



AGENDA

CITY OF CITRUS HEIGHTS

CITY COUNCIL

FEBRUARY 25, 2016

6:00 PM SPECIAL MEETING

7:00 PM REGULAR MEETING

City Hall Council Chambers
6300 Fountain Square Drive, Citrus Heights, CA

2-25-2016 City Council Agenda Packet (PDF)

Documents:

[2-25-16 COUNCIL AGENDA PACKET.PDF](#)

CALL SPECIAL MEETING TO ORDER

1. Roll Call: Council Members: Frost, Miller, Turner, Slowey, Bruins

PUBLIC COMMENT

Under Government Code Section 54954.3, members of the audience may address the Council on any item of interest to the public and within the Council's purview, or on any Agenda Item before or during the Council's consideration of the Item. 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.

STUDY SESSION

2. "New" City Hall Fountains

ADJOURNMENT

CALL REGULAR MEETING TO ORDER

1. Flag Salute
2. Roll Call: Council Members: Frost, Miller, Turner, Slowey, Bruins
3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

4. Economic Development Support Sponsorship Report For Spooktacular – Antelope Crossing Business Association
5. Economic Development Support Sponsorship For Chairman's Circle Sponsorship – Chamber Of Commerce
6. Citrus Heights Police Department Annual Crime Report

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

PUBLIC COMMENT

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CONSENT CALENDAR

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

7. SUBJECT: Approval Of Minutes

RECOMMENDATION: Approve the Minutes of the Regular Meeting of February 11, 2016

8. SUBJECT: Approval Of Sacramento Area Council Of Government's (SACOG) Community Design Grant Memorandum Of Understanding (MOU) For Activate Auburn Campaign

STAFF REPORT: R. Sherman / D. Rodriguez

RECOMMENDATION: Adopt Resolution No. 2016 – ____ A Resolution of the City Council of the City of Citrus Heights, Authorizing the City Manager to Execute an Agreement with the Sacramento Area Council of Governments for the Activate Auburn Campaign

PUBLIC HEARINGS

REGULAR CALENDAR

9. SUBJECT: Appointment To Fill Unexpired History And Arts Commission Position

STAFF REPORT: A. Van

RECOMMENDATION: It is recommended that Council Member Turner nominate one regular member to fill the unexpired term on the History and Arts Commission, subject to ratification by the City Council.

DEPARTMENT REPORTS

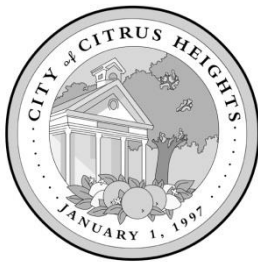
10. SUBJECT: City Awareness Campaign

DEPARTMENT: Community and Economic Development Department

CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS / FUTURE AGENDA ITEMS

ADJOURNMENT



Jeannie Bruins, Mayor
Jeff Slowey, Vice Mayor
Sue Frost, Council Member
Steve Miller, Council Member
Mel Turner, Council Member

**CITY OF CITRUS HEIGHTS
CITY COUNCIL
Special/Regular Meetings of Thursday, February 25, 2016
Citrus Heights Community Center
6300 Fountain Square Dr., Citrus Heights, CA
Special Meeting 6:00 p.m.
Regular Meeting 7:00 p.m.**

PLEASE NOTE: The Council may take up any agenda item at any time, regardless of the order listed. Action may be taken on any item on the agenda. The City Council has established a procedure for addressing the Council. Speaker Identification Sheets are provided on the table inside the Council Chambers. If you wish to address the Council during the meeting, please complete a Speaker Identification Sheet and give it to the City Clerk. So that everyone who wishes may have an opportunity to speak, there is a five-minute maximum time limit when addressing the Council. Audio/Visual presentation material must be provided to the City Clerk's Office at least 48 hours prior to the meeting.

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 at City Hall located at 7927 Auburn Blvd, Citrus Heights during normal business hours. Email subscriptions of the agenda are available online by signing up with the City's Notify Me service.

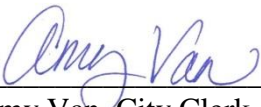
City Council meetings are televised live on Metro Cable 14, the government affairs channel on the Comcast and SureWest Cable Systems and replayed on the following Monday at 9:00 a.m. Meetings are also webcast live at www.citrusheights.net.

The Agenda for this meeting of the City Council for the City of Citrus Heights was posted in the following listed sites before the close of business at 5:00 p.m. on the Friday preceding the meeting.

1. City of Citrus Heights, 7927 Auburn Blvd., Citrus Heights, CA
2. Rusch Park Community Center, 7801 Auburn Boulevard, Citrus Heights, CA
3. Sacramento County Library, Sylvan Oaks Branch, 6700 Auburn Blvd., Citrus Heights, CA

If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office 916-725-2448, 7927 Auburn Blvd., at least 48 hours prior to the meeting. TDD (hearing impaired only) 916-725-6185.

February 19, 2016



Amy Van, City Clerk

Please turn off all cellular phones and pagers while the City Council meeting is in session.

