protection, Article III. - Fireworks, Sections 38- 78 and 38- 81
11. SUBJECT: Arts & Cultural City Council Ad Hoc 2x2 Committee
STAFF REPORT: A. Van
RECOMMENDATION: Staff recommends the City Council consider appointing two councilmembers to a limited- term City Council Arts & Culture Ad Hoc 2x2 Committee
12. SUBJECT: Discussion Concerning City Council Stipends For Service On Various Regional Boards And Commissions
STAFF REPORT: A. Van
RECOMMENDATION: Staff recommends the City Council review the options presented and provide direction to staff
13. SUBJECT: Approval Of City Manager Employment Agreement Amendment
STAFF REPORT: R. Jones
RECOMMENDATION: Council to consider Resolution No. 2025- ____ A Resolution of the City Council of the City of Citrus Heights, California, Approving an Amendment to the Employment Agreement Between the City Manager Ashley J. Feeney and the City of Citrus Heights

DEPARTMENT REPORTS

14. SUBJECT: Police Department Annual Report
DEPARTMENT: Police Department

CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

ADJOURNMENT

**CITY OF CITRUS HEIGHTS
 CITY COUNCIL
 Regular Meeting of Wednesday, April 9, 2025
 City Hall Council Chambers, 6360 Fountain Square Dr., Citrus Heights, CA
 Regular Meeting 6:00 p.m.**

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 five minutes each with 30 minutes being allowed for all comments. Any public comments beyond the initial 30 minutes may be heard at the conclusion of the agenda. 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.

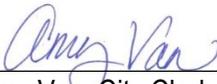
Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection during normal business hours at City Hall, located at 6360 Fountain Square Drive. Audio/Visual presentation material must be provided to the City Clerk’s Office at least 48 hours prior to the meeting. Email subscriptions of the agenda are available online by signing up with the City’s [Notify Me](#) service.

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

IN PERSON	ONLINE	ON TELEVISION
 City Council meetings take place in the City Hall Council Chambers.	 Watch the livestream and replay past meetings on the City website .	 Watch live and replays of meetings on Sac Metro Cable, Channel 14.

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

April 04, 2025



 Amy Van, City Clerk

REGULAR CITY COUNCIL MEETING
6:00 PM

CALL REGULAR MEETING TO ORDER

1. Flag Salute
2. Roll Call: Council Members: Middleton, Nelson, Schaefer, Lopez-Taff, Karpinski-Costa
3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

4. Proclamation of the City of Citrus Heights Proclaiming April 13-19, 2025 as National Public Safety Telecommunicators Week
5. Proclamation of the City of Citrus Heights Proclaiming April 13-19, 2025 as National Animal Care & Control Appreciation 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 (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.

6. **SUBJECT:** Approval of Minutes
RECOMMENDATION: Approve the Minutes of the Meeting of February 12, 2025 and March 26, 2025
7. **SUBJECT:** Arcade Creek Repairs – Mel Court Project – Award of Construction Contract
STAFF REPORT: R. Cave / L. Blomquist / D. Kehrer
RECOMMENDATION: Adopt Resolution No. 2025- ____, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Agreement with Advanced Geotechniques, Inc. for the Arcade Creek Repairs – Mel Court Project
8. **SUBJECT:** Adoption of Annual Strategic Planning Objectives
STAFF REPORT: A. Feeney
RECOMMENDATION: Adopt Resolution No. 2025- ____, A Resolution of the City Council of the City of Citrus Heights, California, Adopting the "Twelve-Month Strategic Planning Objectives for April 2025 – March 2026."

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

9. **SUBJECT:** City Council Project Tour of the Denver Metro Area Presentation
STAFF REPORT: C. Kempenaar
RECOMMENDATION: Study Session Presentation

10. **SUBJECT:** Ordinance Amending Citrus Heights Municipal Code Chapter 38 – Fire Prevention and Protection, Article III. – Fireworks, Sections 38-78 and 38-81
STAFF REPORT: M. Wells / R. Jones
RECOMMENDATION: Introduce for a First Reading, and read by title only, of Ordinance No. 2025-___ An Ordinance of the City of Citrus Heights Amending Citrus Heights Municipal Code Chapter 38 – Fire Prevention and Protection, Article III. – Fireworks, Sections 38-78 and 38-81

11. **SUBJECT:** Arts & Cultural City Council Ad Hoc 2x2 Committee
STAFF REPORT: A. Van
RECOMMENDATION: Staff recommends the City Council consider appointing two councilmembers to a limited-term City Council Arts & Culture Ad Hoc 2x2 Committee

12. **SUBJECT:** Discussion Concerning City Council Stipends for Service on Various Regional Boards and Commissions
STAFF REPORT: A. Van
RECOMMENDATION: Staff recommends the City Council review the options presented and provide direction to staff

13. **SUBJECT:** Approval of City Manager Employment Agreement Amendment
STAFF REPORT: R. Jones
RECOMMENDATION: Council to consider Resolution No. 2025-___ A Resolution of the City Council of the City of Citrus Heights, California, Approving an Amendment to the Employment Agreement Between the City Manager Ashley J. Feeney and the City of Citrus Heights

DEPARTMENT REPORTS

14. **SUBJECT:** Police Department Annual Report
DEPARTMENT: Police Department

CITY MANAGER ITEMS**ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS****ADJOURNMENT**

**CITY OF CITRUS HEIGHTS
CITY COUNCIL
MINUTES
Regular Meeting of Wednesday, February 26, 2025
City Hall Council Chambers
6360 Fountain Square Dr., Citrus Heights, CA**

CALL REGULAR MEETING TO ORDER

The regular meeting was called to order at 6:00 p.m. by Mayor Karpinski-Costa.

1. The Flag Salute was held.
2. Roll Call: Council Members present: Middleton, Nelson, Schaefer, Lopez-Taff, Karpinski-Costa
Council Members absent: None
Staff Members present: Bermudez, Feeney, Huber, Jones, Kempenaar, Van and department directors.
3. The video statement was read by City Clerk Van.

APPROVAL OF AGENDA

ACTION: On a motion by Council Member Middleton, seconded by Vice Mayor Lopez-Taff, the City Council approved the agenda.

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

PRESENTATIONS

4. Presentation Recognizing Gertrude Irene Thomas on the Occasion of their 108th Birthday

Mayor Karpinski-Costa read and presented the proclamation to Gertrude Irene Thomas.

5. Presentation of the Citrus Heights Police Department's Distinguished Service Medal

Police Chief Turcotte stated the Distinguished Service Medal is the second highest medal that you can receive in the Police Department. It is awarded to department members who distinguish themselves by performing well in a stressful situation which involves the threat of imminent danger to themselves or others by using exceptional tactics and judgment. He presented the Distinguished Serve Medals to Police Officers Hayden LaCurelle, Christopher Edwards, and Sheldon Hansen.

6. Presentation by Sacramento Area Council of Governments – 2025 Blueprint Project

James Corless with the Sacramento Area Council of Governments, gave a presentation on the 2025 Blueprint Project. He emphasized the importance of regional collaboration in planning, as decisions impact economic growth, sustainability, and funding opportunities. SACOG plays a key role in advocating for and securing funding for critical projects, such as Auburn Boulevard and San Jaun Complete Streets,

which enhance community infrastructure. The Blueprint addresses challenges like affordable housing, public safety, and transportation options, with a focus on smart growth and revitalization.

PUBLIC COMMENT

David Shelton addressed the Council regarding the Citrus Heights Police Department's Problem Orientated Policing Unit.

Nitisha Giihra expressed her support for Yoga Fest and to encourage the City to continue supporting this event.

Tolya Thompson expressed concerns regarding the development of Sunrise Mall and believes we need fine dining and housing options.

Mike Patten expressed concerns regarding the development of Sunrise Mall.

City Clerk Van read the following written public comment submitted by Alfred Sanchez, "December of last year a young man who had just turned 18yrs old was struck by a DUI driver. He died way too young. I did a little research and I was horrified to learn these averages .40 Americans die from DUI crashes daily, over 700 are injured. 30,000 Americans are cited for DUI s every day. And it's estimated 300,000 drive under the influence every day. I've encouraged a few people to gather outside tonight to raise awareness of the dangers and consequences of driving under the influence."

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

Vice Mayor Lopez-Taff attended a meeting with the Sunrise MarketPlace. She attended an event for the new Dark Heart Brewery.

Council Member Nelson provided a report from the Sacramento Transportation Authority Board meeting. She attended the Dark Heart Brewery reception. She attended a dinner for MOSAC (SMUD Museum of Science and Curiosity). She had a meeting with the Chief of Police to learn more about the Department.

Council Member Schaefer attended the R Vita Cantina restaurant re-grand opening. He attended the Dark Heart Brewery reception. He attended the Capitol Corridor Board meeting. He attended a Sacramento Area Council of Government Board meeting. He attended the Neighborhood Area 6 meeting.

Mayor Karpinski-Costa attended the Dark Heart Brewery reception. She attended a ribbon cutting at the Angel Touch Memory Care Facility. She attended a Sacramento-Yolo Mosquito and Vector Control District Board meeting. She attended the SOAR Neighborhood Area meeting. She attended a Sacramento Area Sewer District Board meeting.

CONSENT CALENDAR

- SUBJECT:** Update to Traffic Engineering On-Call Services
STAFF REPORT: R. Cave / L. Blomquist
RECOMMENDATION: Adopt Resolution No. 2025- 010, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute Amended Agreements

with Fehr & Peers, and Kimley-Horn & Associates, Inc., to Provide On-Call Traffic Engineering Services

8. **SUBJECT:** 2024 Madison Avenue Retaining Wall Repairs Project Final Acceptance and Notice of Completion
STAFF REPORT: R. Cave / L. Blomquist / D. Kehrer
RECOMMENDATION: Adopt Resolution No. 2025- 011, A Resolution of the City Council of the City of Citrus Heights, California, Accepting the 2024 Madison Avenue Retaining Wall Repairs Project as Complete and Authorizing the City Engineer to record a Notice of Completion and Release the Contract Retention
9. **SUBJECT:** Appointment to Sacramento Groundwater Authority
STAFF REPORT: A. Van
RECOMMENDATION: City Council confirm the appointment of members of the Citrus Heights Water District Board to serve on the Sacramento Groundwater Authority Board
10. **SUBJECT:** Award of Community Projects Grant to host Citrus Heights Yoga Fest
STAFF REPORT: M. Huber
RECOMMENDATION: Adopt Resolution No. 2025- 012, A Resolution of the City Council of the City of Citrus Heights, California, Awarding a Community Projects Grant to Host Citrus Heights Yoga Fest

ACTION: On a motion by Council Member Schaefer, seconded by Council Member Nelson, the City Council adopted Consent Calendar Items 7, 8, 9 and 10.

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

REGULAR CALENDAR

11. **SUBJECT:** Youth in Government Programing
STAFF REPORT: A. Van
RECOMMENDATION: Receive a staff presentation on youth in government programing and provided feedback and direction on youth in government programing

City Clerk Van gave a presentation on youth in government programing options for the City Council's feedback. She highlighted recent collaborations with various schools. She stated in partnership with the San Juan Unified School District, staff have been able to brainstorm preliminary opportunities for youth in government programing which included: students in government day, internship / future public service program, youth commission and a middle school debate event. Staff recommended to continue current discussions with the two high schools to formulate a Students in Government Day.

Public Comment

Cassandra Bennett Porter, Director with San Juan Unified School District, explained the Citrus Heights Collaborative is where school principals work together to address challenges related to enrollment, student achievement, and community involvement. The district has strengthened partnerships with city

leaders, who have participated in initiatives like Principal for the Day, the Ruby Bridges Walk to School Day, and Read Across America. The city has also supported schools through donations and participation in local events such as National Night Out and Sunday Funday.

Roxanne Stellmacher, Principal of Lichen P-8, highlighted the school's efforts to model engagement and strengthen ties between students, parents, the City, and the broader community. Over the past year, initiatives such as City Scoop night, which brought together over 450 community members, and partnerships with city leaders, local businesses, and organizations have helped improve academic outcomes, student retention, and community connection. The school has also participated in city events such as the Ruby Bridges Walk to School Day and the Citrus Heights Tree Lighting Ceremony. She expressed gratitude for the city's ongoing support and encouraged continued collaboration to ensure students receive the best education possible.

City Council provided feedback to staff in support of the youth in government programming.

12. **SUBJECT:** Recycling Centers – Discussion Item
STAFF REPORT: C. Kempenaar / A. Turcotte / A. Bermudez
RECOMMENDATION: Staff seeks City Council direction, and based on feedback staff will bring back Zoning Ordinance amendments for future consideration and adoption.

Community Development Director Kempenaar highlighted numerous City Council strategic goals focused on blight reduction.

Senior Planner Bermudez provided the results of comprehensive data gathered at all four existing recycling sites in July 2024. She provided the following recommended options for City Council discussion:

1. Require Use Permit for new recycling center
2. Require new recycling centers to be located within a Convenience Zone
3. Require new recycling center to be indoors
4. Allow minor expansions for existing centers.

Public Comment

David Shelton noted an improvement in cleanliness at a local recycling center after raising concerns.

Dyana Anderly discussed challenges related to CalRecycle's implementation of SB 1013. She highlights that eight convenience zones in the community remain unserved, and grocers face significant burdens, including hiring staff and managing space for recycling operations.

Tim James with the California Grocers Association, emphasizes that grocers are deeply invested in their communities and acknowledges concerns about recycling centers, including issues like stolen shopping carts and blight. However, he urges the council to take more time to explore better opportunities before making policy decisions. He urged the City Council to delay decisions, engage directly with grocers, and consider innovative approaches before finalizing policies.

Tony Gonzalez with Tomra North America, discussed the success of a new high-tech recycling center in Fair Oaks, emphasizing its cleanliness, convenience, and the ability for consumers to be paid by count

rather than weight, which ensures they receive the full deposit they originally paid. He expressed support for further stakeholder discussions on improving recycling infrastructure in a way that promotes clean, safe, and efficient redemption sites. He also clarifies that while state law limits individual transactions to 50 containers by count, newer technology enables streamlined processing of larger quantities

City Clerk Van read the following written public comment submitted by Tony Hackett, “On behalf of consumers in Citrus Heights, beverage dealers, and the objectives of the Beverage Container Recycling Act, we encourage staff, the Planning Commission and City Council to work with local recyclers, retailers and other stakeholders to support and sustain standards for redemption centers that best serve the community, rather than arbitrarily restricting recycling locations in compliance with state law and community waste reduction and recycling objectives.”

City Council questions and comments followed. The City Council’s consensus is on developing an ordinance addressing existing recycling centers first before making decisions on future expansion. Additionally, staff would conduct additional stakeholder outreach, particularly with grocers and CalRecycle, to explore collaborative solutions.

13. **SUBJECT:** Traffic Signal Control Cabinet Art Program
STAFF REPORT: R. Cave / L. Blomquist
RECOMMENDATION: Staff seeks input from City Council before the program can be finalized and ready for implementation.

