



Porsche Middleton, Mayor  
Tim Schaefer, Vice Mayor  
Jeannie Bruins, Council Member  
Bret Daniels, Council Member  
Steve Miller, Council Member

**CITY OF CITRUS HEIGHTS  
CITY COUNCIL  
Regular Meeting of Thursday, May 12, 2022  
City Hall Council Chambers  
6360 Fountain Square Drive, Citrus Heights, CA  
Regular Meeting 7:00 p.m.**

**HOW TO PARTICIPATE:**

The City of Citrus Heights welcomes your interest and involvement in the City's legislative process. The City of Citrus Heights is allowing for remote and in person participation. The City Council has established a procedure for addressing the Council. Speaker Identification Sheets are provided on the table inside the Council Chambers. If you wish to address the Council during the meeting, please either complete a Speaker Identification Sheet and give it to the City Clerk, if participating via webcast you may use the Zoom hand raise function (or \*9 if you join the webinar via telephone) and the host will unmute you when it is time to speak. Speakers will be limited to 3 minutes each. Alternatively, you may submit your comment via email to [cityclerk@citrusheights.net](mailto:cityclerk@citrusheights.net) or by completion of an online Speaker Card at <https://www.citrusheights.net/FormCenter/City-Council-Meetings-Speaker-Card-30>. Written public comments shall be limited to 250 words or less. Each comment will be read aloud by the City Clerk.

**Regular Meeting 7:00 p.m. Zoom Meeting** –Webinar link: <https://us02web.zoom.us/j/89517496588>

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 <a href="#">website</a> .	Watch live and replays of meetings on Sac Metro Cable, Channel 14.

**PLEASE NOTE:** In order to minimize the spread of the COVID-19 virus, this meeting is being held pursuant to Government Code Section 54953(e). Please be advised that some, or all, Council Members may attend City Council meetings telephonically or otherwise electronically.

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

May 6, 2022

  
Amy Van, City Clerk

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

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

**APPROVAL OF AGENDA****PRESENTATIONS**

4. Proclamation of the City of Citrus Heights Proclaiming May 15-21, 2022 as National Public Works Week
5. Proclamation of the City of Citrus Heights Proclaiming May as Building Safety Month
6. Proclamation of the City of Citrus Heights Proclaiming May 15-21, 2022 as National Police Week

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

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

7. **SUBJECT:** Approval of Minutes  
**RECOMMENDATION:** Approve the Minutes of the Special/Regular Meeting of April 28, 2022
8. **SUBJECT:** Approve the Resolution for Continued Remote Meetings in Accordance with AB 361  
**STAFF:** A. Van/ R. Jones  
**RECOMMENDATION:** Adopt Resolution No. 2022-\_\_\_\_, A Resolution of the City Council of the City of Citrus Heights, California, Making the Legally Required Findings to Continue to Authorize the Conduct of Remote "Telephonic" Meetings During the State of Emergency
9. **SUBJECT:** Second Reading – AB 481 Military Equipment Policy for the Police Department  
**STAFF:** J. Baldwin  
**RECOMMENDATION:** Adopt Ordinance No. 2022-005, An Ordinance of the City of Citrus Heights Adopting a Military Equipment Use Policy of the City of Citrus Heights, California Governing the Use of Military Equipment

10.    **SUBJECT:** Quarterly Treasurer's Report  
      **STAFF:** T. Nossardi  
      **RECOMMENDATION:** Receive and File the Quarterly Treasurer's Report for the Quarter Ending March 31, 2022

**REGULAR CALENDAR**

11.    **SUBJECT:** Citrus Heights Small Business COVID Recovery Grant Program Update  
      **STAFF:** B. Zenoni/ M. Huber  
      **RECOMMENDATION:** Receive a presentation on the Citrus Heights Small Business COVID Recovery Grant Program

**DEPARTMENT REPORTS**

**CITY MANAGER ITEMS**

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

**ADJOURNMENT**

**CITY OF CITRUS HEIGHTS  
CITY COUNCIL  
MINUTES  
Special/ Regular Meeting of Thursday, April 28, 2022  
City Hall Council Chambers  
6360 Fountain Square Drive  
Citrus Heights, CA 95621**

**CALL SPECIAL MEETING TO ORDER**

The special council meeting was called to order at 6:30 p.m. by Mayor Middleton.

- |    |            |                          |                                      |
|----|------------|--------------------------|--------------------------------------|
| 1. | Roll Call: | Council Members present: | Daniels, Miller, Schaefer, Middleton |
|    |            | Council Members absent:  | Bruins                               |
|    |            | Staff present:           | Feeney, Jones                        |

**PUBLIC COMMENT**

None

**CLOSED SESSION**

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
 Pursuant to Government Code Section 54956.8  
 Property: 7794-7804 Sayonara Drive, Citrus Heights (APNs: 243-0276-002-0000, 243-0276-003-0000, 243-0276-004-0000)  
 Agency Negotiator: City Manager Ashley J. Feeney and City Attorney Ryan Jones  
 Negotiating Parties: Citrus Heights Water District  
 Under Negotiation: Both price and terms of payment

**REPORT OUT OF CLOSED SESSION**

There was no reportable action from closed session.

**ADJOURNMENT**

Mayor Middleton adjourned the special meeting at 6:46 p.m.

**CALL REGULAR MEETING TO ORDER**

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

- |    |   |                          |  |
|----|---|--------------------------|--|
| 1. | The Flag Salute was led by Vice Mayor Schaefer. |                          |  |
| 2. | Roll Call:                                      | Council Members present: | Daniels, Miller, Schaefer, Middleton   |
|    |   | Council Members absent:  | Bruins (joined remotely at 7:45 p.m.)  |
|    |   | Staff present:           | Baldwin, Bermudez, Blomquist, Cave, Feeney, Garing, Jones, Kempenaar, Poole, Reid, Turcotte, Van, Young, and Zenoni. |
| 3. | The video statement was read by City Clerk Van. |                          |  |

**APPROVAL OF AGENDA**

**ACTION:** On a motion by Vice Mayor Schaefer, seconded by Council Member Miller, the City Council approved the agenda.

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

**PRESENTATION**

4. Proclamation of the City of Citrus Heights Recognizing National Therapy Animal Day as April 30

Council Member Daniels presented Kathy Buxton with a proclamation recognizing April 30 as National Therapy Animal day.