SPECIAL MEETING 6:00 PM
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CALL SPECIAL MEETING TO ORDER

1. Roll Call: Council Members: Frost, Miller, Turner, Slowey, Bruins

PUBLIC COMMENT

STUDY SESSION

2. “New” City Hall Fountains

ADJOURNMENT

REGULAR MEETING 7:00 PM
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CALL REGULAR MEETING TO ORDER

1. Flag Salute
2. Roll Call: Council Members: Frost, Miller, Turner, Slowey, Bruins
3. Video Statement

APPROVAL OF AGENDA

PRESENTATIONS

4. Economic Development Support Sponsorship Report for Spooktacular – Antelope Crossing Business Association
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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.

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RECOMMENDATION: Approve the Minutes of the Regular Meeting of February 11, 2016
8. **SUBJECT:** Approval of Sacramento Area Council of Government's (SACOG) Community Design Grant Memorandum of Understanding (MOU) for Activate Auburn Campaign
STAFF REPORT: R. Sherman / D. Rodriguez
RECOMMENDATION: Adopt Resolution No. 2016 – ____ A Resolution of the City Council of the City of Citrus Heights, Authorizing the City Manager to Execute an Agreement with the Sacramento Area Council of Governments for the Activate Auburn Campaign

PUBLIC HEARINGS

None

REGULAR CALENDAR

9. **SUBJECT:** Appointment to Fill Unexpired History and Arts Commission Position
STAFF REPORT: A. Van
RECOMMENDATION: It is recommended that Council Member Turner nominate one regular member to fill the unexpired term on the History and Arts Commission, subject to ratification by the City Council.

DEPARTMENT REPORTS

10. **SUBJECT:** City Awareness Campaign
DEPARTMENT: Community and Economic Development Department

CITY MANAGER ITEMS

ITEMS REQUESTED BY COUNCIL MEMBERS/ FUTURE AGENDA ITEMS

ADJOURNMENT

**CITY OF CITRUS HEIGHTS
CITY COUNCIL
MINUTES
Regular Meeting of Thursday, February 11, 2016
Citrus Heights Community Center
6300 Fountain Square Drive, Citrus Heights, CA**

ITEM 7

CALL REGULAR MEETING TO ORDER

The regular council meeting was called to order at 7:03 p.m. by Mayor Bruins.

1. The flag salute was led by Mayor Bruins.
2. Roll Call: Council Members present: Frost, Turner, Slowey, and Bruins
Council Members absent: Miller
Staff present: Becker, Maraviov, Rivera, Rodriguez, Sherman, Tingle, Van, Ziegler and department directors.
3. The video statement was read by Human Resources/City Information Director Rivera.

APPROVAL OF AGENDA

On a motion by Vice Mayor Slowey, seconded by Council Member Turner, the City Council approved the agenda.

AYES: Frost, Turner, Slowey, and Bruins
NOES: None
ABSENT: Miller

PRESENTATIONS

4. Recognition of Oral History Participants by the History and Arts Commission

Larry Fritz with the History and Arts Commission provided an overview and update on the Oral History Project. He explained the purpose of the Project is to preserve the history of Citrus Heights.

Mayor Bruins presented certificates of recognition to the following Oral History Participants: Richard Kniesel, Jack Duncan, Jean Duncan, John Giusti, Olly May Giusti, Jodi Burgess, and Brandon Burgess.

5. Presentation by Republic Services – Recycle Poster Contest Winners

Colin Wallace with Republic Services introduced the Recycle Poster Contest Winners.

Mayor Bruins presented certificates of recognition to the following contest winners: JasmineArreola, Olivia Pacheco, Hailey Brooks, Leila Gross, Elijah Tofan, Jonathan Sanchez, Katya Larshina, Rubi Ortega Rivas, Evelina Kalenyuk, Angelina Angelova, Taytum Harris-Lee, Nancy Cantos, and Kaylee Sy. She also presented a certificate to Lichen Elementary Principal for the greatest participation in the poster contest.

6. Presentation on the 2015 Holiday Referral Program Results

Support Services Manager Maraviov provided a presentation on the results of the 2015 Holiday Referral Program where they were able to help 120 adults and 157 children with food, clothes, toys, gift cards, beds and monetary donations.

COMMENTS BY COUNCIL MEMBERS AND REGIONAL BOARD UPDATES

Council Member Turner attended the Citrus Heights Police Activities League fundraising event at Stone's Casino. He provided a report from the Sacramento Transportation Authority Board meeting.

Vice Mayor Slowey attended, along with Council Member Miller, a Martin Luther King Jr. celebratory dinner. He also provided an update from Regional Transit.

Mayor Bruins announced that the City is accepting applications for one position on the History and Arts Commission. She provided a report from the Sacramento Regional County Sanitation District and Sacramento Area Sewer District Board meeting. She also provided a report from the Local Agency Formation Commission meeting.

PUBLIC COMMENT

Christine dela Cruz-Stein introduced herself to the City Council and stated she is interested in serving on the History and Arts Commission.

Gary Giri owner of Valero spoke in support of a city archway sign with signals that has been presented as part of the Auburn Boulevard Phase II Project.