Item 13 was continued to a future City Council meeting.

DEPARTMENT REPORTS

14. **SUBJECT:** Flashvote Results – Code Enforcement Beautification Efforts
DEPARTMENT: Economic Development & Community Engagement and City Manager’s Office

Economic Development and Community Engagement Director Huber presented an overview of the results of the February 2025 FlashVote survey focused on code enforcement.

CITY MANAGER ITEMS

City Manager Feeney provided a brief overview of the Citrus Heights Police Department’s Problem Oriented Policing Unit. He announced a Scam Stopper Seminar hosted by Senatro Roger Niello and Assembly Member Josh Hoover on March 6th at City Hall.

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

Mayor Karpinski-Costa requested to invite Eagle Scouts to a City Council meeting to be recognized for receiving their Eagle Scout Award. Additional Council Members supported the request.

CLOSED SESSION

15. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Annual)
Pursuant to California Government Code Section 54957
Title: City Manager

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 Karpinski-Costa adjourned the regular meeting at 10:58 p.m.

Respectfully submitted,

Amy Van, City Clerk

**CITY OF CITRUS HEIGHTS
CITY COUNCIL
MINUTES
Special and Regular Meeting of Wednesday, March 12, 2025
City Hall Council Chambers
6360 Fountain Square Dr., Citrus Heights, CA**

CALL SPECIAL MEETING TO ORDER

The special meeting was called to order at 5:00 p.m. by Mayor Karpinski-Costa.

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

PUBLIC COMMENT

None

CLOSED SESSION

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Annual)
Pursuant to California Government Code Section 54957
Title: City Manager

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

REPORT OUT OF CLOSED SESSION

Closed session was continued to the end of the regular meeting.

CALL REGULAR MEETING TO ORDER

The regular meeting was called to order at 6:00 p.m. by Mayor Karpinski-Costa.

1. The Flag Salute was led by Council Member Nelson.
2. Roll Call: Council Members present: Middleton, Nelson, Schaefer, Lopez-Taff, Karpinski-Costa
Council Members absent: None
Staff Members present: Blomquist, Cave, Feeney, Jones, Preciado, Talwar, Turcotte, Van and department directors.
3. The video statement was read by City Clerk Van.

APPROVAL OF AGENDA

ACTION: On a motion by Council Member Schaefer, seconded by Council Member Middleton, the City Council approved the agenda.

AYES: Middleton, Nelson, Schaefer, Lopez-Taff, Karpinski-Costa

NOES: None
ABSENT: None

PRESENTATIONS

4. High School Student Council Report

John Payton Bonilla, Junior Lead for Student Government at Mesa Verde High School, and Vanessa Saldana Chavez, Senior Lead for Student Government at Mesa Verde High School provided a report on programs and events at the high school.

5. Proclamation of the City of Citrus Heights Proclaiming March 2025 as “National Women’s History Month”

Council Member Middleton read and presented the proclamation to members of the “Ladies in White” and the members of the Citrus Heights Women’s Club.

6. Presentation by Citrus Heights Arts

Gigi Rayford with Citrus Heights Arts provided a presentation on upcoming arts events including the 2025 ArtBeat on October 25th that will include a celebration of music performances and visual arts. She announced they have a call for artists to participate in an Art in City Hall project.

PUBLIC COMMENT

Alan Utzig introduced himself to the City Council as he is being considered for appointment to the Planning Commission.

David B. Shelton commented about the importance of voting.

Thomas Spencer spoke in support of enhancing artistic activities within the city.

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

Council Member Nelson reported that she attended the REACH Community dinner, an HOA meeting for the Stonegate community, and the Citrus Heights Area Nine and Ten (CHANT) Neighborhood Area meeting.

Council Member Schaefer reported he attended a Sacramento Area Council of Governments Policy and Innovation Committee meeting. He provided a report from the Regional Transit Board meeting. He attended the REACH Community dinner.

Council Member Middleton provided a report from the Sacramento Air Quality Management District Board meeting. She attended the Afisha Gala Award Ceremony. She participated in Reach Across America at Carriage Elementary. She participated in a ride-along with the Citrus Heights Police Department. She attended the National Association of Women Business Owners Award Gala event. She attended a CalCities Sacramento Valley Division meeting.

Vice Mayor Lopez-Taff provided a report from the Sacramento Public Library Authority Board meeting. She participated in Read Across America at Grand Oaks Elementary. She attended the National Association of Women Business Owners Award Gala event. She attended the REACH Community dinner.

Mayor Karpinski-Costa attended the 108th birthday celebration for Gertrude Irene Thomas. She participated in Read Across America at Grand Oaks Elementary. She attended the Scam Stopper seminar hosted by Senator Niello and Assembly Member Hoover.

CONSENT CALENDAR

7. **SUBJECT:** Approval of Minutes
RECOMMENDATION: Approve the Minutes of the Meeting of February 12, 2025
8. **SUBJECT:** Consolidated Annual Performance Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development for Program Year 2024 Community Development Block Grant Funds
STAFF REPORT: C. Kempenaar / N. Piva
RECOMMENDATION: Adopt Resolution No. 2025-013, A Resolution of the City Council of the City of Citrus Heights, California, Approving the Consolidated Annual Performance Evaluation Report for Program Year 2024, and Direct Staff to submit, with Minor Modifications as Necessary, the CAPER report to the U.S. Department of Housing and Urban Development (HUD)
9. **SUBJECT:** 2024 General Plan Annual Progress Report
STAFF REPORT: C. Kempenaar / A. Bermudez / S. Lui
RECOMMENDATION: Adopt Resolution No. 2025-014, A Resolution of the City Council of the City of Citrus Heights, California, Accepting the 2024 General Plan Annual Progress Report
10. **SUBJECT:** Appointment to Fill Vacancy on the Planning Commission
STAFF REPORT: A. Van
RECOMMENDATION: Move to ratify the appointment of Alan Utzig to the Planning Commission with a term ending December 31, 2026
11. **SUBJECT:** Grant Request for Attendance at the 2025 Neighborhoods USA (NUSA) Conference
STAFF REPORT: M. Huber
RECOMMENDATION: Adopt Resolution No. 2025-015, A Resolution of the City Council of the City of Citrus heights, California, Approving the Grant Request for Attendance at the 2025 Neighborhoods USA (NUSA) Conference
12. **SUBJECT:** Economic Development Support Fund Grant Request – Sunrise MarketPlace Backyard Bash Sponsorship
STAFF REPORT: M. Huber
RECOMMENDATION: Adopt Resolution No. 2025-016, A Resolution of the City Council of the City of Citrus Heights, California, Approving the Grant Request for Sunrise MarketPlace Backyard Bash Sponsorship

ACTION: On a motion by Council Member Schaefer, seconded by Council Member Nelson, the City Council adopted Consent Calendar Items 7, 8, 9, 10, 11 and 12.

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

REGULAR CALENDAR

13. **SUBJECT:** Traffic Signal Control Cabinet Art Program
STAFF REPORT: R. Cave / L. Blomquist
RECOMMENDATION: Staff seeks input from City Council before the program can be finalized and ready for implementation

City Engineer Blomquist reported that over the past several years the City Council and community members have expressed interest in increasing art in public spaces. The City has 63 traffic signal controller cabinets of varying sizes and a program to wrap the control boxes with art supports the City's current and ongoing efforts for beautification. The selection of art to be installed would likely need community input and potential resources for outreach and coordination. Staff would develop a traffic control cabinet sponsorship application program and guidelines for the design and installation and maintenance.

Vice Mayor Lopez-Taff suggested the program be done in phases and maybe 10 cabinet boxes are available to be adopted by this program and after we find out the costs it would help define the program further.

Council Member Nelson suggested the program website include information on what medium the original artwork with composed with, information about the artist, and their vision for the art. She also suggested involving art teachers from Citrus Heights schools.

City Council questions and comments followed.

14. **SUBJECT:** Arts and Culture Program
STAFF REPORT: A. Van
RECOMMENDATION: Staff seeks input from City Council before the program can be finalized

City Clerk Van presented the following options for City Council consideration to further support arts and culture in Citrus Heights:

1. Develop and arts and culture interest group;
2. Explore a partnership framework;
3. Incorporate public art into City projects; and
4. Create an arts and culture resource hub.

City Council questions and comments followed. The City Council consensus was to move forward with creating an arts and culture resource hub on the City's website and to incorporate public art into City projects such as the traffic control cabinet art program.

15. **SUBJECT:** Fiscal Year 2024-25 Mid-Year Budget Adjustment and Financial Forecast Update
STAFF REPORT: S. Talwar / A. Preciado
RECOMMENDATION: Adopt Resolution No. 2025-017 Resolution of the City Council of the City of Citrus Heights Approving Amendments to the Fiscal Year 2024-25 Budget

Finance Manager Preciado provided an brief overview of the 2024-25 Mid-Year Budget. He reported that based on current budget projections staff is recommending adjustments to the revenue and expenditure budgets in the amounts of \$84,500 and \$405,000 respectively.

City Council questions and comments followed.

ACTION: On a motion by Council Member Schaefer, seconded by Council Member Middleton, the City Council adopted Resolution No. 2025-017 Resolution of the City Council of the City of Citrus Heights Approving Amendments to the Fiscal Year 2024-25 Budget.

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

16. **SUBJECT:** Organized Retail Theft Grant Implementation and Operational Update
STAFF REPORT: A. Turcotte
RECOMMENDATION: Staff will present an update to City Council on the Police Department's Organized Retail Theft Grant implementation progress and operations.

Police Chief Turcotte provided an update on the Department's Organized Retail Theft Grant implementation progress and operations. The City received \$2.7 million in grant funds from the Board of State and Community Corrections to purchase technical assets to combat retail theft in the City. Examples of technology purchased are fixed license plate cameras, mobile trailer camera platforms, and live 911 software. The grant also funds a full-time Real Time Information Center Operator that provides real time assistance and monitoring for in progress crime in the City, and a part-time Organized Retail Theft detective. He also provided an operational update showcasing the positive impact of the grant and the technology assets for combating organized retail theft crimes.

CITY MANAGER ITEMS

City Manager Feeney announced the City Council will hold their annual Strategic Planning Retreat on March 26, 2025. He noted applications to purchase new homes in the Habitat for Humanity Sayonara Drive Community is April 1 through May 23, 2025. He noted the Citrus Heights Police Activities League took part in the Citrus Heights Little League Opening Day on March 8th. He noted some upcoming events including the 2025 Community Awards Dinner hosted by Citrus Heights Chamber of Commerce and County Supervisor Rodriguez Community Meeting on March 17th. He announced an Animal Services Mobile Clinic will be held on March 23 in Citrus Heights. He announced the City is participating in the Big Day of Service that will be held on May 17th. He stated a new City Manager Message was released that is focused on Civic Engagement in Citrus Heights.

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

Council Member Middleton requested a future discussion item on the stipends that councilmembers receive for service on the regional boards and commissions and that they be provided back to the City for deposit into the General Fund. Mayor Karpinski-Costa seconded the request.

ADJOURNMENT

Mayor Karpinski-Costa adjourned the regular meeting at 8:07 p.m. and resumed the Special City Council meeting from earlier in the meeting.

CLOSED SESSION (Continued from earlier in the meeting)

The City Council adjourned to closed session.

- 2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Annual)
Pursuant to California Government Code Section 54957
Title: City Manager

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 Karpinski-Costa adjourned the special meeting at 9:30 p.m.

Respectfully submitted,

Amy Van, City Clerk



CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: April 9, 2025

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

FROM: Regina Cave, General Services Director
Leslie Blomquist, City Engineer
Daniel Kehrer, Principal Civil Engineer

SUBJECT: **Arcade Creek Repairs – Mel Court Project
Award of Construction Contract**

Summary and Recommendation

The City of Citrus Heights is responsible for maintaining the passage of stormwater and creek channel flow throughout creek corridors within City jurisdiction. The Arcade Creek Repairs – Mel Court Project (Project) is located within a City owned parcel where years of erosion has damaged concrete lined slopes resulting in a destabilized bank at a bend along Arcade Creek near Mel Court and Sayonara Drive. This Project will, in general, remove existing concrete and install gabion baskets, native planting and concrete rip rap for erosion protection.

On February 11, 2025 the City opened bids for the Project and after evaluating the bids, staff determined that Advanced Geotechniques, Inc. submitted the lowest responsive and responsible bid.

Staff recommends the City Council adopt the following resolution:

1. Resolution No. 2025-_____ A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Agreement with Advanced Geotechniques, Inc. for the Arcade Creek Repairs – Mel Court Project.

City Council Strategic Goal/Objective

This item aligns with the Citrus Heights City Council Strategic Plan Goal to “Maintain Public Infrastructure and Enhance All Modes of Transportation.”

Subject: Arcade Creek Repairs – Mel Court Project - Award of Construction Contract

Date: April 9, 2025

Page 2 of 3

Fiscal Impact

Advanced Geotechniques, Inc.'s bid for the Project is \$149,766.00. This bid is based upon estimated quantities, which may vary due to actual field conditions. Ultimately, the contractor is paid for actual work completed based upon the unit price bid, which may require the approval of a change order. Change orders for amounts totaling less than 15% of the contract price shall require prior written approval of the City Manager. Change orders for amounts equal to or greater than 15% of the total contract price shall require prior written approval of the City Council.

This recommended action results in no fiscal impact to the approved Two-Year budget, nor the 2023/2024-2027-2028 Capital Improvement Program (CIP). The full funding for the Project is outlined in the tables below:

Table No 1. – Estimated Project Costs

Project Component	Estimated Cost (\$)
Recommended Contract Award	149,766
15% Contingency	22,465
Total	172,231

Table No 2. – Project Funding

Source Fund	Fund No.	Amount (\$)
Stormwater Utility Fund	209	172,231
Total		172,231

Background and Analysis

On March 9, 2017, the City Council authorized an agreement for professional services (Agreement) with Dokken Engineering (Dokken) for professional engineering services related to implementation of the Drainage Master Plan (Neighborhoods 8, 9, & 10). On January 26, 2023, the City Council authorized Amendment No. 2 to include additional professional engineering services for the design and permitting of creek and drainage repairs within Arcade Creek at Mel Court (located in Neighborhood 10).

The Project's bid documents were approved by staff on January 16, 2025 and advertised on January 17, 2025. The engineer's estimate for this Project was \$410,000.

On February 11, 2025, the following bids were received and read aloud:

Bidder	Bid Total
Advanced Geotechniques Inc.	\$149,766.00
ETIC	\$198,822.08
B&M Civil LLC	\$233,539.00

Subject: Arcade Creek Repairs – Mel Court Project - Award of Construction Contract

Date: April 9, 2025

Page 3 of 3

Bidder	Bid Total
Ground Control Incorporated	\$254,219.00
Glissman Excavating	\$274,574.34
Conflux Construction	\$293,000.00
Empire Landscaping	\$294,290.00
Suulutaag Inc.	\$302,318.00
Dutch Contracting	\$305,310.00
RX Lodge	\$338,939.14
Parsons Wall	\$359,500.00

General Services staff reviewed the construction bids, and the low bid from Advanced Geotechniques, Inc. in the amount of \$149,766 was found to be both responsive and responsible.