5. Proclamation of the City of Citrus Heights Proclaiming April as Fair Housing Month

Vice Mayor Schaefer presented John Foley from Sacramento Self-Help Housing and Ryan Reyes from Project Sentinel with a proclamation proclaiming April as Fair Housing Month.

6. Presentation by Republic Services Annual Report and Recognition of 2022 Scholarship Winners

Annah Rulon and Ray Robinson with Republic Services shared the annual report and recognized the 2022 scholarship winners. The annual report highlighted services offered to the residents of Citrus Heights such as trash and waste pick up and neighborhood pickups. Republic Services conducts a series of outreach events in Citrus Heights including composting events. Through curbside services, residential campaigns, collection/drop off events and education, Republic Services and the City of Citrus Heights achieved an annual residential diversion level of 47%.

Colleen Cadwallader, Executive Director with San Juan Education Foundation, recognized the 2022 Sustainability Scholarships. Three scholarships, in the amount of \$1,000, each were awarded to graduating seniors from San Juan Unified School District who are also Citrus Heights residents. These winners are interested in pursuing a degree in sustainability or a degree that will benefit the environment. Mike Maslianka and Danielle Pickens from Del Campo High School and Aubrie Moore from Mesa Verde High School were acknowledged for being recipients of the 2022 Sustainability Scholarship.

7. Presentation by Gary Goodman with Sac-Yolo Mosquito & Vector Control District

Gary Goodman, District Manager of the Sacramento – Yolo Mosquito and Vector Control District provided an update on the current issues and challenges related to mosquito control. He encouraged residents to check their yards once a week and empty any stagnant water from buckets, containers, pet dishes, and recycle fountain water, which can serve as breeding sources for mosquitos. The Sacramento – Yolo Mosquito and Vector Control District has an integrated mosquito management approach, which includes public information, surveillance, biological control, ecological control, and chemical control. Goodman also discussed the new concern for the district being invasive mosquitos, *Aedes aegypti*. Residents are encouraged to report any still water, wear any repellent, and spread awareness.

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

Council Member Daniels provided an update from the Sacramento Metropolitan Air Quality Management District board meeting. He also shared information on National Drug Take Back Day, taking place on April 30. Council Member Daniels recently attended the State of Natomas address and shared highlights from the event.

Council Member Miller provided an update from the Capital Corridor Regional Meeting. He shared information on the potential third light rail track with Sacramento Regional Transit and the possibility of updating transit passes for users.

Vice Mayor Schaefer provided an update from the Sacramento Public Library Authority board meeting. He also thanked members of the community for continued communication he receives.

Mayor Middleton provided an update from the Sacramento Area Council of Governments Board meeting.

Council Member Bruins provided an update from the Police Activities League board meeting. She also provided an update from the Sacramento Area Sewer District and Sacramento Regional County Sanitation District board meeting.

**PUBLIC COMMENT**

None

**CONSENT CALENDAR**

8. **SUBJECT:** Approval of Minutes  
**RECOMMENDATION:** Approve the Minutes of the Regular Meeting of April 14, 2022
9. Pulled for discussion.
10. **SUBJECT:** San Juan Ave. Complete Streets Project Phase 1 Federal Project STPL 5475 (046), City PN 15-21-001 Approval of Contract Amendment No. 1  
**STAFF:** R. Cave / L. Blomquist/ H. Young  
**RECOMMENDATION:** Adopt Resolution No. 2022-030, A Resolution of the City Council of the City of Citrus Heights, California, Authorizing the City Manager to Execute Amendment No. 1 to the Agreement for Professional Services with Bennett Engineering Services, Inc. for the San Juan Avenue Complete Streets Project Phase 1
11. **SUBJECT:** 2022 Residential Street Resurfacing Project – Reject All Bids and Authorize Staff to Re-Bid  
**STAFF:** R. Cave / L. Blomquist/ H. Young  
**RECOMMENDATION:** Adopt Resolution No. 2022-031, A Resolution of the City Council of the City of Citrus Heights, California, Rejecting all Bids for Construction of the 2022 Residential Street Resurfacing Project and Authorizing Staff to Re-advertise the Project

**ACTION:** On a motion by Council Member Miller, seconded by Council Member Daniels, the City Council adopted Consent Calendar Items 8, 10, and 11.

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

### **CONSENT CALENDAR ITEM PULLED FOR DISCUSSION**

9. **SUBJECT:** Second Reading -- Fireworks Regulation and Enforcement Ordinance  
**STAFF:** N. Garing / R. Jones  
**RECOMMENDATION:** Adopt Ordinance No. 2022-004, An Ordinance of the City of Citrus Heights Amending Chapter 38 of the Citrus Heights Code Relating to Fireworks

Council Member Daniels requested to pull item 9 in order to hold a separate vote.

**ACTION:** On a motion by Council Member Miller, seconded by Council Member Bruins, the City Council adopted Consent Calendar Item 9.

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

### **PUBLIC HEARING**

12. **SUBJECT:** AB481 – Military Equipment Policy for the Police Department  
**STAFF:** J. Baldwin  
**RECOMMENDATION:** Introduce for First Reading, Read by Title Only and Waive the Full Reading of Ordinance No. 2022-005, An Ordinance of the City of Citrus Heights, California, Adopting a Military Equipment Policy of the City of Citrus Heights, California Governing the Use of Military Equipment

Lieutenant Baldwin shared a presentation on AB 481. This ordinance would adopt a military equipment policy detailing the use of military equipment in Citrus Heights. AB 481 was signed into California Law by Governor Newsom on September 30, 2021. This law lists and defines equipment used by law enforcement agencies, which must be approved by their governing body.

Mayor Middleton opened the public hearing at 7:56 p.m. Hearing no public comment, she closed the public hearing.

**ACTION:** On a motion by Council Member Bruins, seconded by Council Member Daniels, the City Council Introduced for a First Reading, Read by Title Only and Waived the Full Reading of Ordinance No. 2022-005, An Ordinance of the City of Citrus Heights, California, Adopting a Military Equipment Policy of the City of Citrus Heights, California Governing the Use of Military Equipment.