Richard Hale owner of Walts Auto Service spoke in support of a city archway sign with signals that has been presented as part of the Auburn Boulevard Phase II Project.

Kimberly Berg owner of Citrus Heights Carwash spoke in support of a city archway sign with signals that has been presented as part of the Auburn Boulevard Phase II Project.

CONSENT CALENDAR

7. **SUBJECT:** Approval of Minutes
RECOMMENDATION: Approve the Minutes of the Special and Regular Meeting of January 28, 2016
8. **SUBJECT:** Memorandum of Understanding with Sacramento Office of Emergency Services Regional Emergency Notification System
STAFF REPORT: C. Boyd / S. Maraviov
RECOMMENDATION: Adopt Resolution No. 2016-011 A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Enter Into a Memorandum of Understanding Between the Sacramento County Office of Emergency Services (OES) and the City of Citrus Heights for the Shared Emergency Alert and Notification System Known as the Everbridge Emergency Notification System (Everbridge)

9. **SUBJECT:** Sylvan Road Accessibility and Safety Improvements Project No. 20-11-003 – Final Acceptance
 STAFF REPORT: D. Wheaton / I. Chaudry / S. Hodgkins
 RECOMMENDATION: Adopt Resolution No. 2016–012 A Resolution of the City Council of the City of Citrus Heights, California, Accepting the Sylvan Road Accessibility and Safety Improvements Project as Complete, Authorizing the General Services Director to File a Notice of Completion with the Sacramento County Recorder and Authorizing the City Manager to Release Retention Funds

ACTION: On a motion by Vice Mayor Slowey, seconded by Council Member Frost, the City Council approved Consent Calendar Items 7, 8 and 9.

AYES: Frost, Turner, Slowey and Bruins
NOES: None
ABSENT: Miller

PUBLIC HEARING

None

REGULAR CALENDAR

None

DEPARTMENT REPORTS

10. **SUBJECT:** Progress Report on Auburn Boulevard Phase II
 DEPARTMENT: Community and Economic Development Department

Development Specialist Rodriguez and Management Analyst Cave gave a report on the Auburn Boulevard Phase II Project. The City has begun to do outreach in the form of on-on-one meetings, phone or email interviews, direct mailers and community meetings. Several gateway sign options were presented to the Auburn Boulevard Business Association and at the community meeting which included an archway/traffic signal integration option and center median option. They provided an overview of the funding sources and timeline for the project.

Principal Civil Engineer Becker responded to questions from Council Members related to the archway sign.

11. **SUBJECT:** City Awareness Campaign
 DEPARTMENT: Community and Economic Development Department

Development Specialist Rodriguez explained that the Community Awareness Campaign is the process of changing, refining or improving what people are saying about the community, and focusing and highlighting the community's positive differentiator. She said there is no better time than now with the 20 Year Anniversary of cityhood in 2017 to start the campaign. Staff has received input from the business community. A key strategy in the 2011 Economic Development Strategy is to "Develop and implement a concerted marketing strategy." Elements of a Community

Awareness Campaign may include: exploration with focus groups and community engagement; creative and message development such as development of a city logo and other visual elements; and implementation and action. The City would release a request for qualifications to retain a consultant that would assist the City with creating a message or tagline and development of a logo and other visual elements. She presented a recommended timeline and the potential fiscal impact for the campaign.

Council comments and questions followed.

Community and Economic Development Director Sherman responded to questions from Council Members.

The City Council directed staff present Council with a proposed scope of work prior to releasing a request for proposal for consulting services, and conduct additional research on the proposed costs associated with an awareness campaign.

Vice Mayor Slowey recommended that each Council Member come up with two goals they envision for the awareness campaign and send them to staff.

CITY MANAGER ITEMS

None

ITEMS REQUESTED BY COUNCIL MEMBERS/FUTURE AGENDA ITEMS

None

ADJOURNMENT

Mayor Bruins adjourned the regular meeting at 8:58 p.m.

Respectfully submitted,

Amy Van, City Clerk



CITY OF CITRUS HEIGHTS

Memorandum

February 25, 2016

TO: Mayor and City Council Members
Henry Tingle, City Manager

FROM: Rhonda Sherman, Community & Economic Development Director
Devon Rodriguez, Development Specialist

SUBJECT: **Approval of SACOG Community Design Grant MOU for Activate Auburn Campaign**

Approved and Forwarded to City Council

_____ Fin.

_____ Atty.

Henry Tingle, City Manager

Summary and Recommendation

The City has been awarded \$100,000 from the Sacramento Area Council of Government's (SACOG) non-competitive Community Design Grant – Category 3 program to fund a portion of the Activate Auburn Campaign. Staff presented the Activate Auburn Campaign to City Council during a study session on January 14, 2016. The SACOG grant will mainly provide architectural and retail technical assistance to business and property owners to decrease vacancies, activate properties, and build district brand and identity.

Staff recommends the City Council adopt Resolution 2016-____, authorizing the City Manager to enter into an agreement with SACOG for the Community Design Grant and authorizing and directing the City Manager or his designee to make such changes as are necessary to execute the agreement.