As part of the construction process, Dokken has been retained to complete the environmental permitting, surveys, training and other required mitigation items as shown in the Mitigation Monitoring Program prepared during the environmental review process. Funding for this effort is included within Amendment #2 of their contract, as authorized by City Council on January 26, 2023 and is not summarized in the fiscal impact tables above.

Environmental Review

The Project Team completed the environmental and permitting review, including posting the final Notice of Determination for a Mitigated Negative Declaration on April 18, 2024, with the Sacramento County Recorder's office, in compliance with the California Environmental Quality Act (CEQA).

Attachments

1. Resolution No. 2025-____ A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute an Agreement with Advanced Geotechniques, Inc. for the Arcade Creek Repairs – Mel Court Project.
2. Contract for Arcade Creek Repairs – Mel Court Project.

RESOLUTION NO. 2025-018

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT
WITH ADVANCED GEOTECHNIQUES INC. FOR THE ARCADE CREEK REPAIRS – MEL
COURT PROJECT**

WHEREAS, the City Council of the City of Citrus Heights, California, desires to construct the Arcade Creek Repairs – Mel Court Project (Project);

WHEREAS, on April 18, 2024, City staff submitted a Notice of Determination (Mitigated Negative Declaration) in compliance with the California Environmental Quality Act (CEQA);

WHEREAS, the Project design is complete and will include creek bank repairs, gabion baskets, vegetation removal, and new plantings at the Project site;

WHEREAS, bids for the project were received, opened and read aloud on February 11, 2025, and Advanced Geotechniques, Inc. was determined to be the lowest responsive, responsible bidder for the project; and

WHEREAS, Stormwater Utility (Fund 209) Funds are budgeted and available to fund the Project.

NOW THEREFORE BE IT RESOLVED AND ORDERED that the City Council of the City of Citrus Heights does hereby as follows:

1. Awards the Arcade Creek Repairs Project to Advanced Geotechniques Inc., who is the lowest responsive and responsible bidder in the February 11, 2025, bid opening.
2. Authorize the City Manager to execute an agreement with Advanced Geotechniques, Inc. in the amount of \$149,766.00 for the Arcade Creek Repairs – Mel Court Project and that a copy of the Agreement is available and on file in the City Clerk's office and is incorporated herein by reference and made a part of this Resolution.

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

PASSED AND ADOPTED by the City Council of the City of Citrus Heights, California, this 9th day of April, 2025 by the following vote, to wit:

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

Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

Amy Van, City Clerk

CITY OF CITRUS HEIGHTS
STATE OF CALIFORNIA
CONTRACT FOR:

Arcade Creek Repairs – Mel Court

THIS CONTRACT (the "Contract"), is made and entered into this _____ day of _____, 20____, at Citrus Heights, California, by and between the City of Citrus Heights, a California Municipal Corporation ("City") and **Advanced Geotechniques, Inc**, a California Corporation ("Contractor").

WITNESSETH:

ARTICLE ONE. Contractor agrees to furnish all tools, equipment, facilities, labor, and materials, except otherwise expressly provided for by the Contract Documents, necessary to fully perform and complete, in a good workmanlike manner, free from any and all liens and claims from mechanics, material suppliers, subcontractors, artisans, machinists, teamsters, freight carriers, and laborers, and in strict accordance with the Contract Documents, the **Arcade Creek Repairs – Mel Court** (the "Work"). It is understood and agreed that such tools, equipment, apparatus, facilities, labor, materials, transportation and utility services and incidentals shall be furnished, and the Work performed and completed, in accordance with the Contract Documents and subject to the approval of the General Services Director. Department of Transportation Standard Plans and Specifications, current edition; the Labor Surcharge and Equipment Rental Rates in effect on the date of work is accomplished; the Sacramento County Public Works Agency, Improvement Standards, current edition; and Standard Construction Specifications, current edition, are specifically referred to and by such reference made a part of the Contract Documents. To the extent there are any inconsistencies among these documents, then the terms and conditions of this Contract shall control over the documents referenced in the preceding sentence.

Contractor shall complete the work within the Time of Completion specified in the Technical Specifications.

ARTICLE TWO. The City does hereby employ the Contractor to provide the tools, equipment, facilities, labor, and materials and to do the work according to the terms and conditions contained in the Contract Documents for the prices set forth in the proposal submitted by the Contractor and accepted by the City, which is attached hereto as Attachment "A", and incorporated herein. The City hereby contracts to pay the Contractor at the time, in the manner and upon the conditions herein set forth in the Contract Documents. The City and Contractor, for themselves, their heirs, executors, administrators, successors and assigns do hereby agree to the full performance of the covenants herein contained.

ARTICLE THREE. City will pay Contractor in current funds as full consideration for the full and complete performance of this Agreement the sum of no more than: One Hundred, Forty Nine Thousand, Seven Hundred Sixty Six Dollars and Zero cents (\$ 149,766.00), being Contractor's bid amount, subject to subsequent contract change order(s) as full compensation for furnishing all tools, equipment, facilities, labor, and materials and for doing all the work contemplated and embraced in this Contract. Such amount shall include all loss or damage arising out of the nature of the Work, or from the action of the elements or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the Work until its acceptance by the City, and for all risks of every description, connected with the Work; also for

all discontinuance of Work, and for well and faithfully completing the Work, in the manner and according to the Plans and Specifications, the Contract Documents and the requirements of the General Services Director under them.

ARTICLE FOUR. Pursuant to California Public Contract Code Section 22300, the Contractor is hereby permitted to substitute securities of the kind listed below in place of any moneys withheld by the City to ensure performance of this contract. At the request and expense of the Contractor, securities equivalent to the amount or amounts withheld may be deposited directly with the City, or with a state or federally chartered bank as the escrow agent, who shall pay such moneys to the Contractor upon satisfactory completion of this contract. The General Services Director is authorized to execute documents necessary for this purpose. The Contractor shall be the beneficial owner of any securities substituted for moneys withheld and shall be entitled to receive any interest thereon. Securities eligible for investment under this provision shall include those listed in Government Code Section 16430, or bank or savings and loan certificates of deposit. The five percent (5%) retention or other moneys withheld will not be released to the Contractor until the City has satisfied itself that the substitution of securities has been made in accordance with the provisions of this paragraph.

ARTICLE FIVE. Procedures for the Contractor to make claims for: 1) an extension of time, including relief from damages or penalties for delay; 2) payment by the City of money or damages arising from work done by, or on behalf of, the Contractor, where the underlying Contract does not expressly provide for payment or payment to which the Contractor is not otherwise entitled or 3) the payment of an amount disputed by the City are set forth in Section 5-06 of the Special Provisions.

ARTICLE SIX. The complete Contract consists of the following documents; all of which by reference are made a part of this Contract and which may collectively be referred to as the "Contract Documents":

1. Notice to Bidders
2. Instruction to Bidders
3. Proposal (consisting of the Proposal, Bid Schedule, Bidder's Bond, Contractors License Form, Non-Collusion Declaration, Designation of Subcontractors, and Experience/Qualifications Statement)
4. Contract for **ARCADE CREEK REPAIRS – MEL COURT**
5. Contract bonds, one a Faithful Performance and one a Payment (Labor and Materials) Bond, each in the amount of 100% of the amount bid
6. Workers Compensations Insurance Certification
7. Special Provisions, Technical Specifications, and Plans and Specifications for **ARCADE CREEK REPAIRS – MEL COURT**
8. Any addenda, change orders, field orders or directives issued by the City
9. Standard Plans and Specifications of the State of California, Business and Transportation Agency, Department of Transportation, current edition
10. Sacramento County Public Works Agency, Improvement Standards, current edition and Standard Construction Specifications, current edition

ARTICLE SEVEN. In accordance with California Labor Code Section 1771, not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which

the Work is to be performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in the California Labor Code must be paid to all workers engaged in performing the Work. The Director of Industrial Relations has determined the general prevailing wage per diem rates for the locality in which the work is to be performed. Copies of the prevailing rate of per diem wages are on file with the Citrus Heights City Clerk and will be made available on request. The Contractor shall, as a penalty, forfeit to the City, the amount specified by law per day for each calendar day, or portion thereof, for each employee paid less than the prevailing salary or wage for any such work done under and by reason of the terms or conditions of this agreement by the Contractor or any subcontractor. The Contractor agrees to keep an accurate certified payroll record in accordance with Section 1776 of the Labor Code of the State of California. The Contractor shall, as a penalty, forfeit to the City the amount specified by law, for each employee for non-compliance with the payroll record keeping requirements as stipulated in Section 1776 of the Labor Code of the State of California and this contract document. It is further expressly agreed by and between the City and the Contractor that should there be a conflict between the terms of this Contract and the bid or proposal of said Contractor, then this Contract shall control and nothing herein contained shall be considered as an acceptance of the said terms of said bid or proposal conflicting herewith.

ARTICLE EIGHT. This Contract constitutes the entire agreement between the parties, and supersedes any prior agreement between the parties, oral or written, unless such agreement is expressly incorporated herein. City makes no representations or warranties, express or implied, not specified in the Contract. If any provision of the Contract shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof. The terms of the Contract shall not be waived, altered, modified, supplemented or amended in any manner whatsoever except by written agreement signed by the parties. The waiver of any breach of a specific provision of this Contract does not constitute a waiver of any other breach of that term or any other term of this Contract.

ARTICLE NINE. The provisions of the Contract shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties. The Contractor shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of all sureties on all bonds required by this agreement, including but not limited to the Payment (Labor and Materials) Bond, and the City.

ARTICLE TEN. The provisions of the Contract shall be determined and governed by the laws of the State of California, without regard to the choice of law doctrine. Venue for any action arising out of the Contract shall be in Sacramento County.

ARTICLE ELEVEN. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. During the term of this Agreement, Contractor warrants that it is currently registered with the Department of Industrial Relations and qualified to perform public work consistent with Labor Code Section 1725.5. Contractor further warrants that any subcontractors, who are subject to Public Contract Code Section 4104, are registered and qualified to perform public work consistent with Labor Code Section 1725.5.

ARTICLE TWELVE.

Contractor warrants and represents that it is licensed pursuant to Division 3, Chapter 9 of the California Business and Professions Code, to engage in the business or act in the capacity of a contractor within the State of California for the purposes of this Contract. Contractor further warrants and represents that it was licensed in such manner at the time it submitted its bid for

this project to the City, except that if this Contract involves federal funds, Contractor warrants and represents that it was licensed at the time the Contract was awarded. In the event Contractor is or was not licensed as set forth above, this Contract is void.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands and affixed their seal the day and year first above written.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands and affixed their seal the day and year first above written.

CITY OF CITRUS HEIGHTS
A Municipal Corporation

By: _____

Ashley J. Feeney
City Manager

Approved as to Form:

Attest:

Ryan R. Jones
City Attorney

Amy Van
City Clerk

"CITY SEAL"

Advanced Geotechniques, Inc

By: _____

Title: _____

**See Attached
For Notary Form**

"CORPORATE SEAL"

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Placer)

On 5/21/2025 before me, Kel Hester, Notary Public
(insert name and title of the officer)

personally appeared Greg Grubate,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]

(Seal)





CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: April 9, 2025

TO: Mayor and City Council Members

FROM: Ashley J. Feeney, City Manager

SUBJECT: **Adoption of Annual Strategic Planning Objectives**

Summary and Recommendation

The City Council and staff held a Strategic Planning Retreat on March 26, 2025, where the City Council and executive staff reviewed the last goal period and developed new strategic objectives for the twelve-month planning period April 2025 to March 2026. The next strategic planning retreat is anticipated to be held in March 2026.

Staff recommends the City Council adopt Resolution No. 2025-____, a Resolution of the City Council of the City of Citrus Heights, California, Adopting the “Twelve-Month Strategic Objectives for April 2025 to March 2026”.

Council Goal

This item supports all the City Council three-year goals.

Fiscal Impact

There is no fiscal impact with this action. Funding needed to achieve strategic goals and objectives is considered as part of the City’s budget adoption process. Strategic objectives that have potential fiscal impacts or budget ramifications will be discussed when those items are considered at future meetings.

Background

Since incorporation, Citrus Heights has placed an emphasis on strategic planning to prioritize its policies, programs, and services for the coming year. The City Council, City Manager, and executive staff members participate in the goal and objective-setting process. It is the responsibility of the City Manager to oversee the implementation of the Strategic Plan, coordinating with the City's operating departments and divisions.

Subject: Adoption of Strategic Planning Objectives

Date: April 9, 2025

Page 2 of 2

Historically, a strategic planning retreat is held where the City Council reviews the goals and identifies a list of objectives to support the core goals. Implementation of these objectives is how the City achieves our shared vision of a city of choice for residents and businesses to prosper and thrive.

Proposed Strategic Goals & Objectives

The current adopted Three-Year Goals (2024-2027) associated with the Strategic Plan are:

- Maintain and enhance fiscal stability
- Maintain public infrastructure and enhance all modes of transportation
- Diversify for a vibrant economy
- Preserve and enhance public safety
- Enhance community vibrancy and engagement

Consistent with the discussions during the March 26, 2025 Strategic Planning retreat, slight modifications to an existing strategic goal were recommended. The revisions are outlined below:

- Maintain and enhance fiscal stability *while supporting operational excellence*

The recommended draft Strategic Objects Matrix (Exhibit A) serves as a work plan matrix to track the staff-recommended and City Council-approved strategic objectives that are designed to create progress and meet community needs in each focus area. The matrix follows the progress of each recommendation through the life of the twelve-month objective period.

The recommended draft strategic objective statements and implementation measures are specifically designed to be community facing and serving to help address the community focus areas referenced above. The proposed twelve-month strategic objectives for the April 2025 to the March 2026 planning cycle include a number of non-community facing items as well, but are important to the organization and consistent with the discussion that came out of the March 26, 2025 Strategic Planning Retreat. The volume of City Council and staff work anticipated for delivery throughout 2025-2026 continues to be impressive. The City Council will be kept abreast of progress through monthly status reports.