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

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**DEPARTMENT REPORTS**

None

**CITY MANAGER ITEMS**

City Manager Feeney provided updates on the upcoming Public Works showcase and the Arcade Cripple Creek Trail project.

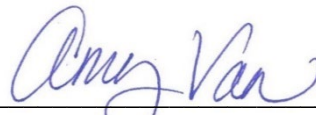
**ITEMS REQUESTED BY COUNCIL MEMBERS/ FUTURE AGENDA ITEMS**

None

**ADJOURNMENT**

Mayor Middleton adjourned the regular meeting at 8:00 p.m.

Respectfully submitted,

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

Amy Van, City Clerk





# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** May 12, 2022

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

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

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

### **Summary and Recommendation**

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

### **Fiscal Impact**

There is no fiscal impact associated with this item.

### **Background and Analysis**

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

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

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

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

Governor Newsom’s March 4, 2020 Proclamation of Emergency related to the COVID-19 pandemic is still in effect. It is important to note that neither AB 361 nor the attached resolution would require meetings be held in an all-virtual format. By adopting this resolution would allow a “hybrid” format where council members and staff participate either in person or remotely depending on their individual circumstances. Additionally, the hybrid formal allows the public to continue to participate remotely. Failing to adopt this resolution would require meetings to be held in-person under traditional Brown Act parameters (noticing the teleconference location, providing access to the public, etc.); adopting the resolution would give the flexibility as it moves forward with meetings.

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

### **Attachments**

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

**RESOLUTION NO. 2022-**

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

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

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

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

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

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

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

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

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

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

**PASSED, APPROVED AND ADOPTED** this 12<sup>th</sup> day of May, 2022 by the following roll call vote:

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

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**Porsche Middleton, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT

### MEMORANDUM

**DATE:** May 12, 2022

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

**FROM:** Jason Baldwin, Lieutenant

**SUBJECT:** **Second Reading – AB 481, Military Equipment Policy for the Police Department**

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#### **Summary and Recommendation**

On April 28, 2022, the City Council introduced, read by title only and waived the first full reading of an Ordinance recommending the adoption of a Military Equipment Use Policy of the City of Citrus Heights, California Governing the Use of Military Equipment.

Staff recommends that the Council approve Ordinance No. 2022-005, an Ordinance adopting a Military Equipment Use Policy of the City of Citrus Heights, California Governing the Use of Military Equipment.

#### **Fiscal Impact**

There is no fiscal impact.

#### **Attachments**

1. Ordinance No. 2022 – 005, Ordinance Adopting a Military Equipment Use Policy per CA Assembly Bill No. 481
2. Citrus Heights Police Lexipol Policy #706

## **ORDINANCE NO. 005**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA, ADOPTING A MILITARY EQUIPMENT POLICY OF THE CITY OF CITRUS HEIGHTS, CALIFORNIA GOVERNING THE USE OF MILITARY EQUIPMENT**

**WHEREAS**, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 (“AB 481”), adding Chapter 12.8, “Funding, Acquisition and Use of Military Equipment”, to Division 7 of Title 1 of the Government Code (sections 7070 – 7075), relating to the use of military equipment by California law enforcement agencies;

**WHEREAS**, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used;

**WHEREAS**, the Citrus Heights Police Department is in possession of certain items of equipment that qualify as “military equipment” under AB 481 and further intends to acquire other items of military equipment;

**WHEREAS**, AB 481 requires, inter alia, that a law enforcement agency possessing and using such qualifying equipment must prepare a publicly released, written, military equipment use policy document covering the inventory, description, quantity, purpose, capabilities, use, lifespan, acquisition, maintenance, authorized use, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the Department’s use of such equipment;

**WHEREAS**, the policy must be approved by the City Council by ordinance, and reviewed annually thereafter; and

**WHEREAS**, the military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;

**WHEREAS**, the proposed Military Equipment Use Policy (“Policy”) will safeguard the public’s health, welfare, safety, civil rights, and civil liberties;

**WHEREAS**, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety;

**WHEREAS**, prior military equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance;

**WHEREAS**, the Police Department has submitted the proposed Policy to the City Council and thereafter has made those documents available on the Police Department’s website for at least 30 days prior to the public hearing concerning the military equipment at issue;

**WHEREAS**, the Policy satisfies the requirements of Government Code Section 7070(d);

**WHEREAS**, the City Council of the City of Citrus Heights, having received the information required under AB 481 regarding the Citrus Heights Police Department's use of military equipment as defined in said law, deems it to be in the best interest of the City to and hereby does approve the Military Equipment Policy.

**WHEREAS**, all legal prerequisites prior to the adoption of this Ordinance have occurred.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CITRUS HEIGHTS HERBY ORDAINS AS FOLLOWS:**

**Section 1:** Recitals. The City Council finds that all the recitals, facts, findings, and conclusions set forth above in the preamble of this Ordinance are true and correct.

**SECTION 2:** Approval of Military Equipment Policy.

**Military Equipment Policy.**

- (a) The Military Equipment Policy shall govern the use of military equipment by the Citrus Heights Police Department.
- (b) The Policy shall be made publicly available on the Police Department's website for as long as the military equipment is available for use or as otherwise ordained by the City Council.
- (c) The Police Department shall submit an annual military equipment report to the City Council containing the information required by Government Code Section 7072 and the City Council shall thereafter determine whether each type of military equipment identified therein complied with the standards for approval set forth in Government Code Section 7071(d).
- (d) The City Council shall on an annual basis and at a regular meeting thereof review this ordinance and vote on whether to renew it pursuant to Government Code Section 7071(e)(2).
- (e) The definitions set forth in Government Code section 7070 shall apply to this ordinance. Any provision of state law referred to herein shall mean and include any amended or successor provision thereof.

**Section 3:** Compliance with CEQA. Adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) (General Rule) of the CEQA Guidelines because it is not a "project" and because it can be seen with certainty that there is no possibility that the passage of this Ordinance will have a significant effect on the environment.

**Section 4:** Inconsistencies. Any provision of the Citrus Heights Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

**Section 5:** Uncodified Ordinance. This Ordinance shall not be codified in the Citrus Heights Municipal Code unless and until the City Council so ordains.