Fiscal Impact

The City has been awarded \$100,000 in grant funding. In order to receive the funding, the City must provide a 10% match of \$10,000. The City's Economic Development Support Fund is an ideal funding source to provide the match due to the program's goals of promoting a specific commercial area, and improving aesthetics of a commercial area, to name a few. The Economic Development Support Fund was allocated \$150,000 for FY 2015-2016. To date, the Economic Development Support Fund has \$75,386.50 remaining, with one pending application of \$5,000.

In addition, staff will be requesting to designate some of the Economic Development Support Fund for implementation of Activate Auburn, including façade and retail grants. This separate request will be included with the guideline approval for Activate Auburn, tentatively scheduled for the March 10, 2016 City Council meeting.

Background and Analysis

The redevelopment and reuse of the City's existing corridors continues to be a priority for the City and Auburn Boulevard continues to be the City's highest priority capital improvement project. Recently, the City completed the Auburn Boulevard Complete Streets Project, an approximately \$20 million public investment, and design has begun on Phase II of the Project. However, the City's commitment to corridor revitalization has not only been in the form of public improvements, there is a concerted economic development effort to assist businesses as well. Recently, economic development staff has been working to support a new business association, the Auburn Boulevard Business Association, and with technical assistance from SACOG, the Building Blocks event was held May 4-6, 2015 to assist Auburn Boulevard business and property owners with what they can start doing tomorrow to improve their business. On January 14, 2016, staff presented the Activate Auburn Campaign, a variety of regulatory changes, technical assistance and grant opportunities staff developed to improve market conditions over time and spur the private investment envisioned in the Boulevard Plan.

The funding provided by SACOG's Community Design grant has been designated to fund the following activities:

1. Review the Auburn Boulevard Plan regulations to identify plan changes that will eliminate vacancies and encourage adaptive reuse and/or redevelopment along the Auburn Boulevard Corridor.
2. Review development fee structure along the City's corridors to encourage active uses, such as restaurants, mixed uses, and redevelopment along the City's corridors.
3. Establish a technical assistance program to reduce vacancies, encourage adaptive reuse and redevelopment along the City's corridors. Technical assistance will utilize experts in the retail, architectural, landscape and planning fields. Technical assistance will include staff training as well as development of a technical assistance team comprised of experts tasked with aiding in these efforts.
4. Provide technical assistance for approximately ten (10) businesses or property owners.

If successful, the technical assistance will eventually be available to all businesses in the City's commercial corridors, but to start this is a pilot program that will be focused on assisting Auburn Boulevard businesses. The draft Memorandum of Understanding (MOU) and scope are included as Attachment 2.

Conclusion

In order to facilitate the redevelopment and reuse of the City's major corridor, staff has developed the Activate Auburn Campaign. The campaign includes analyzing existing zoning and making modifications to encourage private party redevelopment and providing a variety of technical assistance and grants directly to property and business owners in order to decrease vacancies, activate properties and build district brand and identity. SACOG's Community Design Grant is providing \$100,000 to support the implementation of this program and requires a 10% match from the City. Staff recommends that the City Council approve the attached resolution, authorizing the City Manager to enter into an agreement with SACOG for the Community Design Grant and authorizing and directing the City Manager or his designee to make such changes as are necessary to execute the agreement.

Subject: Approval of SACOG Community Design Grant MOU for Activate Auburn Campaign

Date: February 25, 2016

Page 3 of 3

Attachments: (1) Resolution No. 2016-_____
(2) Draft SACOG MOU and Scope

RESOLUTION NO. 2016- ____

**APPROVE RESOLUTION 2016____, A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CITRUS HEIGHTS, AUTHORIZING THE CITY MANAGER
TO EXECUTE AN AGREEMENT WITH THE SACRAMENTO AREA
COUNCIL OF GOVERNMENTS FOR THE ACTIVATE AUBURN CAMPAIGN**

WHEREAS, the redevelopment and reuse of the City’s major corridors continue to be a priority for the City and Auburn Boulevard continues to be the City’s highest priority capital improvement project; and

WHEREAS, in order to facilitate the redevelopment and reuse of the City’s major corridors, specifically Auburn Boulevard, the City has developed the Activate Auburn Campaign; and

WHEREAS, the Activate Auburn Campaign is a pilot program that includes a variety of regulatory changes, technical assistance in retail, architecture, landscape and planning fields and façade, sign and retail grant opportunities; and

WHEREAS, the City of Citrus Heights has received \$100,000 from the Sacramento Area Council of Governments (“SACOG”) Community Design – Category 3 program to fund a portion of the Activate Auburn Campaign, mainly the procurement and direct use of technical assistance experts by property and business owners; and

WHEREAS, the Economic Development Support Fund will provide the \$10,000 match required by the Community Design grant; and

WHEREAS, the purpose of the Economic Development Support Fund is to provide sponsorship and grants that promote the City of Citrus Heights’ commerce and increase business activity through increased jobs, expanding the trade zone and increased tax base to name a few; and

NOW THEREFORE BE IT RESOLVED AND ORDERED that the City Council of the City of Citrus Heights does hereby authorize the City Manager or his designee to enter into an agreement with SACOG for the Community Design Grant and authorize and direct the City Manager or his designee to make such changes as are necessary to execute the agreement.