Attachments:

1. Resolution of the City Council of the City of Citrus Heights, California, Adopting the “Twelve-Month Strategic Planning Objectives for April 2025 – March 2026”.
 - a. Exhibit A – Strategic Objectives Matrix for April 2025 – March 2026

RESOLUTION NO. 2025-___**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, ADOPTING THE “TWELVE-MONTH STRATEGIC OBJECTIVES FOR APRIL 2025 TO MARCH 2026”**

WHEREAS, since incorporation, Citrus Heights has placed an emphasis on strategic planning to prioritize its policies, programs, and services for the coming year;

WHEREAS, the City Council held its Strategic Planning Session on March 26, 2025. At this meeting, strategic objectives were discussed for each of the three-year goal areas (2024-2027), and modified to be: maintain and enhance fiscal stability while supporting operational excellence; maintain public infrastructure and enhance all modes of transportation; diversify for a vibrant economy; preserve and enhance public safety; and enhance community vibrancy and engagement;

WHEREAS, strategic planning is a disciplined effort to produce fundamental actions that shape and guide an organization. The “Twelve-Month Strategic Objectives for April 2025 to March 2026” reflects finalized goals and objectives established by City Council and staff;

WHEREAS, the adoption of the “Twelve-Month Strategic Objectives for April 2025 to March 2026” would confirm the City Council’s focus and direction to staff as a work plan for the next twelve month period;

WHEREAS, the City Council intends to hold the next Strategic Planning Session in March 2026 to discuss the City’s progress on implementation of the set objectives and will hold a Strategic Planning Session annually in March of each year; and

WHEREAS, there are numerous benefits to strategic planning, including; organizations can increase effectiveness and efficiency, improve understanding of the community’s needs, enhance organizational capabilities, and improve communications, and public relations.

NOW THEREFORE BE IT RESOLVED AND ORDERED the City Council hereby adopts the “Twelve-Month Strategic Objectives for April 2025 to March 2026” as outlined in Exhibit A.

BE IT FURTHER RESOLVED staff will report out on implementation of the “Twelve-Month Strategic Objectives for April 2025 to March 2026” to provide opportunities for modifications based upon evolving needs, results, and return on investment.

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

PASSED AND ADOPTED by the City Council of the City of Citrus Heights, California, this 9th day of April 2025 by the following vote, to wit:

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

ABSENT: Council Members:

Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

Amy Van, City Clerk

Exhibit

- A. Twelve-Month Strategic Objectives for April 2025 to March 2026

CITY OF CITRUS HEIGHTS ☀ (DRAFT) STRATEGIC OBJECTIVES

April 2025 – March 2026

THREE-YEAR GOAL: MAINTAIN AND ENHANCE FISCAL STABILITY WHILE SUPPORTING OPERATIONAL EXCELLENCE*						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
June 25, 2025	City Manager and General Services Director	To reduce sheltering costs and in response to the City’s recent purchase of the Old Auburn Road properties, begin Phase 1 by commencing with architectural engineering services to allow for tenant improvement renovations of the westerly building to support relocation of animal services staff and provide for temporary housing of animals recovered in Citrus Heights.				
March 11, 2026	Administrative Services Director	To maintain a highly skilled workforce, develop and implement Employee Engagement and professional development efforts to promote operational excellence and provide opportunities for Succession Planning and Cross Training. Present a department report or memorandum on this effort to the City Council.				
September 10, 2025	Administrative Services Director and Economic Development & Community Engagement Director	Present a Request for Proposal (RFP) to the City Council for City banking services, which include provisions for community engagement, tools that support local businesses, and purchase card options.				

*Recommended Goal Modification

March 11, 2026	Administrative Services Director	Complete Tyler Munis implementation EnerGov Module, HR Advanced Scheduling & Finance Contracts, Fixed Assets components.				
February 11, 2026	Community Development Director and Economic Development & Community Engagement Director	Identify funding opportunities/grants to develop a Climate Adaptation Plan to increase eligibility and competitiveness for grant funding opportunities. Present successful grant awards to City Council.				
August 27, 2025	General Services Director and Events & Community Center Supervisor	Evaluate existing use and conduct market analysis for Sylvan Center and report back to City Council on recommendations to help increase revenues to cover operational and capital replacement expenses.				
September 24, 2025	General Services Director and Events & Community Center Supervisor	Evaluate Senior Center use and programming. Develop policy recommendations to ensure open access and meaningful programming opportunities for Citrus Heights seniors. Report back to City Council.				

THREE-YEAR GOAL: MAINTAIN PUBLIC INFRASTRUCTURE AND ENHANCE ALL MODES OF TRANSPORTATION						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
March 11, 2026	Community Development Director and City Engineer	Present the Gateway Activation Project (GAP) to the City Council with a summary of the Community Feedback received.				
October 22, 2025	General Services Director and Principal Engineer	Award Contracts for Construction and Construction Management for the Roseville Road/Butternut Drive and Safety Improvement Project.				
June 30, 2025	General Services Director and City Engineer	Issue a Request for Proposals for professional engineering services for the Arcade Cripple Creek Trail (ACCT) Sylvan to Stock Ranch Extension Project.				
June 25, 2025	General Services Director and City Engineer	Award Contract for Construction of the 2025 Pavement Restoration Project.				
August 27, 2025	General Services Director and City Engineer	Award Design Consultant Contracts for the 2026 and 2027 Pavement Restoration Projects.				
November 20, 2025	General Services Director and Operations Manager	Initiate Residential Garbage and Recycling Procurement and issue a Request for Proposals.				

THREE-YEAR GOAL: DIVERSIFY FOR A VIBRANT ECONOMY						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
March 1, 2026	Economic Development & Community Engagement Director	Partner with a Sunrise Tomorrow property owner to secure a signed agreement with an authorized hotel operator or developer for a hotel within the Sunrise Tomorrow Specific Plan area by leveraging City resources, conducting targeted outreach.				
June 11, 2025	City Manager, City Attorney, Community Development Director and Economic Development & Community Engagement Director	Provide the City Council with a strategic plan detailing City-led actions to advance the implementation of the Sunrise Tomorrow Specific Plan. This should include infrastructure investments, policy incentives, funding mechanisms, legal considerations, and proactive stakeholder engagement strategies to catalyze development, address potential challenges, and ensure the plan's long-term success.				
October 8, 2025	Police Chief	Based on community feedback, enhance the cleanliness and appearance of commercial areas, increase property owner accountability, support business recruitment, community vitality, and the "shop local" experience. Increase the efficacy of proactive code enforcement efforts to best eliminate high visibility blight violations, support Economic Development & Community Engagement targeted areas, and bring problem properties into compliance. Present plan implementation update to City Council.				

September 24, 2025	Police Chief, and Economic Development & Community Engagement Director	To allow for cost recovery and mitigate risk from vacant buildings, present a Vacant Building Ordinance for the City Council's review and consideration.				
December 10, 2025	Community Development Director, Economic Development & Community Engagement Director and Chief Building Official	As part of the upcoming Code cycle for the International Building and Fire Codes, strongly advocate for flexibility and elimination of obstacles for the reuse of existing buildings. Present an updated Building and Fire Code for City Council's consideration.				

THREE-YEAR GOAL: PRESERVE & ENHANCE PUBLIC SAFETY						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
November 12, 2025	Community Development Director and Police Chief	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.				
May 14, 2025	Police Chief and City Manager	Present the City Council with options to consider a Citrus Heights Community Prosecutor to advance accountability and rehabilitation measures for chronic nuisance offenders.				
March 6, 2026	Police Chief	Renew Emergency Operations Plan (EOC) and, conduct one emergency readiness exercise for EOC staff for Emergency Operations such as wildfire, flooding, earthquakes etc.				
April 9, 2025	Police Chief	Evaluate best practices and consider necessary updates to the Firework Ordinance review and update as appropriate.				
December 10, 2025	Police Chief	Evaluate amending the Municipal Code as needed to follow best practices related to mandatory licensing and microchipping ordinance for all pets in the City of Citrus Heights and report options to the City Council for consideration.				

January 14, 2026	Police Chief and Economic Development & Community Engagement Director	Create a city-wide pet license campaign to promote reunification and pet identification.				
------------------	---	---	--	--	--	--

THREE-YEAR GOAL: ENHANCE COMMUNITY VIBRANCY AND ENGAGEMENT						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
October 22, 2025	Community Development Director	Present the City Council with options to support the expansion of the City’s urban forest utilizing the City’s Tree Mitigation Fund and/or grant funds.				
October 8, 2025	City Clerk	Conduct a comprehensive assessment on the establishment of a Youth Advisory Council or a Youth Advisory Liaison to City Council and present the findings and recommendations to the City Council for consideration.				
March 1, 2026	Economic Development & Community Engagement Director	Enhance collaboration with the school district through co-branded communications, joint media efforts, and City channels to boost engagement and visibility. Regularly update the City Council on progress, milestones, and impact.				
November 12, 2025	General Services Director	Present the 2025 Events Calendar to the City Council and evaluate historical and new community event offerings to determine relevancy, local reach, cost/benefit, of events to meet the evolving desires of the community.				
October 8, 2025	General Services Director	Explore options and feasibility to replace existing Sunrise Boulevard (Sunrise Marketplace) palm tree rope and uplighting.				
January 28, 2026	Community Development Director	Evaluate opportunities for new residential developments such as cottage courts or similar housing types in the community and identify opportunities for increasing Accessory Dwelling Units (ADU) as a source of Affordable Housing. Present options to City Council for consideration				

		and direction.				
--	--	----------------	--	--	--	--



CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: April 9, 2025

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

FROM: Alexander A. Turcotte, Chief of Police
Michael Wells, Commander
Ryan Jones, City Attorney

SUBJECT: **Ordinance Amending Citrus Heights Municipal Code Chapter 38 – Fire Prevention and Protection, Article III. – Fireworks, Sections 38-78 and 38-81**

Summary and Recommendation

Staff recommends the City Council move to introduce for a first reading, read by title only and waive full reading of Ordinance No. 2025-____, amending Citrus Heights Municipal Code Chapter 38 – Fire Prevention and Protection, Article III. – Fireworks Sections 38-78 and 38-81.

If Council passes this motion, the proposed ordinance will be scheduled for a second reading and adoption at the Council meeting on April 23, 2025, with an effective date 30 days thereafter.

City Council Strategic Goal/Objective

This staff report aligns with the following Citrus Heights City Council Strategic Plan Objectives:

Goal: Preserve and enhance public safety

Objective: Evaluate best practices and consider necessary updates to the Firework Ordinance review and update as appropriate.

Fiscal Impact

This action has no direct impact on the General Fund.

Background and Analysis

At the June 24, 2021, Citrus Heights City Council meeting, council voted to adopt Urgency Ordinance No. 2021-001, related to the regulation and enforcement of fireworks in Citrus

Subject: Ordinance Amending Citrus Heights Municipal Code Chapter 38 – Fire Prevention and Protection, Article III. – Fireworks, Sections 38-78 and 38-81

Date: April 9, 2025

Page 2 of 3

Heights. The urgency ordinance created social host language, modified the hours of fireworks usage by prohibiting legal fireworks from 11:00pm to 9:00am, and it increased the penalties of violations to \$750 for the first violation and \$1,000 for each subsequent violation.

Pursuant to state law, the City Council extended the initial urgency ordinance until June 2022, by adopting Ordinance No. 2021-002. In June 2022, the City Council voted to permanently adopt the language from the urgency ordinance into the Citrus Heights Municipal Code (CHMC) via Ordinance 2022-004.

Residents have continued to express concerns regarding fire danger and the inability to enjoy a quiet environment due to illegal fireworks. To improve public safety, reduce environmental impact and enhance quality of life for our residents, staff conducted a review of regional jurisdictions to ensure that CHMC related to the regulation of illegal fireworks was consistent with regional partners.

The following table shows the current penalties associated with illegal fireworks enforcement violations in regional jurisdictions:

Current Penalties:

Agency	First Violation	Second Violation	Third Violation	Other
Citrus Heights	\$750	\$1,000	\$1,000	N/A
Roseville	\$750	\$1,000	\$1,000	Each firework is considered a violation
Folsom	\$1,000	\$2,500	\$5,000	Second and subsequent violations are within a year timeframe
Sacramento County	\$1,000	\$2,500	\$5,000	Second and subsequent violations are within a year timeframe
Rancho Cordova	\$1,000	\$2,500	\$5,000	Second and subsequent violations are within a year timeframe Enhanced penalties at specific locations
Stockton	\$1,000	\$2,000	\$3,000	N/A
Woodland	\$1,000	N/A	N/A	Each firework is considered a violation

After review of regional agencies, staff recommend amending CHMC 38-81 to increase the penalties for illegal fireworks. The recommended increase includes making each device (firework) possessed, ignited, exploded, discharged, used, or displayed a violation of the ordinance and therefore subject to a \$1,000 fine for each device, \$2,500 for each device on the second offense, and \$5,000 for each device on subsequent offenses within one year.

Subject: Ordinance Amending Citrus Heights Municipal Code Chapter 38 – Fire Prevention and Protection, Article III. – Fireworks, Sections 38-78 and 38-81

Date: April 9, 2025

Page 3 of 3

Proposed New Penalties:

Agency	First Violation	Second Violation	Third Violation
Citrus Heights	\$1,000	\$2,500	\$5,000

Additionally, staff recommends that the amending CHMC Section 38-78 to clarify violations of the social host ordinance by including language to make it clear that violations can occur in areas under the host’s apparent control and to include adjacent sidewalks and streets. This allows enforcement and clarification of the social host ordinance for those that allow illegal fireworks on the sidewalk or in the roadway in front of a residence. The current policy does not specify or include the sidewalk or street adjacent to the host’s private property.

Attachment

1. Ordinance of the Citrus Heights City Council Amending Citrus Heights Municipal Code Chapter 38 – Fire Prevention and Protection, Article III. – Fireworks, Sections 38-78 and 38-81
2. Ordinance No. 2021-001, An Urgency Ordinance of the City of Citrus Heights, California, Amending Chapter 38 Citrus Heights Code Relating to Fireworks
3. Ordinance No. 2021-002, Extension of Urgency Ordinance of the City of Citrus Heights, California, Amending Chapter 38 Citrus Heights Code Relating to Fireworks
4. Ordinance No. 2022-004, Ordinance of Citrus Heights, California, Amending Chapter 38 Citrus Heights Code Relating to Fireworks.

ORDINANCE NO. 2025-**AN ORDINANCE OF THE CITY OF CITRUS HEIGHTS AMENDING CITRUS HEIGHTS MUNICIPAL CODE CHAPTER 38 – FIRE PREVENTION AND PROTECTION, ARTICLE III. – FIREWORKS, SECTIONS 38-78 AND 38-81**

The City Council of the City of Citrus Heights does ordain as follows:

The provisions of Chapter 38, Article III. of the Citrus Heights Municipal Code

SECTION 1. Amendment. Section 38.78 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec 38-78 - Host's liability.

No host shall knowingly allow any person to violate a provision of this chapter on the host's private property.

(a) The provisions of this section shall not apply to:

1. The possession, manufacture, storage, display, sale, use, or discharge of fireworks as permitted under federal or state law;
2. A host who initiates contact with law enforcement or fire officials to assist in removing any person from the property or terminating the activity in order to comply with this chapter, if the request for assistance is made before any other person contacts law enforcement or fire officials to complain about the violation of this chapter.