**Section 6:** Severability. If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent

jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional. No portion of this Ordinance shall supersede any local, state, or federal law, regulation, or codes dealing with life safety factors.

**Section 7:** Effective Date. This Ordinance shall become effective thirty (30) days following from its adoption.

**Section 8:** Certification. The City Clerk shall certify the adoption of this Ordinance and shall cause the same to be posted or published in the manner as required by law.

**PASSED AND ADOPTED by the City Council of the City of Citrus Heights this 12th day of May 2022 by the following vote:**

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

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**Porsche Middleton, Mayor**

**ATTEST:**

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**Amy Van, City Clerk**



STATE OF CALIFORNIA     )  
COUNTY OF [NAME]        )       ss  
CITY OF [NAME]            )

I, \_\_\_\_\_, CITY CLERK of the City of Citrus Heights, California, do hereby certify that the foregoing urgency ordinance was regularly introduced and adopted by the City Council of the City of Citrus Heights, California, at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_, 2022, by the following vote of the City Council:

AYES:           COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT:       COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of [NAME] this \_\_ day of \_\_\_\_, 2022.

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

# Military Equipment

## 706.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

### 706.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

**Governing body** – The elected or appointed body that oversees the Citrus Heights Police Department.

**Military equipment** – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

## *Military Equipment*

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### **706.2 POLICY**

It is the policy of the Citrus Heights Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

### **706.3 SPECIFIC EQUIPMENT COORDINATOR**

The Chief should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all equipment defined as military per the government code or requiring additional oversight by council direction at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Citrus Heights Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  1. Publicizing the details of the meeting.
  2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief and ensuring that the report is made available on the departments website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner

### **706.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the Citrus Heights Police Department:

**1.) Unmanned Aircraft System (UAS);** an unmanned aircraft along with associated equipment necessary to control it remotely.

a.) Description, quantity, purchase cost and capabilities:

- i.) DJI MAVIC MINIS, estimated cost of \$500 each, quantity not to exceed 4, ability to record video/audio and provide live video stream to operators.
- ii.) DJI INSPIRE 1 with FLIR camera system, estimated cost of \$1,200 each, quantity not to exceed 2, ability to record video/audio and provide live video stream to operators with

## *Military Equipment*

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nighttime capabilities.

iii.) DJI MAVIC ENTERPRISE DUALS, estimated cost of \$5,500, quantity not to exceed 4, ability to record video/audio and provide live video stream to operators.

iv.) AUTO EVO II, estimated cost of \$1,200, quantity not to exceed 2, ability to record video/audio and provide live video stream to operators.

### b.) Purpose

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

i.) Major collision investigations;

ii.) Searching for missing persons;

iii.) Natural disaster management;

iv.) Crime scene photography;

v.) SWAT, tactical or other public safety and life preservation missions; and

vi.) Responding to specific requests from local, state or federal fire authorities for fire response and/or prevention.

### c.) Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the UAS during approved missions.

### d.) Expected Life Span

All UAS equipment, approximately 3-5 years.

### e.) Fiscal Impact

Annual maintenance and battery replacement cost is approximately \$10,000.

### f.) Training

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation.

### g.) Legal and Procedural Rules

It is the policy of the CHPD to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law, including all FAA requirements and regulations.

### *Military Equipment*

**2.) Robots:** Unmanned machine operating on the ground utilized to enhance the safety to the community and officers.

a.) Description, quantity, purchase cost, and capabilities:

i.) IROBOT PACKBOT 501, initial cost \$0 (estimated replacement cost of \$100,000), quantity not to exceed 2, battery powered and remote operated for delivery of various tools and/or ability to record video/audio and provide live video stream to operators.

b.) Purpose

To be used to remotely gain visual/audio data, deliver HNT phone, open doors, disrupt suspicious packages, and clear buildings.

c.) Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the robot during approved missions.

d.) Expected life Span

All robots, approximately 5-8 years.

e.) Fiscal Impact

Annual maintenance and battery replacement cost is approximately \$3,000.

f.) Training

All robot operators are required to demonstrate proficiency during SWAT training exercises.

g.) Legal and Procedural Rules

It is the policy of the CHPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

**3.) Armored Vehicles:** Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

a.) Description, quantity, purchase cost, and capabilities:

i.) 2008 NAVISTAR DEFENSE MAXPRO MRAP, initial cost \$0 (estimated replacement cost \$800,000), quantity not to exceed 2, armored vehicle which can seat numerous personnel, provides ballistic protection and allows for rescue of downed officer and/or citizens

b.) Purpose

To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents. It can stop various

## Military Equipment

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projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.

### c.) Authorized Use

The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.

### d.) Lifespan

Approximately 15 years.

### e.) Fiscal Impact

Annual maintenance cost of approximately \$5,000.

### f.) Training

All driver/operators shall be required to obtain a valid California Class B license.

### g.) Legal and Procedural Rules

It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

**4.) Command Post (CP):** A mobile office that provides shelter and access to Department computer systems and other equipment.

### a.) Description, quantity, purchase cost and capabilities:

- i.) 2008 GMC C5500, estimated cost of \$300,000, quantity not to exceed 1, the CP can be used to conduct meetings and store large amounts of equipment for SWAT/CNT, critical incidents, natural disasters and community events.

### b.) Purpose

To be used on specific circumstances when a mobile, large and weather protected facility is needed.

### c.) Authorized Use

Only those trained in the deployment and operations in a manner consistent with Department policy and training are authorized to operate the CP.

### d.) Lifespan

The CP lifespan on chassis and vehicle structure is approximately 20 years. Upgrades to maintain IT systems needed approximately every 5 years.

## *Military Equipment*

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### e.) Fiscal Impact

Annual maintenance cost is approximately \$2,000.

### f.) Training

The driver/operator shall receive training in the safe handling of the vehicle on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle within the city with an experienced driver.

### g.) Legal and Procedural Rules

It is the policy of the Department to use the CP only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.

**5.) Long Range Acoustic Device (LRAD):** LRAD is a high intensity directional acoustical array for long range, crystal clear hailing, notification, and unmistakable warning tone. The LRAD is primarily used as a communication device.