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

PASSED AND ADOPTED by the City Council of the City of Citrus Heights, California, this 25th day of February 2016 by the following vote, to wit:

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

ABSENT: Council Members:

Jeannie Bruins, Mayor

ATTEST:

Amy Van, City Clerk

SACOG 2016 Programming Round Funding (Round 7)

Memorandum of Understanding (“MOU” or “Agreement”) Between the Sacramento Area Council of Governments (“SACOG”) and the City of Citrus Heights (“Recipient”) For the Project known as “Commercial Corridor Revitalization Program”

1. Introduction: Project Description and Scope of Work

A. Program Description:

The SACOG Community Design Funding Program (henceforth referred to as “Program”) is intended to provide financial assistance to local governmental agencies that are planning or constructing projects that are consistent with the SACOG identified guidelines and principles. Local agencies submit project applications to SACOG and SACOG awards funding by a regional selection process. The Project was awarded funding through the Program. This document serves as the MOU between SACOG and Recipient.

The Project is receiving funds from SACOG-managed local funding sources, meaning these funds bring no requirement to federalize the Project. As such, the Project is not subject to administrative review by the California Department of Transportation (“CalTrans”), but rather solely by SACOG. However, SACOG will review any delay in the Project, as noted in Section 4.b below. SACOG must approve of the Project Scope of Work, milestones, deliverables and timelines, and shall review and approve all invoices before the Recipient will be reimbursed.

The Program is set up as a reimbursable program, meaning Recipient will be reimbursed for eligible Project costs after SACOG receives, reviews, and approves invoices covering those expenditures. In signing this Agreement, Recipient certifies that it can fund the Project on its own until it seeks reimbursement from SACOG. The Recipient shall carry the expenses until it invoices SACOG for expenditures. SACOG will reimburse the Recipient within 45 days of receiving and approving an invoice that is determined to meet the terms of this MOU.

B. Recipient Project Manager and SACOG Program Manager:

The following persons shall serve as the point of contact for all communications unless mutually agreed in writing that another individual may represent either the Recipient or SACOG.

The Recipient's officially designated Project Manager is:

Devon Rodriguez
Development Specialist
7927 Auburn Boulevard
Citrus Heights, CA 95610
drodriguez@citrusheights.net
(916) 727-4745
(916) 725-5799

SACOG's Program Coordinator is:

Gregory R. Chew
Community Design Program
Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814
gchew@sacog.org
Phone 916-340-6227
Facsimile 916-321-9551

C. Scope of Work, Deliverables, Milestones and Timeline:

The attached Exhibit "A" describes the detailed Scope of Work to be performed by Recipient as well as the Project milestones, deliverables, and timeline for the Project, and is incorporated herein by this reference. SACOG, in reviewing invoices, will verify the work completed and deliverables against the terms of Exhibit "A."

D. Project Application and Amount:

Recipient submitted an application to SACOG for funding under the Program (hereinafter "Application"). A copy of the Recipient's Project Application may be found at: <http://www.sacog.org/regionalfunding/communitydesign.cfm> and is incorporated herein by this reference. The Project Application was evaluated through a competitive regional selection process and has been awarded \$ 100,000, to be provided under the terms and conditions of this Agreement. The Recipient has pledged \$10,000 in matching funds, and certified these funds are available to complete the Project scope. If Recipient incurs costs and expenses beyond the awarded amount, Recipient is responsible to cover those costs and expenses.

E. Project Description:

Based on the submitted Project Application, the Project's general purpose and scope is *implementation of mostly technical assistance for the Activate Auburn Campaign. In order to facilitate the redevelopment and reuse of the City's major corridors, the City has developed the Activate Auburn Campaign. The goal of the program is to reduce vacancies, encourage adaptive reuse and redevelopment along the City's corridors. To aid in this effort, the City will provide business and property owners*

with technical assistance in the form of one-on-one consulting with experts in retail, architectural, landscape and planning fields. The program will first be focused on Auburn Boulevard and then available to other commercial corridors in the City.

F. Payment:

As the work is satisfactorily performed and funds are available, SACOG will reimburse Recipient for Project costs approved by SACOG. Recipient shall not be paid in advance of work completed. Conditions for reimbursement are identified in Section 3 below.

2. Performance

A. Notice to Proceed:

The Recipient may not start reimbursable Project activities until this Agreement is signed by both SACOG and Recipient. SACOG's Program Manager shall issue a written Notice to Proceed ("NTP") (e-mail acceptable) to Recipient's Project Manager after this Agreement is fully signed. The NTP shall contain the effective date for reimbursable activities, which date shall coincide with the date on which the NTP is issued.