No host shall aid or abet another person's violation of a provision of this chapter in a public right of way, street, and/or sidewalk adjacent to the host's private property or property under the host's apparent control. A host aids and abets another person's violation of a provision of this chapter if he or she knows of the other person's unlawful purpose and the host specifically intends to, and does in fact, aid, facilitate, promote, encourage, or instigate the other person's commission of that violation.

SECTION 2. Amendment. Section 38.81 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-81. - Penalty for violation.

- (a) Any person who allows, permits, aids, or abets any discharge of fireworks (including a public display) without having first obtained a permit therefor from the Fire Marshal, or designee, shall be in violation of this section, unless otherwise permitted by ordinance.
- (b) Any person who stores fireworks, including those classified as "safe and sane" by the California State Fire Marshal, except as expressly allowed by this Code, shall be in violation of this section.
- (c) Administrative Citation. Upon identification of an unpermitted discharge or illegal storage of fireworks, law enforcement may issue an administrative citation or a

notice of violation to all responsible person(s) present at the unpermitted discharge of fireworks. Law enforcement shall notify those responsible persons present at the unpermitted discharge or illegal storage that further violation of the ordinance may result in the issuance of increased fines and assessment of response costs. Each device (firework) possessed, ignited, exploded, discharged, used, or displayed constitutes a violation of the ordinance and therefore is subject to an administrative fine:

1. One thousand dollars (\$1,000.00) fine, for each device
2. Two thousand five hundred dollars (\$2,500.00) for each device on subsequent offenses within one year.

(d) Upon identification of an unpermitted discharge of fireworks, law enforcement may also issue a written notice to all other identifiable responsible persons not present at the unpermitted discharge of fireworks that a violation of the fireworks ordinance has occurred and that further violations may result in the assessment of response costs.

(e) Nothing in this chapter shall be intended to limit any of the penalties provided for under the California Health and Safety Code or Penal Code with regard to the sale, use, possession, delivery, storage, and/or transportation of dangerous fireworks.

(f) The penalties set forth herein are intended to be nonexclusive and are intended to be in addition to any other remedies provided in this chapter or any other law, statute, ordinance or regulation.

(g) Any person who violates this section shall be guilty of a misdemeanor.

(h) Response Costs. A responsible person(s) who has been issued a second administrative citation and/or written notice of violation of this ordinance may be liable for response costs incurred in responding to the unpermitted discharge or illegal storage of fireworks. All responsible persons shall be jointly and severally liable for the response costs incurred in the response and all subsequent responses. The amount of response costs constitutes a debt owed to the city.

If a responsible person is a juvenile, then the parents or guardians of that juvenile and the juvenile will be jointly and severally liable for the response costs incurred pursuant to this chapter. To incur liability for response costs imposed by this chapter, the responsible person for the unpermitted discharge or illegal storage of fireworks need not be present at the event that causes the response giving rise to the imposition of response costs. This chapter therefore imposes vicarious as well as direct liability upon responsible persons.

(i) Notice of the response costs shall be served by first-class mail on the hosts liable for such costs. The notice shall contain the following information:

1. The name of the host who is liable for the response costs;
2. The address of the private property where the incident occurred;
3. The date and time of the response;
4. The law enforcement, fire, or other emergency response personnel who responded
5. An itemized list of the response costs.

(j) Payment for response costs shall be remitted to the city of Citrus Heights within 30 calendar days of the date of the notice. The payment of any such costs shall be stayed upon the filing of a timely appeal.

(k) A host charged with response costs may, within 10 calendar days of the date of the notice of response costs, appeal the response costs. The appeal hearing shall be scheduled and conducted in the manner prescribed in this chapter.

- (l) Failure to timely file an appeal constitutes a failure to exhaust available administrative remedies, and bars any further review or administrative appeal of the response costs.
- (m) Violations of this chapter are hereby declared to be a public nuisance.
- (n) Any person who violates a provision of this chapter is liable for civil penalties of not less than \$750 or more than \$25,000 for each day the violation continues.
- (o) All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy to enforce this chapter.
- (p) Any recipient of an administrative citation may appeal the citation by completing a request for hearing form and returning it to city within thirty days from the date of the administrative citation, together with an advance deposit of the fine.
- (q) Any recipient of an administrative citation may appeal the citation by completing a request for hearing form and returning it to city within thirty days from the date of the administrative citation, together with an advance deposit of the fine.

SECTION 3. 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 4. 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 ___ day of _____ by the following vote:

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

Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

Amy Van, City Clerk

ORDINANCE NO. 2021-001**AN URGENCY ORDINANCE OF THE CITY OF CITRUS HEIGHTS AMENDING
CHAPTER 38 OF THE CITRUS HEIGHTS CODE RELATING TO FIREWORKS**

WHEREAS, the regulation of fireworks is within the purview of the City Council, it is regulated in the Citrus Heights Municipal Code at Chapter 38, Article III.

WHEREAS, the City Council has authority to modify that ordinance and is hereby choosing to do so to help the City in regulating and enforcing illegal usage of fireworks. This urgency ordinance provides an enforcement tool whereby the social host of an event which ignites illegal fireworks can be cited, whereas the previous ordinance only allowed the city to cite the person who personally used the firework illegally. The urgency ordinance also modifies the hours of usage, the fines associated with illegal usage, and updates the hearing procedures.

WHEREAS, the City Council finds that an urgency ordinance related to fireworks is needed for the City for its protection and welfare given the unique fire dangers presented by the drought conditions. Moreover, the usage of illegal fireworks in the region is on the rise and these amendments are critical for the City's ability to regulate and enforce illegal firework activity.

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

The provisions of Chapter 38 of the City of Citrus Heights Code are amended, as follows:

SECTION 1. Amendment. Section 38.67 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-67 - Definitions

(a) The term "host" in this Section shall mean any of the following:

An owner of any private residential or non-residential real property in the City; or

Any person who has the right to use, possess, or occupy public or private property under a lease, permit, license, rental agreement, or contract; or

Any person who hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering on public or private property.

(b) The term "strictly liable" in this Section shall mean liability for a wrongful act regardless of a person's intent, knowledge, negligence, or lack thereof in committing the wrongful act.

(c) The term "Response costs" means those reasonable and necessary costs directly incurred by public safety personnel for a response to an unpermitted

discharge or illegal storage of fireworks, and include the cost of providing law enforcement, firefighting, and/or other emergency services at the scene of the unpermitted discharge or illegal storage of fireworks including, but not limited to:

Salaries and benefits of public safety personnel for the amount of time spent responding to, remaining at, or otherwise dealing with the unpermitted discharge or illegal storage of fireworks, and the administrative costs attributable to the response(s); and

The cost of any medical treatment to or for any public safety personnel injured responding to, remaining at or leaving the scene of the unpermitted discharge or illegal storage of fireworks; and

The cost of repairing any public safety equipment or property damage, and the cost of the use of any such equipment, in responding to, remaining at, or leaving the scene of an unpermitted discharge or illegal storage of fireworks.

SECTION 2. Amendment. Section 38.68 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-68. - Exception for certain public displays.

Public displays of fireworks may be given with a written permit issued by the fire chief, or the fire chief's designee, of the fire district within which the display is to be given so long as such display takes place under the supervision and direction of a state-licensed operator.

SECTION 3. Amendment. Section 38.69 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-69. - Exception for safe and sane fireworks.

It shall not be unlawful to possess, sell within the city those fireworks as are defined and classified as "safe and sane fireworks" in Health and Safety Code § 12500 et seq., during that time period beginning at 12:00 noon on June 28 and ending at 11:00 p.m. on July 5 of the same year.

It shall not be unlawful to use or discharge safe and sane fireworks during either of the following time periods:

Between the hours of noon and 11 p.m. on June 28th, or

Between the hours of 9 a.m. and 11 p.m. from June 29 through July 5 of the same year.

SECTION 4. Amendment. Section 38.70 -77 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-70. - License to sell required.

It shall be unlawful for any person to sell safe and sane fireworks within the city without a valid business license authorizing such sales.

Sec. 38-71. - Wholesale storage.

The wholesale storage of fireworks shall be unlawful in the city without valid permits for such storage from the fire district in which jurisdiction the storage site is located and the building inspection division. Any such storage is limited to the period from June 1 through July 15 of each year.

Sec. 38-72. - License restricted.

(a) No business license authorizing the sale of safe and sane fireworks shall be issued to any person or group, other than organizations which are exempted from the payment of the bank and corporation tax by Revenue and Taxation Code § 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701i or 23701w, provided that the organization satisfies the following criteria:

- (1) It has its principal and permanent meeting place in the city;
- (2) It has been organized and established in the city for a continuous period of at least one year immediately preceding the application for a permit; and
- (3) It has a bona fide membership of at least 20 members.

(b) No organization shall submit more than two applications for licenses to sell fireworks within the city. Submittal of more than two such applications shall be grounds for denial of all applications.

(c) Business licenses authorizing the sale of safe and sane fireworks shall not be transferable to another organization.

(d) Transfer of temporary stands from the location for which the license was initially issued may be made, provided that the application is made to the finance director on or before June 1, and provided, further, that any such location change has been approved in writing by the fire district having jurisdiction and the chief building official and otherwise complies with all sections of this article regulating the location of temporary fireworks stands.

Sec. 38-73. - License application.

(a) Each application for a business license to sell fireworks shall be in writing to the finance director on forms supplied by the city. Applications shall be received and filed with the finance director on or before the second Tuesday in April of each year.

Applications shall:

- (1) Specify the proposed location of the fireworks stand;
 - (2) Specify the name, address and telephone number of one or more responsible adults who will be in charge of and responsible for the fireworks stand during the period fireworks are sold, displayed or stored;
 - (3) Contain such other information as may be required by the finance director; and
 - (4) Be accompanied by an application fee in the amount of \$25.00.
- (b) The application shall be made in triplicate. The original of the application shall be retained by the finance director, one copy shall be transmitted to the fire district in which jurisdiction the proposed fireworks stand will be located, and one copy shall be sent to the building inspection division.
- (c) The applicant for a license shall be notified by the finance director of the tentative approval or denial of the application for a business license by the first Monday in May of each year. Within two weeks of the notification of the tentative approval of the business

license, the applicant shall furnish to the finance director evidence of insurance providing comprehensive general liability coverage written on an occurrence basis, including but not limited to premises/operations, personal injury, contractual liability, independent contractors, and products/completed operations, with a combined single limit for bodily injury and property damage of \$1,000,000.00. The insurance policy shall designate the city, its officers, agents, employees and volunteers as additional insureds as to products, premises/operations of the named insured. The insurance policy shall further be endorsed to provide that any insurance and/or self-insurance maintained by the city shall apply in excess of, and not contribute with, insurance provided by the applicant. The risk manager shall be the certificate holder. For nonrenewal or cancellation of the insurance policy, 30 days' advance notice shall be provided to the finance director. The insurance policy shall be limited to the specific location for which the business license is issued. The finance director shall issue the license to the applicant upon the presentation of required proof of insurance.

(d) A copy of the business license shall be transmitted to the fire district in which jurisdiction the proposed fireworks stand will be located.

(e) The continued validity of any business license issued pursuant to this article shall be subject to the requirement that at least one of the responsible adults listed in the licensee's application shall attend a fireworks stand operator seminar conducted by the fireworks industry and approved by a fire department or fire district within the county. The failure of a licensee to have such a responsible individual attend such safety seminar shall subject the business license to revocation.

Sec. 38-74. - Denial of license.

(a) The finance director shall issue the business license to sell fireworks unless:

(1) The finance director finds in writing that the applicant has failed to provide sufficient or adequate plans, information or other data necessary to permit a determination respecting compliance with the requirements of this article;

(2) The finance director finds in writing that the applicant is not in compliance with any of the requirements of this article;

(3) The finance director finds in writing that the applicant falls within section 38-78(c); or

(4) Either the fire district in which jurisdiction the proposed stand will be located or the building inspection division fails to approve the application.

(b) Any denial of a license pursuant to this section may be appealed pursuant to the procedures set forth in section 38-79(b).

Sec. 38-75. - Operation of stand.

(a) No person shall sell fireworks to any person under the age of 18 years.

(b) Sale of fireworks shall begin no earlier than 12:00 noon on June 28 and shall not continue after 10:00 p.m. on July 5 of the same year. Sale of fireworks shall be permitted only from 9:00 a.m. to 10:00 p.m. daily.

(c) No person other than the licensee organization shall operate the stand for which the license is issued or share or otherwise participate in the profits of the operation of such stand.

- (d) No person other than the individuals who are members of the licensee organization or the wives, husbands, parents or adult children of such members shall sell or otherwise participate in the sale of fireworks at such stand.
- (e) No person under the age of 18 years shall sell or participate in the sale of fireworks.
- (f) No person shall be paid any consideration by the licensee or any wholesale distributor of safe and sane fireworks for selling or otherwise participating in the sale of fireworks at such stand; provided, however, that compensation may be paid for security personnel during non-sale hours and to the party authorizing location of the stand on its property.
- (g) Fireworks stands shall be removed from the temporary locations by 12:00 noon on July 18, and all accompanying litter shall be cleared from such locations by that date and time.
- (h) All Fireworks stands shall prominently display the key elements of this ordinance at each window of the stands. The posting shall be at least 8.5" X 11" in size and will use language provided by City staff.

Sec. 38-76. - Temporary fireworks stand.

All retail sales of safe and sane fireworks shall be permitted only from within a temporary fireworks stand, and the sale from any other building or structure is hereby prohibited. Temporary stands shall be subject to the following:

- (1) No fireworks stand shall be located within 25 feet of any other building or within 100 feet of any gasoline pump or distribution point.
- (2) Fireworks stands need not comply with the provisions of the building code; provided, however, that all stands shall be erected under the supervision of the chief building official, who shall require that stands be constructed in a manner which will reasonably ensure the safety of attendants and patrons and provided, further, that any electrical installations shall comply with all applicable codes.
- (3) No stand shall have a floor area in excess of 750 square feet.
- (4) Each stand shall have at least two exits. Each stand in excess of 40 feet in length shall have at least three exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed 20 feet. Exit doors shall be not less than 24 inches wide and six feet two inches in height and shall swing in the direction of exit travel.
- (5) Each stand shall be provided with two 2½-gallon water-type (minimum rating 2A) fire extinguishers in good working order and easily accessible for use in case of fire.
- (6) Fireworks stands shall be located on property zoned SC, LC, GC, AC, TC, M-1 or M-2, or in any other zoning classification if the chief building official certifies in writing to the finance director that the operation of a fireworks location in such other zoning classification will not endanger the health and safety of the community or create a fire hazard to surrounding properties.

Sec. 38-77. - General requirements for licensees.

- (a) Fireworks stands shall not be located closer than 600 feet apart, unless separated by a principal arterial roadway.