#### a.) Description, quantity, purchase cost and capabilities:

i.) LT-PMS1B MAGNETIC AUDIO DEVICE, cost \$0 (estimated replacement cost \$20,000), quantity not to exceed 2, acoustic devices used to broadcast warnings/messages and are mounted to vehicles.

#### b.) Purpose

To be used for issuing dispersal orders during crowd and riot control situations or to address the public in the event of civil emergencies, natural disasters, missing persons, evacuations, and other police incidents.

#### c.) Authorized Use

The LRAD shall only be used by those officers trained in its deployment and used in a manner consistent with Department policy and training.

#### d.) Lifespan

Approximately 10 years.

### e.) Fiscal Impact

Annual Maintenance cost approximately \$300.

### f.) Training

All operators are required to receive training prior to operating in the field.

### g.) Legal and Procedural Rules

### *Military Equipment*

It is the policy of the CHPD to utilize the LRAD only for official law enforcement purposes, and pursuant to State and Federal law.

**6.) 40 MM Launchers and Rounds:** 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact and chemical rounds.

a.) Description, quantity, purchase cost and capabilities:

- i.) DEFENSIVE TECHNOLOGY 40MM SINGLE SHOT LAUNCHER, estimated cost of \$1,000 each, quantity not to exceed 8, tactical single shot launcher that will fire various less lethal ammunition.
- ii.) DEFENSE TECHNOLOGY FERRETT 40MM CS LIQUID, estimated cost of \$23 each, quantity not to exceed 200, a less lethal 40MM round used to deliver a small liquid chemical payload inside a structure or vehicle. Primarily used to dislodge barricaded subjects from confined areas and causes temporary discomfort in an effort to gain compliance from potentially violent or dangerous subjects.
- iii.) DEFENSE TECHNOLOGY FERRET 40 MM CS POWDER, estimated cost of \$30 each, quantity not to exceed 100, a less lethal 40MM round used to deliver a small powder chemical payload inside a structure or vehicle. Primarily used to dislodge barricaded subjects from confined areas and causes temporary discomfort in an effort to gain compliance from potentially violent or dangerous subjects.
- iv.) WOOD BATON 40MM, estimated cost of \$30 each, quantity not to exceed 50, a less lethal 40MM projectile which is accurate and effective for gaining pain compliance when deployed from approved distances.
- v.) MUSSLE BLAST 40MM OC, estimated cost of \$28 each, quantity not to exceed 100, the 40MM OC round is widely used as a crowd control management tool but can also be used for barricaded subjects during tactical operations.
- vi.) DEFENSE TECHNOLOGY RUBBER FOAM 40MM PROJECTILE, estimated cost of \$30 each, quantity not to exceed 50, a less lethal 40MM lightweight plastic projectile which provides accurate and effective compliance of potentially violent and dangerous subjects when fired from approved distance.

b.) Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c.) Authorized Use:



### Military Equipment

Only those POST certified to deploy chemical munitions are authorized. Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive;
- ii. Dangerous and/or combative individuals;
- iii. Riot/crowd control and civil unrest incidents;
- iv. Circumstances where a tactical advantage can be obtained;
- v. Potentially vicious animals; and
- vi. Training exercises or approved demonstrations.

#### d.) Training

Sworn members utilizing 40MM less lethal chemical agents or impact rounds are trained by POST certified less lethal and chemical agent instructors.

#### e.) Lifespan

Approximately 5 years.

#### f.) Fiscal Impact

Annual maintenance, approximately \$50 for each launcher.

#### g.) Legal and Procedural Rules

It is the policy of the CHPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**7.) Less Lethal Shotgun:** Less lethal shotgun is used to deploy the less lethal 12-gauge Super Sock beanbag round.

#### a.) Description, quantity and capabilities:

i.) REMINGTON 870 LESS LETHAL SHOTGUN, estimated cost of \$946 each, quantity not to exceed 12, the less lethal shotgun is used to deploy the less lethal beanbag rounds, the range of the weapon system helps to maintain space between officers and suspect reducing the immediacy of the threat which is the principle of de-escalation.

ii.) BENELLI M4 12 GAUGE SHOTGUN, estimated cost of \$1,500, quantity not to exceed 2, the less lethal shotgun is used to deploy the less lethal beanbag rounds, the range of the weapon system helps to maintain space between officers and suspect reducing the immediacy of the threat which is the principle of de-escalation.

ii.) 12-GAUGE SUPER-SHOCK BEANBAG ROUND, estimated cost of \$5 each, quantity not to exceed 200, this ballistic fiber filled bag provides accurate and effective

## Military Equipment

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performance when fired from the approved distances.

### b.) Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

### c.) Authorized Use:

Less lethal shotguns shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training. Situations for use of the less lethal weapon systems may include, but are not limited to, the following:

- i. Self-destructive, dangerous and/or combative individuals;
- ii. Riot/crowd control and civil unrest incidents;
- iii. Circumstances where a tactical advantage can be obtained;
- iv. Potentially vicious animals; and
- v. Training exercises or approved demonstrations.

### d.) Lifespan

Remington 870 Less and Benelli Lethal Shotgun, approximately 25 years.

Super-shock Beanbag Round, approximately 5 years.

### e.) Fiscal Impact

Annual maintenance, approximately \$50 for each shotgun.

### f.) Training

All officers are trained in the 12 gauge less lethal shotgun as a less lethal option by in-service training.

### g.) Legal and Procedural Rules

It is the policy of the CHPD to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**8.) Distraction Devices:** A distract device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

### a.) Description, quantity and capabilities:

- i.) COMBINED TACTICAL SOLUTIONS BAFFLED WHITE SMOKE FLASH BANGS, estimated cost of \$38 each, quantity not to exceed 200, a non-fragmenting bang device that produces a loud noise and intense bright light.

### b.) Purpose

## *Military Equipment*

To produce atmospheric over-pressure and white light and, as a result, can cause short-term (6-8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.

### c.) Authorized Use:

Diversionary devices shall only be used in the following ways:

- i. Officers who have been trained in proper use;
- ii. In hostage and barricaded subject situations;
- iii. In high-risk warrant services where there may be a risk to officer safety;
- iv. During other high-risk situations where their use would enhance officer safety; and
- v. During training exercises.