B. Recipient Accountability Duties:

Recipient shall comply with the following accountability duties. Recipient acknowledges that a failure to perform these duties may result in the DISQUALIFICATION of Recipient from receiving future funding through SACOG as further specified below. It is incumbent upon Recipient, particularly the Recipient Project Manager, to understand these accountability duties and perform them throughout the term of the MOU or until the Project is completed, whichever comes first. SACOG will NOT remind Recipient to perform these duties.

(1) Staff Requirements - A Recipient staff person who is familiar with the contents of Recipient's Application and has been assigned to oversee the delivery of this Project. Recipient acknowledges that if it does not maintain an assigned, qualified staff person or consultant to manage the delivery of the Project pursuant to the Recipient's Application, SACOG reserves the right to withdraw funding for this Project.

(2) Funding Cycle Deadline - The Project as set forth in the Application, including the scope, timeline and deliverables, must be delivered no later than the current funding round cycle deadline of December 31, 2018. Recipient acknowledges that, if it does not deliver the specified Project on the agreed to timeline and prior to the funding cycle deadline, Recipient may be penalized in future funding cycles of SACOG's four regional funding programs.

(3) Status Reports – All Round 7 Community Design recipients are required to submit quarterly status reports. Following issuance of the NTP, Recipient shall provide the SACOG Program Manager with a brief, written (e-mail acceptable)

quarterly status report on the Project. The due date for each is the first day of January, April, July and October of each year that the project has started until its completion or the termination of this MOU. This status report may be as brief as one or two paragraphs, depending upon the complexity and status of the particular Project. If Recipient's designated Project Manager changes during the course of the Project, it is the responsibility of Recipient to convey this status report requirement and all other requirements of this MOU to the new Project Manager. The Project Manager shall not change unless mutually agreed upon by SACOG and Recipient in writing. Recipient acknowledges that a failure to provide quarterly Project status reports to SACOG may result in Recipient failing to qualify for future funding cycles of SACOG's regional funding programs, including the Program. The responsibility of submitting the brief status report to SACOG lies solely with Recipient's identified Project Manager listed above.

C. Overall Performance:

Recipient recognizes that SACOG considers Recipient's performance on this Project a factor in qualifying Recipient for proposed future projects for any other current or future SACOG's funding program (e.g., Community Design, Bicycle/Pedestrian, Regional/Local, Air Quality programs).

D. Recipient Responsibilities:

After the NTP has been issued the Recipient is required to perform the accountability requirements in Section 2.B., including, but not limited to, submission of a brief quarterly Project status report. Recipient shall complete the Project, in accordance with Exhibit "A", by no later than the expiration of this Agreement.

E. SACOG Responsibilities:

SACOG shall:

(1) Review progress reports and invoices promptly, and contact Recipient in a timely manner to discuss any issues. Invoices will not be approved until issues have been satisfactorily resolved.

(2) Remit invoice for payment promptly after approving invoices.

(3) Verify final Project completion as appropriate to close out final completion and payment.

3. Reimbursement

A. Invoices and Payments:

Recipient shall submit regular Project invoices to SACOG for reimbursement following issuance of the NTP, but shall submit such invoices no more frequently than once a month and no less frequently than once a quarter. Each invoice shall contain a one-page progress report narrative (bullet format acceptable) of work completed to date along with reference to the scope of work, timeline, milestones, and deliverables in Exhibit "A." Recipient shall clearly identify which of the activities

have been performed in the period for which reimbursement is being requested. Recipient may include copies of any deliverables or photographs of physical construction, as applicable, to provide documentation of work completed.

B. Travel Reimbursement:

Recipient shall comply with, and shall require its subcontractors to comply with, the requirements for non-state employee travel and subsistence (per diem) expenses found in the California Department of Transportation (“Caltrans”) Travel Guide, Non-State Employee Travel (referencing the current California Department of Personnel Administration rules) at the following link:

<http://www.dot.ca.gov/hq/asc/travel/index.htm>. Lodging rates shall not exceed rates authorized to be paid non-state employees unless written verification is supplied that such rates are not commercially available to Recipient and/or its subcontractors at the time and location required as specified in the Caltrans Travel Guide Exception Process.

C. Evaluation of Invoices:

SACOG will review invoices in the order received from all Program projects. Upon the review of each invoice received, SACOG will evaluate the degree of progress being made in comparison to the scope of work in Exhibit A, and may ask Recipient to provide additional information to support an invoice. SACOG may withhold payment of a full or partial invoice amount if it believes insufficient evidence has been provided to justify the amount requested.

D. Methods of Payment:

After the SACOG Program Manager has approved an invoice, it will be submitted to the SACOG Finance Department for processing. Reimbursement will be made within 45 days of invoice approval and will be made by check, unless an electronic fund transfer arrangement has been made in advance.

E. Retention and Completion:

SACOG reserves the right to withhold up to 10% of the awarded amount until it can verify the Project is completed as described in Exhibit “A” and approved by SACOG.

4. Completion; Termination

A. Agreement Expiration Date:

All reimbursable expenses must be incurred before December 31, 2018. The expiration date of this Agreement is March 31, 2019, which is the final date for submitting invoices to SACOG, and the date when all projects funded in the 2016 Program funding cycle must be completed. Reimbursement will be made as outlined in Section 1.A. and Section 3.