- (b) All weeds and combustible material shall be cleared from the location of the stand to a distance of at least 25 feet surrounding the stand.
- (c) No smoking signs shall be prominently displayed on and in the fireworks stand.
- (d) Each stand must have an adult watchman in attendance and in charge thereof when the stand is being used for sale, dispensing or storage of fireworks.
- (e) All unsold stock of fireworks in the hands of the retailer after 10:00 p.m. on July 5 shall be returned to the distributor or wholesaler and removed from the city within ten days. On closing of stands, all litter shall be removed from the premises.
- (f) No fuel-powered generator or similar equipment shall be allowed within 50 feet of a fireworks stand.

SECTION 5. Amendment. Section 38.78 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec 38-78 - Host's liability.

No host shall knowingly allow any person to violate a provision of this chapter on the host's private property.

(a) The provisions this section shall not apply to:

1. The possession, manufacture, storage, display, sale, use, or discharge of fireworks as permitted under federal or state law;
2. A host who initiates contact with law enforcement or fire officials to assist in removing any person from the property or terminating the activity in order to comply with this chapter, if the request for assistance is made before any other person contacts law enforcement or fire officials to complain about the violation of this chapter.

No host shall aid or abet another person's violation of a provision of this chapter in a public right of way adjacent to the host's private property. A host aids and abets another person's violation of a provision of this chapter if he or she knows of the other person's unlawful purpose and the host specifically intends to, and does in fact, aid, facilitate, promote, encourage, or instigate the other person's commission of that violation.

SECTION 6. Amendment. Section 38.79 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-79. - Enforcement.

The division of authority for enforcement of this article shall be as follows:

- (1) The chief of any fire protection district or his/her designated representatives shall have authority to enforce this article and issue citations for violations in their respective districts.
- (2) The city fire warden shall have authority to enforce this article in any area lying without any fire protection district.
- (3) The city fire warden shall have authority to enforce this article in any fire protection district upon request of the chief of the fire protection district or the governing body thereof.

- (4) The Chief of Police and his or her designated officers, staff and or code enforcement officers of the city of Citrus Heights.

Sec. 38-80. - Revocation of license; appeal.

(a) The finance director may revoke, immediately and without notice or hearing, the license of any licensee who violates section 38-73(e); 38-75(a), (b) or (e); or 38-77(d). If the revocation occurs between June 22 and July 5, the finance director shall inform the licensee that the licensee may seek review of the finance director's decision by the city manager on the next business day. At the earliest opportunity on the next business day after the revocation, the finance director shall provide the city manager with written notice that a fireworks business license has been revoked, including the name of the licensee and a brief statement of the grounds for revocation. If requested by the licensee, the city manager shall meet with the licensee and the finance director on that day to review the finance director's decision. The decision of the city manager shall be final. If the revocation occurs before or after the specified period, the appeal procedures of subsection (b) of this section shall apply.

(b) The finance director may revoke the license of any licensee who violates any section of this article not specified in subsection (a) of this section. Such revocation shall not take effect for five days, during which time the licensee may seek review of the finance director's decision by submitting a written request for review to the city manager. The finance director shall provide the city manager with written notice that a fireworks license has been revoked, including the name of the licensee and a brief statement of the grounds for revocation. The city manager shall meet with the licensee and the finance director to review the finance director's decision. The decision of the city manager shall be final.

(c) Any licensee whose license has been revoked pursuant to subsection (a) or (b) of this section shall be barred from receiving a license under this article for five years from the date of revocation.

SECTION 7. Amendment. Section 38.81 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-81. - Penalty for violation.

(a) Any person who allows, permits, aids, or abets any discharge of fireworks (including a public display) without having first obtained a permit therefor from the Fire Marshal, or designee, shall be in violation of this section, unless otherwise permitted by ordinance.

(b) Any person who stores fireworks, including those classified as "safe and sane" by the California State Fire Marshal, except as expressly allowed by this Code, shall be in violation of this section.

(c) Administrative Citation. Upon identification of an unpermitted discharge or illegal storage of fireworks, law enforcement may issue an administrative citation or a notice of violation to all responsible person(s) present at the unpermitted discharge of fireworks. Law enforcement shall notify those responsible persons present at the

unpermitted discharge or illegal storage that further violation of the ordinance may result in the issuance of increased fines and assessment of response costs.

The administrative fines shall be:

1. Seven hundred and fifty dollars for the first administrative citation issued to the responsible person.
2. One thousand dollars for the second and/or each subsequent administrative citation issued to the responsible person.

(d) Upon identification of an unpermitted discharge of fireworks, law enforcement may also issue a written notice to all other identifiable responsible persons not present at the unpermitted discharge of fireworks that a violation of the fireworks ordinance has occurred and that further violations may result in the assessment of response costs.

(e) Nothing in this chapter shall be intended to limit any of the penalties provided for under the California Health and Safety Code or Penal Code with regard to the sale, use, possession, delivery, storage, and/or transportation of dangerous fireworks.

(f) The penalties set forth herein are intended to be nonexclusive and are intended to be in addition to any other remedies provided in this chapter or any other law, statute, ordinance or regulation.

(g) Any person who violates this section shall be guilty of a misdemeanor.

(h) Response Costs. A responsible person(s) who has been issued a second administrative citation and/or written notice of violation of this ordinance may be liable for response costs incurred in responding to the unpermitted discharge or illegal storage of fireworks. All responsible persons shall be jointly and severally liable for the response costs incurred in the response and all subsequent responses. The amount of response costs constitutes a debt owed to the city.

If a responsible person is a juvenile, then the parents or guardians of that juvenile and the juvenile will be jointly and severally liable for the response costs incurred pursuant to this chapter. To incur liability for response costs imposed by this chapter, the responsible person for the unpermitted discharge or illegal storage of fireworks need not be present at the event that causes the response giving rise to the imposition of response costs. This chapter therefore imposes vicarious as well as direct liability upon a responsible person.

(i) Notice of the response costs shall be served by first-class mail on the hosts liable for such costs. The notice shall contain the following information:

1. The name of the host who is liable for the response costs;
2. The address of the private property where the incident occurred;
3. The date and time of the response;
4. The law enforcement, fire, or other emergency response personnel who responded
5. An itemized list of the response costs.

(j) Payment for response costs shall be remitted to the city of Citrus Heights within 30 calendar days of the date of the notice. The payment of any such costs shall be stayed upon the filing of a timely appeal.

(k) A host charged with response costs may, within 10 calendar days of the date of the notice of response costs, appeal the response costs. The appeal hearing shall be scheduled and conducted in the manner prescribed in this chapter.

- (l) Failure to timely file an appeal constitutes a failure to exhaust available administrative remedies, and bars any further review or administrative appeal of the response costs.
- (m) Violations of this chapter are hereby declared to be a public nuisance.
- (n) Any person who violates a provision of this chapter is liable for civil penalties of not less than \$750 or more than \$25,000 for each day the violation continues.
- (o) All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy to enforce this chapter.
- (p) Any recipient of an administrative citation may appeal the citation by completing a request for hearing form and returning it to city within thirty days from the date of the administrative citation, together with an advance deposit of the fine.

le

SECTION 8. Amendment. Section 38.82 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-82. – Administrative Citation Review.

- (a) Any administrative citation fine, or portion thereof, paid pursuant to this chapter shall be refunded if it is determined, after a hearing, that the person charged in the administrative citation was not responsible for the violation or that there was no violation as charged in the administrative citation.
 1. No appeal hearing to contest an administrative citation shall be held unless the fine has been deposited in advance.
 2. An appeal hearing shall be set for a date that is not less than fifteen days and not more than sixty days from the date that the request for hearing is filed.
 3. The appellant shall be notified of the time and place set for the hearing at least ten calendar days prior to the date of the hearing.
 4. At the hearing, the appellant shall have the opportunity to testify and to present evidence concerning the administrative citation.
 5. The failure of the appellant to appear at the appeal hearing shall constitute a forfeiture of the fine and a failure to exhaust their administrative remedies.
 6. The administrative citation and any additional report submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents.
 7. The hearing officer may continue the hearing and/or request additional information from the enforcement officer or the recipient of the administrative citation prior to issuing a written decision.
 8. Any person aggrieved by an administrative decision of a hearing officer on an administrative citation appeal may obtain review of the administrative decision by filing a petition for review with the City Clerk for an appeal to the City Council

SECTION 9. Amendment. Section 38.83-84 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-83. - Seizure of fireworks.

The chief or the chief's designee of the fire district in which jurisdiction a fireworks stand is located may seize, take, remove or cause to be removed, at the expense of the licensee, all stocks of fireworks offered or exposed for sale, stored or held in violation of this article when such violation creates an imminent threat to public health or safety.

Sec. 38-84. - Concurrent authorities.

This article is not the exclusive regulation for fireworks within the city. This article shall supplement and be in addition to the other regulatory codes, statutes, and ordinances enacted by the county, the state, or any other legal entity or agency having jurisdiction.

Secs. 38-85—38-110. - Reserved.

SECTION 10. Immediate Effect. Consistent with Government Code Section 65858, this ordinance shall take effect immediately and will last for a period of 45 days. The ordinance may be extended further for a period totaling two years pursuant to action of the City Council consistent with the requirements of California Government Code Section 65858.

SECTION 11. Severability. Should any provision of this Ordinance is found to be unenforceable, each such provision shall be severed, and all remaining portions of this Ordinance shall be enforced to the maximum extent legally permissible.

SECTION 12. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance as required by law.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights this 24th day of June 2021 by the following vote:

AYES: Council Members: Bruins, Daniels, Schaefer, Middleton, Miller
NOES: Council Members: None
ABSENT: Council Members: None
ABSTAIN: Council Members: None

Steve Miller, Mayor

ATTEST:

Amy Van, City Clerk

ORDINANCE NO. 2021-002**EXTENSION OF AN URGENCY ORDINANCE OF THE CITY OF CITRUS HEIGHTS
AMENDING CHAPTER 38 OF THE CITRUS HEIGHTS CODE RELATING TO
FIREWORKS**

WHEREAS, the regulation of fireworks is within the purview of the City Council, it is regulated in the Citrus Heights Municipal Code at Chapter 38, Article III.

WHEREAS, the City Council has authority to modify that ordinance and has chosen to do so to help the City in regulating and enforcing illegal usage of fireworks. The Council exercised that authority by passing Urgency Ordinance No. 2021-001 with a unanimous vote at the City Council meeting on June 24, 2021. That urgency ordinance provides an enforcement tool whereby the social host of an event which ignites illegal fireworks can be cited, whereas the previous ordinance only allowed the city to cite the person who personally used the firework illegally. The urgency ordinance also modifies the hours of usage, the fines associated with illegal usage, and updates the hearing procedures.

WHEREAS, pursuant to state law, the Urgency Ordinance will expire on August 8, 2021, unless otherwise extended. In light of the ongoing urgency, the City Council herein elects to extend the urgency ordinance by 10 months and 15 days, which is permitted by Government Code Section 65858, subdivision (a).

WHEREAS, the City Council finds that an urgency ordinance related to fireworks is still needed for the City for its protection and welfare given the unique fire dangers presented by the drought conditions. Moreover, the usage of illegal fireworks in the region is on the rise and this urgency ordinance is critical for the City's ability to regulate and enforce illegal firework activity.

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

SECTION 1. Extension. The City Council of the City of Citrus Heights hereby extends Urgency Ordinance 2021-001, in its entirety, which relates to the regulation and enforcement of illegal usage of fireworks for a period of 10 months and 15 days from the end of the first extension, which thereby extends the moratorium to June 23, 2022.

SECTION 2. Immediate Effect. Consistent with Government Code Section 65858, this ordinance shall take effect immediately upon the expiration of Urgency Ordinance 2021-001 (August 8, 2021) and the existing provisions of the code previously affected by this Ordinance will continue in force unaffected upon the expiration of this time period consistent with Government Code Section 65858 or as amended during this time period by the Citrus Heights City Council. The ordinance may be extended further by 10 months and 15 days pursuant to action of the City Council consistent with the requirements of California Government Code Section 65858.

SECTION 3. Severability. If any portion of this ordinance is found to be unenforceable, each such provision shall be severed, and all remaining portions of this ordinance shall be enforced to the maximum extent legally permissible.

SECTION 4. Certification. The City Clerk shall certify to the passage and adoption of this ordinance as required by law.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights this 22nd day of July 2021 by the following vote:

AYES:	Council Members:	Bruins, Schaefer, Middleton, Miller
NOES:	Council Members:	None
ABSENT:	Council Members:	Daniels
ABSTAIN:	Council Members:	None



Steve Miller, Mayor

ATTEST:



Amy Van, City Clerk

ORDINANCE NO. 2022-004**AN ORDINANCE OF THE CITY OF CITRUS HEIGHTS AMENDING CHAPTER 38 OF THE CITRUS HEIGHTS CODE RELATING TO FIREWORKS**

WHEREAS, the regulation of fireworks is within the purview of the City Council, it is regulated in the Citrus Heights Municipal Code at Chapter 38, Article III.

WHEREAS, the City Council has authority to modify that ordinance and is hereby choosing to do so to help the City in regulating and enforcing illegal usage of fireworks. This ordinance provides an enforcement tool whereby the social host of an event which ignites illegal fireworks can be cited, whereas the previous ordinance only allowed the city to cite the person who personally used the firework illegally. The ordinance also modifies the hours of usage, the fines associated with illegal usage, and updates the hearing procedures.

WHEREAS, the City Council finds that a permanent ordinance related to fireworks is needed for the City for its protection and welfare given the unique fire dangers presented by the drought conditions. Moreover, the usage of illegal fireworks in the region is on the rise and these amendments are critical for the City's ability to regulate and enforce illegal firework activity.

WHEREAS, at the City Council meeting on June 24, 2021, the City Council voted unanimously to adopt Urgency Ordinance No. 2021-001, related to the regulation and enforcement of fireworks in the City. The City Council extended the initial urgency ordinance for an additional 10 months and 15 days, until June 23, 2022, by adopting Ordinance No. 2021-002 on July 22, 2021. Unless extended, that urgency ordinance will expire on June 23, 2022.

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

The provisions of Chapter 38 of the City of Citrus Heights Code are amended, as follows:

SECTION 1. Amendment. Section 38.67 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-67 - Definitions

(a) The term "host" in this Section shall mean any of the following:

An owner of any private residential or non-residential real property in the City; or

Any person who has the right to use, possess, or occupy public or private property under a lease, permit, license, rental agreement, or contract; or

Any person who hosts, organizes, supervises, officiates, conducts, or accepts responsibility for a gathering on public or private property.

(b) The term “strictly liable” in this Section shall mean liability for a wrongful act regardless of a person’s intent, knowledge, negligence, or lack thereof in committing the wrongful act.