### d.) Lifespan

No expiration date.

### e.) Fiscal Impact

No annual maintenance.

### f.) Training

Prior to use, officers must attend diversionary device training that is conducted by POST certified instructors.

### g.) Legal and Procedural Rules

It is the policy of the CHPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**9.) Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.

### a.) Description, quantity and capabilities:

- i.) WINCHESTER M14 7.62 MILLIMETER, estimated cost of \$2,500 each, quantity not to exceed 4, ability to provide lethal options from extended distances.
- ii.) TRW M14 7.62 MILLIMETER, estimated cost of \$2,500 each, quantity not to exceed 2, ability to provide lethal options from extended distances.
- iii.) H&R ARMS M14 7.62 MILLIMETER, estimated cost of \$2,500 each, quantity not to exceed 5, ability to provide lethal options from extended distances.
- iv.) REMINGTON 700 7.62 MILLIMETER, estimated cost of \$2,500 each, quantity not to exceed 7, ability to provide lethal options from extended distances.

## *Military Equipment*

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### b.) Purpose:

To be used to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

### c.) Authorized Use

Only officers that are approved and trained per Department policy.

### d.) Lifespan

Approximately 15 years.

### e.) Fiscal Impact

Annual maintenance, approximately \$50 for each rifle.

### f.) Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle.

Additionally, all members that operate any rifle are required to pass a range qualification.

### g.) Legal and Procedural Rules

It is the policy of the CHPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**10.) Chemical Agent and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed.

### a.) Description, quantity and capabilities:

- i.) DEFENSE TECHNOLOGY LAUNCHABLE FLAMELESS CS, estimated cost of \$43 each, quantity not to exceed 100, can be used in crowd control and tactical deployment situations.
  - ii.) DEFENSE TECHNOLOGY INSTANTANEOUS BLAST CS, estimated cost of \$43 each, quantity not to exceed 100, can be used in crowd control and tactical deployment situations.
  - iii.) DEFENSIVE TECHNOLOGY RIOT CONTROL CS, estimated cost of \$41 each, current quantity 20 and not to exceed 100, can be used in crowd control and tactical deployment situations.
  - iv.) DEFENSE TECHNOLOGY TRI CHAMBER CS, estimated cost of \$45 each, quantity not to exceed 100, can be used in crowd control and tactical deployment situations.
  - v.) DEFENSE TECHNOLOGY POCKET CS, estimated cost of \$28 each, quantity not to exceed 100, can be used in crowd control and tactical deployment situations.
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## *Military Equipment*

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### b.) Purpose:

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals;
- ii. Riot/crowd control and civil unrest incidents;
- iii. Circumstances where a tactical advantage can be obtained;
- iv. Potentially vicious animal; and
- v. Training exercises or approved demonstrations.

### c.) Authorized Use:

Only officers who have received POST certification in the use of chemical agents are authorized to deploy.

### d.) Training

Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors.

### e.) Lifespan

Approximately 5 years from manufacturing date.

### f.) Fiscal Impact

No annual maintenance.

### g.) Legal and Procedural Use

It is the policy of the CHPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**11.) Explosive Breaching Tools:** Tools that are used to conduct an explosive breach.

### a.) Description, quantity and capabilities:

- i.) REMINGTON 870 EXPRESS BREACHING SHOTGUN, estimated cost of \$500, quantity not to exceed 3, the weapon allows for breachers to safely utilize shotgun breaching rounds in order to defeat deadbolts, locks and hinges. The weapon has a standoff at the end of the barrel which allows for positive placement of the weapon into the correct position and vents gasses to prevent over pressure.

### b.) Purpose:

The purpose is to quickly and safely gain access to property or structure.

## *Military Equipment*

### c.) Authorized Use:

Explosive breaching may only occur after authorization of a SWAT Commanding Officer or during training exercises.

### d.) Lifespan

Breaching shotgun, approximately 25 years.

### e.) Fiscal Impact

Annual Maintenance, approximately \$100.

### f.) Training

All officers who use explosive breaching tools shall attend 40 hours of explosive breaching instruction.

### g.) Legal and Procedural Rules

It is the policy of the CHPD to utilize breaching tools only for official law enforcement purposes and pursuant to State and Federal law.

## **706.5 APPROVAL**

The Chief or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

*Military Equipment***706.6 COORDINATION WITH OTHER JURISDICTIONS**

Military equipment deployed or used by any member of this jurisdiction shall be approved for use and in accordance with this Department policy. Any military equipment that is deployed or used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies. Situations may arise where Citrus Heights Police Department may deploy or use military equipment owned by other law enforcement agencies, in these situations, Citrus Heights Police Department is authorized to deploy or use a different agency's military equipment as authorized in Section 706.4 of this policy. Citrus Heights Police Department is also authorized to deploy or use the following non-exhaustive list of military equipment owned by another agency:

**Armored Vehicles:** Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

a.) Description, quantity, capabilities, and purchase cost

- i.) Lenco Bearcat, G2, cost: \$315,518.65, quantity: 1. The Lenco Bearcat, G2, is an armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.
- ii.) Lenco Bearcat, G3, cost: \$404,521, quantity: 1. The Lenco Bearcat, G2, is an armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down personnel. The Bearcat G3 has increased ground clearance and a robust suspension which allows for an emergency response to almost any situation. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.

b.) Purpose

To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.

c.) Authorized Use

The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.

d.) Lifespan

Lenco Bearcat models G2 and G3, 25 years.

e.) Fiscal Impact

None

f.) Training

All driver/operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.

g.) Legal and Procedural Rules

It is the policy of the Department to utilize armored vehicles only for official law enforcement

## *Military Equipment*

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purposes, and pursuant to State and Federal law.