B. Extensions:

This MOU may be extended by written agreement of the parties, but such written agreement by SACOG may only occur by one of two ways. First, SACOG may agree

to an extension in the event that a delay is caused by SACOG, Caltrans or state or federal agencies regarding the funding, programming or regulatory review of this project and such delay is deemed “abnormally longer than usual” by SACOG. Second, SACOG may agree to an extension for any other reason only by direct approval of the SACOG Board of Directors.

C. Termination by Recipient:

The Recipient may terminate this Agreement upon 30 days’ written notice to SACOG identifying the reason for termination. Within 10 working days of the notice, Recipient shall submit an invoice which shall be paid according to the conditions in Section 3.

D. Termination by SACOG:

Recipient’s failure to perform any material obligation hereunder is a material breach of this Agreement. SACOG shall provide Recipient with written notice of any such failure and specify a reasonable opportunity to cure. If Recipient fails to cure a material breach after SACOG provides written notice thereof and a reasonable opportunity to cure, SACOG may terminate this Agreement upon 10 days’ written notice to the Recipient identifying the reason for termination. Upon receipt of the notice of termination, Recipient shall immediately cease its own reimbursable activities on the Project and shall give notice to any third party working on the Project to immediately cease its reimbursable activities on the Project. Within 30 working days of receipt of the notice of termination, Recipient shall submit an invoice for work done through the date of termination. Reasons for termination may include, but are not limited to:

- (1) failure by the Recipient to submit a progress report or invoice for two consecutive quarters after the Notice to Proceed;
- (2) if the Project falls more than 6 months behind the timeline in Exhibit A and the Recipient fails to timely inform the SACOG Program Manager; or
- (3) the Recipient does not respond in a timely manner to requests by SACOG’s Project Manager for information.

Reimbursable funding for the Project shall cease upon the effective date of the termination notice.

5. General Provisions

A. Amendments:

No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein, shall be binding on any of the parties hereto.

B. Indemnity:

Recipient and SACOG are each responsible for its own acts and omissions. Further, each party agrees to indemnify, defend, and hold harmless the other party, its

governing body, officers, agents, and employees from and against any and all actions, claims, demands, losses, expenses, including reasonable attorney's fees and costs, damages, and liabilities, resulting from the negligent acts or omissions or willful misconduct of the indemnifying party. The provisions of this Section shall survive the expiration or termination of this Agreement.

C. Audit, Records:

SACOG shall have the right to audit, or have audited by a representative agent, Recipient's use of Project funds. Recipient shall maintain books, records, documents and other evidence (collectively "Records") pertinent to Project work performed under this Agreement in accordance with generally accepted accounting principles and practices for a minimum of three years following completion of the Project. Recipient shall make the Records available to SACOG or its agents upon request.

D. Notices:

All notices required or provided for under this Agreement shall be in writing and delivered in person or by first class U.S. mail, postage prepaid, to the Project Managers identified in Section 1.B.

E. Integration:

This Agreement represents the entire understanding of SACOG and Recipient as to those matters contained herein and supersedes all prior negotiations, representations, or agreements, both written and oral. This Agreement may not be modified or altered except in accordance with Section 5.A.

F. Headings:

The headings of the various sections of this Agreement are intended solely for convenience of reference and are not intended to explain, modify, or place any interpretation upon any of the provisions of this Agreement.

G. Severability:

If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those to which it is invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law, unless the exclusion of such term or provision, or the application of such term or provision, would result in such a material change so as to cause completion of the obligations contemplated herein to be unreasonable.

H. Counterparts:

This Agreement may be executed in multiple counterparts, each of which shall constitute an original, and all of which taken together shall constitute one and the same instrument.

I. Dispute Resolution:

Each party hereto will notify the other party promptly of any matters that may cause disputes arising out of their respective rights and obligations under this Agreement and will make every reasonable effort to settle such disputes by prompt and diligent negotiations. If the parties are unable to resolve the dispute through negotiation, the dispute will be sent to mediation administered by a mediator acceptable to both parties prior to the initiation of legal action, unless delay in initiating legal action would irrevocably prejudice one of the parties. All expenses of the mediation will be borne by the parties equally; however, each party will bear the expense of its own counsel, experts, witnesses, and preparation and presentation of proofs.