(c) The term "Response costs" means those reasonable and necessary costs directly incurred by public safety personnel for a response to an unpermitted discharge or illegal storage of fireworks, and include the cost of providing law enforcement, firefighting, and/or other emergency services at the scene of the unpermitted discharge or illegal storage of fireworks including, but not limited to:

Salaries and benefits of public safety personnel for the amount of time spent responding to, remaining at, or otherwise dealing with the unpermitted discharge or illegal storage of fireworks, and the administrative costs attributable to the response(s); and

The cost of any medical treatment to or for any public safety personnel injured responding to, remaining at or leaving the scene of the unpermitted discharge or illegal storage of fireworks; and

The cost of repairing any public safety equipment or property damage, and the cost of the use of any such equipment, in responding to, remaining at, or leaving the scene of an unpermitted discharge or illegal storage of fireworks.

SECTION 2. Amendment. Section 38.68 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-68. - Exception for certain public displays.

Public displays of fireworks may be given with a written permit issued by the fire chief, or the fire chief’s designee, of the fire district within which the display is to be given so long as such display takes place under the supervision and direction of a state-licensed operator.

SECTION 3. Amendment. Section 38.69 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-69. - Exception for safe and sane fireworks.

It shall not be unlawful to possess, sell within the city those fireworks as are defined and classified as "safe and sane fireworks" in Health and Safety Code § 12500 et seq., during that time period beginning at 12:00 noon on June 28 and ending at 11:00 p.m. on July 5 of the same year.

It shall not be unlawful to use or discharge safe and sane fireworks during either of the following time periods:

Between the hours of noon and 11 p.m. on June 28th, or

Between the hours of 9 a.m. and 11 p.m. from June 29 through July 5 of the same year.

SECTION 4. Amendment. Section 38.70 -77 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-70. - License to sell required.

It shall be unlawful for any person to sell safe and sane fireworks within the city without a valid business license authorizing such sales.

Sec. 38-71. - Wholesale storage.

The wholesale storage of fireworks shall be unlawful in the city without valid permits for such storage from the fire district in which jurisdiction the storage site is located and the building inspection division. Any such storage is limited to the period from June 1 through July 15 of each year.

Sec. 38-72. - License restricted.

(a) No business license authorizing the sale of safe and sane fireworks shall be issued to any person or group, other than organizations which are exempted from the payment of the bank and corporation tax by Revenue and Taxation Code § 23701a, 23701b, 23701d, 23701e, 23701f, 23701g, 23701h or 23701w, provided that the organization satisfies the following criteria:

- (1) It has its principal and permanent meeting place in the city;
- (2) It has been organized and established in the city for a continuous period of at least one year immediately preceding the application for a permit; and
- (3) It has a bona fide membership of at least 20 members.

(b) No organization shall submit more than two applications for licenses to sell fireworks within the city. Submittal of more than two such applications shall be grounds for denial of all applications.

(c) Business licenses authorizing the sale of safe and sane fireworks shall not be transferable to another organization.

(d) Transfer of temporary stands from the location for which the license was initially issued may be made, provided that the application is made to the finance director on or before June 1, and provided, further, that any such location change has been approved in writing by the fire district having jurisdiction and the chief building official and otherwise complies with all sections of this article regulating the location of temporary fireworks stands.

Sec. 38-73. - License application.

(a) Each application for a business license to sell fireworks shall be in writing to the finance director on forms supplied by the city. Applications shall be received and filed with the finance director on or before the second Tuesday in April of each year.

Applications shall:

- (1) Specify the proposed location of the fireworks stand;
 - (2) Specify the name, address and telephone number of one or more responsible adults who will be in charge of and responsible for the fireworks stand during the period fireworks are sold, displayed or stored;
 - (3) Contain such other information as may be required by the finance director; and
 - (4) Be accompanied by an application fee in the amount of \$25.00.
- (b) The application shall be made in triplicate. The original of the application shall be retained by the finance director, one copy shall be transmitted to the fire district in which

jurisdiction the proposed fireworks stand will be located, and one copy shall be sent to the building inspection division.

(c) The applicant for a license shall be notified by the finance director of the tentative approval or denial of the application for a business license by the first Monday in May of each year. Within two weeks of the notification of the tentative approval of the business license, the applicant shall furnish to the finance director evidence of insurance providing comprehensive general liability coverage written on an occurrence basis, including but not limited to premises/operations, personal injury, contractual liability, independent contractors, and products/completed operations, with a combined single limit for bodily injury and property damage of \$1,000,000.00. The insurance policy shall designate the city, its officers, agents, employees and volunteers as additional insureds as to products, premises/operations of the named insured. The insurance policy shall further be endorsed to provide that any insurance and/or self-insurance maintained by the city shall apply in excess of, and not contribute with, insurance provided by the applicant. The risk manager shall be the certificate holder. For nonrenewal or cancellation of the insurance policy, 30 days' advance notice shall be provided to the finance director. The insurance policy shall be limited to the specific location for which the business license is issued. The finance director shall issue the license to the applicant upon the presentation of required proof of insurance.

(d) A copy of the business license shall be transmitted to the fire district in which jurisdiction the proposed fireworks stand will be located.

(e) The continued validity of any business license issued pursuant to this article shall be subject to the requirement that at least one of the responsible adults listed in the licensee's application shall attend a fireworks stand operator seminar conducted by the fireworks industry and approved by a fire department or fire district within the county. The failure of a licensee to have such a responsible individual attend such safety seminar shall subject the business license to revocation.

Sec. 38-74. - Denial of license.

- (a) The finance director shall issue the business license to sell fireworks unless:
- (1) The finance director finds in writing that the applicant has failed to provide sufficient or adequate plans, information or other data necessary to permit a determination respecting compliance with the requirements of this article;
 - (2) The finance director finds in writing that the applicant is not in compliance with any of the requirements of this article;
 - (3) The finance director finds in writing that the applicant falls within section 38-78(c); or
 - (4) Either the fire district in which jurisdiction the proposed stand will be located or the building inspection division fails to approve the application.
- (b) Any denial of a license pursuant to this section may be appealed pursuant to the procedures set forth in section 38-79(b).

Sec. 38-75. - Operation of stand.

- (a) No person shall sell fireworks to any person under the age of 18 years.

- (b) Sale of fireworks shall begin no earlier than 12:00 noon on June 28 and shall not continue after 10:00 p.m. on July 5 of the same year. Sale of fireworks shall be permitted only from 9:00 a.m. to 10:00 p.m. daily.
- (c) No person other than the licensee organization shall operate the stand for which the license is issued or share or otherwise participate in the profits of the operation of such stand.
- (d) No person other than the individuals who are members of the licensee organization or the wives, husbands, parents or adult children of such members shall sell or otherwise participate in the sale of fireworks at such stand.
- (e) No person under the age of 18 years shall sell or participate in the sale of fireworks.
- (f) No person shall be paid any consideration by the licensee or any wholesale distributor of safe and sane fireworks for selling or otherwise participating in the sale of fireworks at such stand; provided, however, that compensation may be paid for security personnel during non-sale hours and to the party authorizing location of the stand on its property.
- (g) Fireworks stands shall be removed from the temporary locations by 12:00 noon on July 18, and all accompanying litter shall be cleared from such locations by that date and time.
- (h) All Fireworks stands shall prominently display the key elements of this ordinance at each window of the stands. The posting shall be at least 8.5" X 11" in size and will use language provided by City staff.

Sec. 38-76. - Temporary fireworks stand.

All retail sales of safe and sane fireworks shall be permitted only from within a temporary fireworks stand, and the sale from any other building or structure is hereby prohibited. Temporary stands shall be subject to the following:

- (1) No fireworks stand shall be located within 25 feet of any other building or within 100 feet of any gasoline pump or distribution point.
- (2) Fireworks stands need not comply with the provisions of the building code; provided, however, that all stands shall be erected under the supervision of the chief building official, who shall require that stands be constructed in a manner which will reasonably ensure the safety of attendants and patrons and provided, further, that any electrical installations shall comply with all applicable codes.
- (3) No stand shall have a floor area in excess of 750 square feet.
- (4) Each stand shall have at least two exits. Each stand in excess of 40 feet in length shall have at least three exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed 20 feet. Exit doors shall be not less than 24 inches wide and six feet two inches in height and shall swing in the direction of exit travel.
- (5) Each stand shall be provided with two 2½-gallon water-type (minimum rating 2A) fire extinguishers in good working order and easily accessible for use in case of fire.
- (6) Fireworks stands shall be located on property zoned SC, LC, GC, AC, TC, M-1 or M-2, or in any other zoning classification if the chief building official certifies in writing to the finance director that the operation of a fireworks

location in such other zoning classification will not endanger the health and safety of the community or create a fire hazard to surrounding properties.

Sec. 38-77. - General requirements for licensees.

- (a) Fireworks stands shall not be located closer than 600 feet apart, unless separated by a principal arterial roadway.
- (b) All weeds and combustible material shall be cleared from the location of the stand to a distance of at least 25 feet surrounding the stand.
- (c) No smoking signs shall be prominently displayed on and in the fireworks stand.
- (d) Each stand must have an adult watchman in attendance and in charge thereof when the stand is being used for sale, dispensing or storage of fireworks.
- (e) All unsold stock of fireworks in the hands of the retailer after 10:00 p.m. on July 5 shall be returned to the distributor or wholesaler and removed from the city within ten days. On closing of stands, all litter shall be removed from the premises.
- (f) No fuel-powered generator or similar equipment shall be allowed within 50 feet of a fireworks stand.

SECTION 5. Amendment. Section 38.78 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec 38-78 - Host's liability.

No host shall knowingly allow any person to violate a provision of this chapter on the host's private property.

- (a) The provisions of this section shall not apply to:
 - 1. The possession, manufacture, storage, display, sale, use, or discharge of fireworks as permitted under federal or state law;
 - 2. A host who initiates contact with law enforcement or fire officials to assist in removing any person from the property or terminating the activity in order to comply with this chapter, if the request for assistance is made before any other person contacts law enforcement or fire officials to complain about the violation of this chapter.

No host shall aid or abet another person's violation of a provision of this chapter in a public right of way adjacent to the host's private property. A host aids and abets another person's violation of a provision of this chapter if he or she knows of the other person's unlawful purpose and the host specifically intends to, and does in fact, aid, facilitate, promote, encourage, or instigate the other person's commission of that violation.

SECTION 6. Amendment. Section 38.79 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-79. - Enforcement.

The division of authority for enforcement of this article shall be as follows:

- (1) The chief of any fire protection district or his/her designated representatives shall have authority to enforce this article and issue citations for violations in their respective districts.

- (2) The city fire warden shall have authority to enforce this article in any area lying without any fire protection district.
- (3) The city fire warden shall have authority to enforce this article in any fire protection district upon request of the chief of the fire protection district or the governing body thereof.
- (4) The Chief of Police and his or her designated officers, staff and or code enforcement officers of the city of Citrus Heights.

Sec. 38-80. - Revocation of license; appeal.

(a) The finance director may revoke, immediately and without notice or hearing, the license of any licensee who violates section 38-73(e); 38-75(a), (b) or (e); or 38-77(d). If the revocation occurs between June 22 and July 5, the finance director shall inform the licensee that the licensee may seek review of the finance director's decision by the city manager on the next business day. At the earliest opportunity on the next business day after the revocation, the finance director shall provide the city manager with written notice that a fireworks business license has been revoked, including the name of the licensee and a brief statement of the grounds for revocation. If requested by the licensee, the city manager shall meet with the licensee and the finance director on that day to review the finance director's decision. The decision of the city manager shall be final. If the revocation occurs before or after the specified period, the appeal procedures of subsection (b) of this section shall apply.

(b) The finance director may revoke the license of any licensee who violates any section of this article not specified in subsection (a) of this section. Such revocation shall not take effect for five days, during which time the licensee may seek review of the finance director's decision by submitting a written request for review to the city manager. The finance director shall provide the city manager with written notice that a fireworks license has been revoked, including the name of the licensee and a brief statement of the grounds for revocation. The city manager shall meet with the licensee and the finance director to review the finance director's decision. The decision of the city manager shall be final.

(c) Any licensee whose license has been revoked pursuant to subsection (a) or (b) of this section shall be barred from receiving a license under this article for five years from the date of revocation.

SECTION 7. Amendment. Section 38.81 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-81. - Penalty for violation.

(a) Any person who allows, permits, aids, or abets any discharge of fireworks (including a public display) without having first obtained a permit therefor from the Fire Marshal, or designee, shall be in violation of this section, unless otherwise permitted by ordinance.

(b) Any person who stores fireworks, including those classified as "safe and sane" by the California State Fire Marshal, except as expressly allowed by this Code, shall be in violation of this section.

(c) Administrative Citation. Upon identification of an unpermitted discharge or illegal storage of fireworks, law enforcement may issue an administrative citation or a notice of violation to all responsible person(s) present at the unpermitted discharge of fireworks. Law enforcement shall notify those responsible persons present at the unpermitted discharge or illegal storage that further violation of the ordinance may result in the issuance of increased fines and assessment of response costs.

The administrative fines shall be:

1. Seven hundred and fifty dollars (\$750.00) for the first administrative citation issued to the responsible person.
2. One thousand dollars (\$1,000.00) for the second and/or each subsequent administrative citation issued to the responsible person.

(d) Upon identification of an unpermitted discharge of fireworks, law enforcement may also issue a written notice to all other identifiable responsible persons not present at the unpermitted discharge of fireworks that a violation of the fireworks ordinance has occurred and that further violations may result in the assessment of response costs.

(e) Nothing in this chapter shall be intended to limit any of the penalties provided for under the California Health and Safety Code or Penal Code with regard to the sale, use, possession, delivery, storage, and/or transportation of dangerous fireworks.

(f) The penalties set forth herein are intended to be nonexclusive and are intended to be in addition to any other remedies provided in this chapter or any other law, statute, ordinance or regulation.

(g) Any person who violates this section shall be guilty of a misdemeanor.

(h) Response Costs. A responsible person(s) who has been issued a second administrative citation and/or written notice of violation of this ordinance may be liable for response costs incurred in responding to the unpermitted discharge or illegal storage of fireworks. All responsible persons shall be jointly and severally liable for the response costs incurred in the response and all subsequent responses. The amount of response costs constitutes a debt owed to the city.

If a responsible person is a juvenile, then the parents or guardians of that juvenile and the juvenile will be jointly and severally liable for the response costs incurred pursuant to this chapter. To incur liability for response costs imposed by this chapter, the responsible person for the unpermitted discharge or illegal storage of fireworks need not be present at the event that causes the response giving rise to the imposition of response costs. This chapter therefore imposes vicarious as well as direct liability upon responsible persons.

(i) Notice of the response costs shall be served by first-class mail on the hosts liable for such costs. The notice shall contain the following information:

1. The name of the host who is liable for the response costs;
2. The address of the private property where the incident occurred;
3. The date and time of the response;
4. The law enforcement, fire, or other emergency response personnel who responded
5. An itemized list of the response costs.