**NIJ Level IV Armored Caterpillar (CAT) Multi-Terrain Loader (The ROOK):** The ROOK is a custom “armored critical incident vehicle” built on the chassis of a CAT Bulldozer, manufactured by Ring Power. The ROOK is built to increase job safety, versatility, and mission specific response. The ROOK is equipped with powerful mission specific attachments. The ROOK is capable of being used in tight areas both inside and outside, where traditional armored vehicles may not be able to enter.

a.) Description, quantity, capabilities, and purchase cost

ROOK- Modified CAT compact Track Loader chassis, cost: \$400,000, quantity: 1. The ROOK can be utilized by authorized SWAT personnel to identify, discover and locate threats or hazards, to include explosives and ballistic threats. The ROOK may be used to stabilize critical infrastructure and functions to minimize health and safety threats during a terrorist attack. During a terrorist attack, the ROOK will allow for law enforcement protected response.

b.) Purpose

To provide a capability for defensive ballistic protection in indoor and outdoor environments, rescue platforms for elevated structure rescue, and rough terrain environments where certain equipment would be limited.

c.) Authorized Use

The ROOK shall be used by SWAT team members in a manner consistent with Department policy and training. Furthermore, only SWAT team members who have completed the appropriate training, will operate the ROOK.

d.) Lifespan

25 years

e.) Fiscal Impact

None

f.) Training

All driver/operators shall attend formalized instruction and be trained in vehicle operations and practical driving instruction.

g.) Legal and Procedural Rules

It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

**Robots:** A remotely-controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers.

a.) Description, quantity, capabilities, and purchase cost

i.) REMOTEC ANDROS F6-A, cost: \$250,000 each, quantity: 2. The Remotec ANDROS F6A is a heavy-duty robot. Its stair climbing ability, an arm capable of lifting 65lbs. The F6A also offers multiple communications options, a chassis and manipulator that allow for accessories and tool combinations, and quick-release pneumatic wheels for rapid width reduction.

ii.) QINETIC DRAGON RUNNER ROBOT, cost: \$90,000, quantity: 1. Dragon Runners



## Military Equipment

can be hand carried or transported inside a rucksack, and both can be remotely operated from many hundreds of meters away, providing protection and safety to their operators.

iii.) TEMPER 4WD Gen 2, cost: \$159, quantity: 1. Length 13.75 inches, 2 hours of operation time and capable of video recording.

iv.) LOSI NIGHT CRAWLER SE 4WD, cost: \$350, quantity: 1. Length 16.9 inches, 2 hours of operation time and capable of video recording.

### b.) Purpose

To be used to remotely gain visual/audio data, deliver HNT phone, open doors, disrupt packages, and clear buildings.

### c.) Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the robots identified at sections 2(a)(i) through (ii). Use is established by the Bomb Squad Commander and or Incident Commander.

### d.) Expected Life Span

All robots, 8-10 years.

### e.) Fiscal Impact

None

### f.) Training

All robot operators must complete the FBI's 6-week hazardous device school prior to operating the robots identified at sections 2(a)(i) through (ii).

### g.) Legal and Procedural Rules

It is the policy of the CHPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

The Citrus Heights Police Department hereby adopts the military equipment use policy as is approved, and may be amended from time to time, under Government Code section 7070 et seq., for jurisdictions that the Citrus Heights Police Department may engage with to provide mutual aid. This section is in no way a limitation to the ability of the Citrus Heights Police Department to deploy or use the military equipment of another jurisdiction.

## **706.7 ANNUAL REPORT**

Upon approval of a specific equipment policy, the Chief or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the specific equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

## **706.8 COMMUNITY ENGAGEMENT**

## *Military Equipment*

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Within 30 days of submitting and publicly releasing the annual report, the department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

### **706.9 COMPLIANCE PROCEDURE**

This procedure is to ensure compliance with the military equipment use policy.

All complaints, concerns, or questions submitted regarding this policy will be handled pursuant to the Department's normal complaint process and be handled in a timely manner.

*Military Equipment*

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# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** May 12, 2022

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

**FROM:** Tammy Nossardi, Finance Manager

**SUBJECT:** Quarterly Treasurer's Report

### Summary and Recommendation

Staff recommends the City Council receive and file the Quarterly Treasurer's Report for the quarter ending March 31, 2022.

### Fiscal Impact

There is no fiscal impact associated with this action.

### Background and Analysis

The market value of cash and investments for all City funds on March 31, 2022 was \$38,096,712 up from \$30,861,289 on December 31, 2021. The breakdown of the City's investment portfolio and current rate of return is as follows:

	Market Value as of 3/31/22	Rate of Return as of 3/31/22
Local Agency Investment Funds (LAIF)	33,533,247	0.32%
US Bank – General Account	4,563,434	0.00%
Treasuries/CD/Charles Schwab	31	0.00%

Of the \$4,563,434 balance in the City's general account on March 31, \$3,533,210 was expended on April 1 for the payoff of principal and interest on the outstanding revolving line of credit.

Significant deposits received during this quarter included:

Sales Tax for months of November, December & January	\$3,747,222
Motor Vehicle in Lieu	\$4,892,299

**Subject: Quarterly Treasurer's Report**

**Date: May 12, 2022**

**Page 2 of 2**

Included in the City's investment portfolio are the unexpended American Rescue Plan Act (ARPA) funds as follows:

Amount received May 2021	Expended thru 3/31/2022	Unexpended Balance on 3/31/2022
\$7,838,486	\$1,020,724 *	\$6,817,762

\* As of March 31, ARPA funds were expended for Police Department public safety staffing costs.

This report is submitted in accordance with the provisions of California Government Code Section 53646(b).

**Attachments**

1. Treasurer's Report as of March 31, 2022.



**RCM Robinson Capital Management LLC**

27 Reed Boulevard

Mill Valley, CA 94941

Phone: 415-771-9421

Fax: 415-762-1980

# City of Citrus Heights

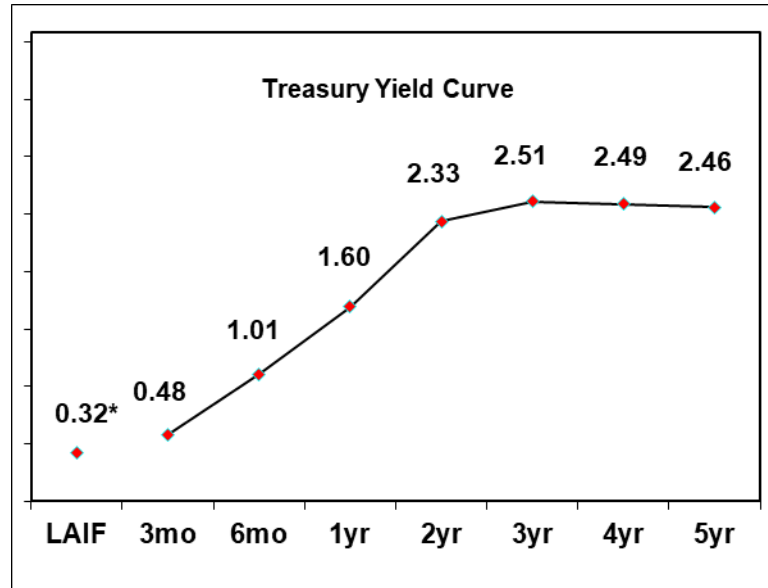
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Report period March 1, 2022 – March 31, 2022