6. Signatories

The following parties are the authorized signatories representing their respective agencies to sign this MOU:

Sacramento Area Council of Governments

City of Citrus Heights

MIKE MCKEEVER
Chief Executive Officer

HENRY TINGLE
City Manager

Date

Date

Attest:

AMY VAN, City Clerk

Approved as to form:

Approved as to form:

RENNE SLOAN HOLTZMAN SAKAI LLP
Legal Counsel to SACOG

RUTHANN G. ZIEGLER, City Attorney

Exhibit “A”

**SCOPE OF WORK
DELIVERABLES, MILESTONES, AND TIMELINE**

2607566.2

Exhibit “A” – Scope of Work, Deliverables, and Timeline

City of Citrus Heights Activate Auburn Campaign for Community Design Funding Program

The redevelopment and reuse of the City’s existing corridors continue to be a priority for the City and Auburn Boulevard continues to be the City’s highest priority capital improvement project. In order to facilitate the redevelopment and reuse of the City’s major corridors, the City has developed the Activate Auburn Campaign. The campaign is a pilot program that if successful will eventually be available to all businesses in the City’s commercial corridors. The goal of the campaign is to reduce vacancies, encourage adaptive reuse and redevelopment along the City’s corridors. Activate Auburn includes a variety of regulatory changes, technical assistance to business and property owners and grants. The Community Design funding will be mainly focused on providing business and property owners with technical assistance in the form of one-on-one consulting with experts in retail, architectural, landscape and planning fields.

Some portions of work were completed prior to the start of this contract with the City’s matching funds. The specific activities/tasks and amounts are noted specifically below.

The Scope of Work includes the following tasks:

1. Review Regulatory Framework and Establish Technical Assistance Programs (COMPLETED)

A selected consultant will conduct a review of the Auburn Boulevard Specific Plan’s regulations and suggest changes that will foster realistic, near-term steps toward revitalizing the Auburn Boulevard corridor. The consultant will provide written feedback in memo form regarding modifications that will encourage reinvestment, active uses, and mixed uses, and reduce vacancies. Consultant will assist the City in refining a technical assistance program that will provide direct assistance to property and business owners with the overall goal being to reduce vacancies and encourage reinvestment in the City’s commercial corridors. In addition, consultant will assist City with procuring the professional technical assistance providers.

Deliverables: Written memo on Auburn Boulevard Specific Plan; feedback (written or verbal) on technical assistance program; selection of two professional technical assistance providers

Timeline: August 2015 – March 2016

Cost: \$5,673

2. Staff and Technical Assistance Providers Training

Consultant will train City staff and selected technical assistance providers on how to encourage adaptive reuse and redevelopment along the City’s corridors. This work will include an in-person presentation to review the types of changes that are catalytic and transformational and how to take a systematic approach to apply the criteria.

Deliverables: In-person presentation/training to City staff and technical assistance providers;
Timeline: February 2016 – June 2016
Budget: \$7,600 (includes estimated travel) (per diem rates cannot exceed the California State requirement as described here: <http://www.calhr.ca.gov/employees/pages/travel-reimbursements.aspx>).

3. Implement Technical Assistance Programs and Support

Two technical assistance providers will be selected for architectural and retail practices assistance, respectively. Architectural professional will meet one-on-one with qualifying applicants and provide design services not to exceed \$10,000 per applicant. Design services include, but are not limited to, site plans, façade improvement designs, signage and other branding designs, improvement cost estimates and schedules. This shall include providing a written proposal with scope of services and an estimated not-to-exceed fee for each project. Applications will be accepted on a rolling basis.

The retail practices expert will present introductory workshops to prospective applicants. Retail practices expert will then meet one-on-one with qualifying applicants, evaluate the business' retail practices, and provide a 2-page memo/summary report with practical and timely recommendations on how to activate their business, and improve customer traffic, visibility, image, etc. As needed, the retail practices expert may present other topic specific workshops to a business association or similar group.

Finally, the selected consultant that provided service under parts 1 and 2 of this scope of work will assist and support City staff and the technical assistance providers on an as-needed basis to ensure the success of the first round of business and property owner applicants. The architect, retail practices expert, and selected consultant will all work in partnership when needed, to ensure all advice provided to qualifying applicants is accomplishing the same goal.

The architect and retail practices expert will work in partnership when needed, to ensure all advice provided to qualifying applicants is accomplishing the same goal.

Deliverables: Approximately ten (10) businesses or property owners will be provided technical assistance.

Timeline: March 2016 – December 2018

Budget: \$96,727 (includes estimated travel as needed) (per diem rates cannot exceed the California State requirement as described here: <http://www.calhr.ca.gov/employees/pages/travel-reimbursements.aspx>).

TOTAL PROGRAM BUDGET: \$110,000

SACOG Grant: \$100,000

City of Citrus Heights Matching Funds: \$10,000



CITY OF CITRUS HEIGHTS

Memorandum

February 25, 2016

TO: Mayor and City Council Members
Henry Tingle, City Manager

FROM: Amy Van, City Clerk

SUBJECT: Appointment to Fill Unexpired History and Arts Commission Position

Approved and Forwarded to City Council

_____ Fin.

_____ Atty.

Henry Tingle, City Manager

Summary and Recommendation

Jacqueline Robinson resigned from the History and Arts Commission effective January 5, 2016. Ms. Robinson was appointed by Council Member Turner to a four-year term January 8, 2015 to December 31, 2018. The City advertised the vacancy and received a total of three applications from the following individuals:

- Sherri Keikilani Lujan
- Tamsun Pierce
- Christine Stein

The applications were forwarded to Council for review on February 17, 2016. It is recommended that Council Member Turner nominate one regular member to fill the unexpired term on the History and Arts Commission, subject to ratification by the City Council.