- (j) Payment for response costs shall be remitted to the city of Citrus Heights within 30 calendar days of the date of the notice. The payment of any such costs shall be stayed upon the filing of a timely appeal.
- (k) A host charged with response costs may, within 10 calendar days of the date of the notice of response costs, appeal the response costs. The appeal hearing shall be scheduled and conducted in the manner prescribed in this chapter.
- (l) Failure to timely file an appeal constitutes a failure to exhaust available administrative remedies, and bars any further review or administrative appeal of the response costs.
- (m) Violations of this chapter are hereby declared to be a public nuisance.
- (n) Any person who violates a provision of this chapter is liable for civil penalties of not less than \$750 or more than \$25,000 for each day the violation continues.
- (o) All remedies prescribed under this chapter are cumulative and the election of one or more remedies does not bar the city from the pursuit of any other remedy to enforce this chapter.
- (p) Any recipient of an administrative citation may appeal the citation by completing a request for hearing form and returning it to city within thirty days from the date of the administrative citation, together with an advance deposit of the fine.
- (q) Any recipient of an administrative citation may appeal the citation by completing a request for hearing form and returning it to city within thirty days from the date of the administrative citation, together with an advance deposit of the fine.

SECTION 8. Amendment. Section 38.82 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-82. – Administrative Citation Review.

- (a) Any administrative citation fine, or portion thereof, paid pursuant to this chapter shall be refunded if it is determined, after a hearing, that the person charged in the administrative citation was not responsible for the violation or that there was no violation as charged in the administrative citation.
 1. No appeal hearing to contest an administrative citation shall be held unless the fine has been deposited in advance.
 2. An appeal hearing shall be set for a date that is not less than fifteen days and not more than sixty days from the date that the request for hearing is filed.
 3. The appellant shall be notified of the time and place set for the hearing at least ten calendar days prior to the date of the hearing.
 4. At the hearing, the appellant shall have the opportunity to testify and to present evidence concerning the administrative citation.
 5. The failure of the appellant to appear at the appeal hearing shall constitute a forfeiture of the fine and a failure to exhaust their administrative remedies.
 6. The administrative citation and any additional report submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents.

7. The hearing officer may continue the hearing and/or request additional information from the enforcement officer or the recipient of the administrative citation prior to issuing a written decision.
8. Any person aggrieved by an administrative decision of a hearing officer on an administrative citation appeal may obtain review of the administrative decision by filing a petition for review with the City Clerk for an appeal to the City Council

SECTION 9. Amendment. Section 38.83-84 of the Citrus Heights Code is hereby amended to read as set forth below:

Sec. 38-83. - Seizure of fireworks.

The chief or the chief's designee of the fire district in which jurisdiction a fireworks stand is located may seize, take, remove or cause to be removed, at the expense of the licensee, all stocks of fireworks offered or exposed for sale, stored or held in violation of this article when such violation creates an imminent threat to public health or safety.

Sec. 38-84. - Concurrent authorities.

This article is not the exclusive regulation for fireworks within the city. This article shall supplement and be in addition to the other regulatory codes, statutes, and ordinances enacted by the county, the state, or any other legal entity or agency having jurisdiction.

Secs. 38-85—38-110. - Reserved.

SECTION 10. Severability. If any provision of this Ordinance is found to be unenforceable, each unenforceable provision shall be severed, and all remaining portions of this Ordinance shall be enforced to the maximum extent legally permissible.

SECTION 11. 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.

SECTION 12. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance as required by law.

PASSED AND ADOPTED by the City Council of the City of Citrus Heights this 14th day of April 2022 by the following vote:

AYES:	Council Members:	Bruins, Miller, Schaefer, Middleton
NOES:	Council Members:	Daniels
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None



Porsche Middleton, Mayor

ATTEST:



Amy Van, City Clerk



CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: April 9, 2025

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

FROM: Amy Van, City Clerk

SUBJECT: **Arts & Cultural City Council Ad Hoc 2x2 Committee**

Summary and Recommendation

Staff recommends the City Council consider appointing two councilmembers to a limited-term City Council Arts & Culture Ad Hoc 2x2 Committee.

Fiscal Impact

There is no fiscal impact associated with this item.

Background and Analysis

At the March 12, 2025 meeting, the City Council received a report on proposed Arts and Culture Programming to further support arts and culture in Citrus Heights. Additionally, the City Council received a presentation on a Traffic Signal Control Cabinet Art Program to increase art in public spaces. Both programs provide opportunities for partnerships with local artists, businesses, schools, neighborhood groups and community members.

During discussion of the item, the City Council expressed strong support for arts and culture initiatives with an emphasis on community engagement and enhancing our website with a resource hub dedicated to arts and culture. The City Council directed staff to bring back an item to appoint two councilmembers to a limited-term City Council Arts & Culture Ad Hoc 2x2 Committee. The Ad Hoc Committee would explore, assess and recommend ways to continue to refine the arts and culture programming as well as be a part of the community engagement process to seek public input on the selection of art for the Traffic Signal Control Cabinet Art Program.



CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: April 9, 2025

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

FROM: Amy Van, City Clerk

SUBJECT: **Discussion Concerning City Council Stipends for Service on Various Regional Boards and Commissions**

Summary and Recommendation

At the March 12, 2025 City Council meeting, during the Items Requested by Council Members portion of the meeting, two councilmembers requested a discussion item on the having the stipends that councilmembers receive for service on the various regional board and commissions be provided to the City and deposited into the General Fund. Staff recommends the City Council review the options presented and provide direction to staff.

Fiscal Impact

There could be an increase to the General Fund if the City Council stipends received from the various regional boards and commissions are provided to the City to deposit into the General Fund.

Background and Analysis

On April 25, 2024, the City Council adopted Ordinance No. 2024-002 amending the Citrus Heights Municipal Code increasing councilmember's monthly salary to the maximum allowable amount of \$1,900 per month (Government Code Section 36516(a)). The compensation for Citrus Heights City Council had not been adjusted since 1997. The ordinance became operative December 11, 2024, following the November 2024 General Municipal Election when newly elected councilmembers were sworn into office.

In addition to their duties as councilmembers, Citrus Heights City Council Members represent the City on various regional boards and committees throughout Sacramento County (Attachment 1). Each of those regional boards and commissions provide a stipend to councilmembers for their service on the board/commission. A complete listing of the various regional boards and

Subject: Discussion Concerning City Council Stipends for Service on Various Regional Boards and Commissions**Date: April 9, 2025****Page 2 of 2**

commissions and the related stipends are reported on Fair Political Practices Commission (FPPC) Form 806 (Attachment 2).

Recently, some questions have been raised around how stipends for service on regional boards and commissions relate to the total maximum City Council compensation limits. According to Government Code Section 36516(c), legislative body members may receive compensation in excess of the maximum compensation limit only if the additional compensation is authorized by a separate statute. Based on staff's research, the stipend for the Sacramento Area Sewer District Board, Sacramento Regional Transit Board, and Sacramento Metropolitan Air Quality Management District Board were established by a separate statute.

The stipends for the Sacramento Metropolitan Cable Commission and Sacramento Area Council of Governments were established according to the respective agency's rules or bylaws, and thus not established by a separate statute. Therefore, pursuant to Government Code Section 36516(c) councilmembers may not personally accept compensation from the Sacramento Metropolitan Cable Commission or Sacramento Area Council of Governments. The City can request that these agencies forward future stipends to the City of Citrus Heights for deposit into the general fund.

At the March 12, 2025 City Council meeting, during the Items Requested by Council Members portion of the meeting, two councilmembers requested a discussion item on the having the stipends that councilmembers receive for service on the various regional board and commissions be provided to the City and deposited into the General Fund. The City Council is being asked to consider the following options:

1. Direct staff to contact the Sacramento Metropolitan Cable Commission and Sacramento Area Council of Governments to request that these agencies forward future stipends to the City of Citrus Heights for deposit into the general fund.
2. Consider whether all stipends from the various regional boards and commissions in Attachment 2 should also be directed to the General Fund, and direct staff to contact the regional boards and commissions to request that these agencies forward future stipends to the City of Citrus Heights for deposit into the general fund.

Attachment

1. 2025 List of Regional Board/Commission Appointments
2. FPPC Form 806

CITY OF CITRUS HEIGHTS
2025 - Summary of Council Member Appointments

Councilmember Appointments to Regional Jurisdictions

Functional Area	Agency	Meeting Schedule	Special Requirements (if any)	Mayor's Appointment
Miscellaneous	Sacramento Local Agency Formation Commission (LAFCo)	1 st Wed. of the month; 5:30 PM at County Board of Sups. Chambers	The Mayor or their designee of the City of Citrus Heights will serve as the appointment to LAFCO. Current appointment is City of Galt ending 12/31/2026. Citrus Heights serving as alternate city representative 1/1/25 - 12/31/26. Citrus Heights will serve at City representative 1/1/27 - 12/31/28.	J. Karpinski-Costa (Alternate)
Miscellaneous	Sacramento Metropolitan Cable Television Commission	Quarterly in March, June, September, December; 2:30 PM at the County Board of Sups. Chambers. No January meeting.		P. Middleton M. Lopez-Taff (Alternate)
Library	Sacramento Public Library Authority (JPA)	4 th Thur. of the month; 3:00 p.m. at County Board of Sups. Chambers		M. Lopez-Taff P. Middleton (Alternate)
Wastewater	Sacramento Area Sewer District (merged with SRCSD effective 1/1/24)*	2 nd & 4 th Wed. of the month; 9:30 AM at County Board of Sups. Chambers		J. Karpinski-Costa K. Nelson (Alternate)
Transportation	Sacramento Transportation Authority (STA) *	2 nd Thurs. of the month; 1:30 PM at County Board of Sups. Chambers. No Jan/Sept meetings.		K. Nelson J. Karpinski-Costa (Alternate)
Transportation	Sacramento Area Council of Governments (SACOG) * (JPA)	3 rd Thurs. of the month; 9:30 AM at SACOG offices		T. Schaefer J. Karpinski-Costa (Alternate)
Transportation	Regional Transit (RT)	2 nd & 4 th Mon. of the month; 4:00 PM at the Q Street Auditorium – 1102 Q St., 4th Floor – Suite 4600		T. Schaefer M. Lopez-Taff (Alternate)
Air Quality	Sacramento Metropolitan Air Quality Management District (SMAQMD) *	4 th Thurs. of the month; 9:00 AM at the County Board of Sups. Chambers. No Nov/Dec meetings.		P. Middleton K. Nelson (Alternate)
Homelessness	Sacramento Steps Forward Homeless Policy Council	Meetings are anticipated to be held 3 times a year.		M. Lopez-Taff P. Middleton (Alternate)

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

CONTINUED ON NEXT PAGE



CITY OF CITRUS HEIGHTS

CITY COUNCIL STAFF REPORT MEMORANDUM

DATE: April 9, 2025

TO: Mayor and City Council Members

FROM: Ryan Jones, City Attorney

SUBJECT: **Approval of City Manager Employment Agreement Amendment**

Summary

Mr. Ashley Feeney has served the City of Citrus Heights since January 31, 2022, as City Manager. The terms of his employment agreement have not been modified since the date of his hire. The City Council performed a recent performance evaluation of the City Manager and desire to extend his employment with the City of Citrus Heights. This staff report outlines the amendments to his existing employment agreement.

Fiscal Impact

If the Council approves the proposed amendments, the fiscal impacts would be as follows:

The at-will employment agreement will be amended to a new annual salary of \$290,000 with a \$500 monthly vehicle allowance.

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

Background

The City Council performs an annual performance evaluation of the City Manager. The City Manager has received favorable performance evaluations. However, the City Manager has not received a merit-based salary increase or a cost-of-living increase. The City Council requested a compensation comparison be completed. The results of that comparison showed that the Citrus Heights City Manager had the lowest salary of the comparable agencies. The performance of the City Manager and the compensation at comparable agencies were considered by the City Council in negotiating an amendment to the City Manager's employment agreement. The table below shows where the Citrus Heights City Manager monthly base salary will compare to other nearby jurisdictions with the proposed amended salary:

Agency	Classification	Monthly Base & Other Monthly Salary
Sacramento County	County Exec	\$ 36,835
Sacramento	City Manager	\$ 33,388
Roseville	City Manager	\$ 30,230
Yolo County	County Exec	\$ 30,188
Elk Grove	City Manager	\$ 26,880
Davis	City Manager	\$ 26,255
Folsom	City Manager	\$ 26,033
Woodland	City Manager	\$ 25,312
Rancho Cordova	City Manager	\$ 24,390
<i>Citrus Heights</i>	<i>City Manager</i>	\$ 24,167
West Sacramento	City Manager	\$ 23,738
Rocklin	City Manager	\$ 22,386

The City Council also took into consideration that the median annual retirement costs for the other agencies for their top administrators were \$37,429 as their members are Classic Public Employee Retirement System members. Mr. Feeney is not a “Classic” member of the CalPERS system but is a “PEPRA” member which has a formula that is based on the California Public Employees’ Pension Reform Act of 2013 which significantly altered the way CalPERS retirement benefits are applied. Mr. Feeney’s annual retirement costs to City are \$14,638, significantly lower than other administrators.

Other terms of the agreement that are being amended include that the term of the at-will employment agreement will be ongoing until either party terminates the agreement. The amended agreement will provide for a 45-day notice period if terminated by Employee, unless the termination is for retirement, then 90-day notice will be provided. The City Manager would also receive cost-of-living increases consistent with what is provided for unrepresented employees.

Attachment

- 1) Resolution to Approve City Manager Employment Agreement Amendment

RESOLUTION NO. 2025-__**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS,
CALIFORNIA, APPROVING AN AMENDMENT TO THE EMPLOYMENT
AGREEMENT BETWEEN CITY MANAGER ASHLEY J. FEENEY AND THE CITY OF
CITRUS HEIGHTS**

WHEREAS, Ashley J. Feeney has served as City Manager for the City of Citrus Heights since January 31, 2022;

WHEREAS, Mr. Feeney has received favorable performance evaluations. However, he has not received a merit-based salary increase or a cost-of-living increase. The City Council requested a compensation comparison be completed. The results of that comparison showed that the Citrus Heights City Manager was low amongst comparable agencies;

WHEREAS, the performance of the City Manager and the compensation at comparable agencies were considered by the City Council in arriving at the terms of this amendment to the City Manager's employment agreement; and

WHEREAS, the City Council desires to amend the existing agreement. The amendment will include a modified annual salary of \$290,000, and the addition of a \$500 per month car allowance and a cost-of-living increases consistent with what is provided to unrepresented employees.

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

1. Approve and authorize the Mayor to execute an Amendment to the Employment Agreement between the City of Citrus Heights and Ashley J. Feeney in a form approved by the City Attorney.

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

PASSED AND ADOPTED by the City Council of the City of Citrus Heights, California, this 9th day of April, 2025 by the following vote, to wit:

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

Dr. Jayna Karpinski-Costa, Mayor

ATTEST:

Amy Van, City Clerk