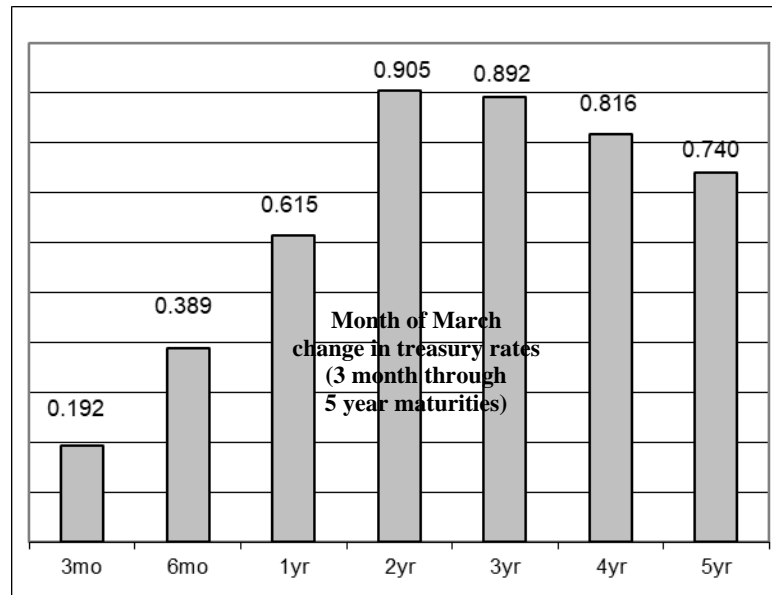
The Treasurer's investment portfolio is in compliance with the California Government Code Section 53601.

## Institutional Fixed Income Market Review

### March 31, 2022



\*LAIF apportionment rate.



### Rates soar

Treasury rates rose at one of the fastest paces in market history during March with the 2yr jumping over 90 basis points from 1.43 at the end of February. For the quarter, the 2yr added 160bps, the equivalent of a rare 2.5 standard deviation from a normal distribution range. The odds of repeating this in the following quarter are 1-in-30,000 according to Bloomberg.

### Jobs, jobs, jobs

In March, payrolls increased 431,000, led by job gains in leisure, hospitality, and retail. Manufacturing, professional and business services also saw job growth. The unemployment rate fell to 3.6 percent from 3.8 percent, nearing its pre-pandemic low. Average hourly earnings rose 5.6 percent from the prior year, more than expected and the biggest jump since May 2020. Bloomberg estimates low-income earners saw the greatest wage gain, up 10 percent, while the highest earners gained 4 percent.

### Inflation

U.S. consumer prices rose 1.2 percent in March, the largest increase since late 1981 and 8.5 percent from a year ago. Gasoline prices drove half of monthly increase. Producer prices rose for the 23<sup>rd</sup> straight month and gained 11.2 percent from a year ago.

### Fed watch

Federal Reserve members voted to raise the Fed Funds rate 25bps at the March 16<sup>th</sup> meeting and discussed shrinking its \$8.9 billion balance sheet by \$95 million a month. According to Bloomberg, there is an 85 percent probability of a 50bps Fed hike at the May 4<sup>th</sup> meeting and Fed funds will reach 2.25-2.50 by the December FOMC meeting.

**CITY OF CITRUS HEIGHTS  
SUMMARY OF INVESTMENTS  
INVESTMENT PORTFOLIO MARCH 31, 2022**

	<i><b>COST</b></i>	<i><b>FACE</b></i>	<i><b>MARKET</b></i>	<i><b>PERCENT</b></i>	<i><b>DAYS TO MATURITY</b></i>	<i><b>YIELD TO MATURITY</b></i>	<i><b>WEIGHTED YIELD</b></i>
STATE-LOCAL AGENCY INVESTMENT FUNDS	33,533,247.24	33,533,247.24	33,533,247.24	88.0%	1	0.320%	0.282%
GENERAL ACCOUNT/US BANK	4,563,434.30	4,563,434.30	4,563,434.30	12.0%	1	0.000%	0.000%
FEDERAL AGENCIES/TREASURIES/CD'S/SCHWAB	30.53	30.53	30.53	0.0%			
<b>GRAND TOTAL INVESTMENT PORTFOLIO</b>	<b>38,096,712.07</b>	<b>38,096,712.07</b>	<b>38,096,712.07</b>	<b>100%</b>	<b>1</b>	<b>0.316%</b>	<b>0.282%</b>

LOCAL AGENCY INVESTMENT FUND (LAIF) RATE OF RETURN	0.320%
CITY WEIGHTED AVERAGE RATE OF RETURN (including non-interest bearing checking)	0.282%
CITY EFFECTIVE RATE OF RETURN MARCH 2022	0.320%
CITY EFFECTIVE RATE OF RETURN FISCAL YEAR TO DATE	0.270%
CITY INTEREST EARNINGS FISCAL YEAR TO DATE	64,225.45

In accordance with California Government Code Section 53646 as amended, the following certification accompanies this report:

The Finance Director of the City of Citrus Heights hereby certifies that sufficient investment liquidity exists and anticipated revenues are available to meet the City's budgeted expenditure requirements for the next six months. In addition, it is hereby certified that investments in the City's portfolio comply with the requirements of the City of Citrus Height's adopted investment policy.

Respectfully submitted,

William Zenoni  
Interim Administrative Services Director

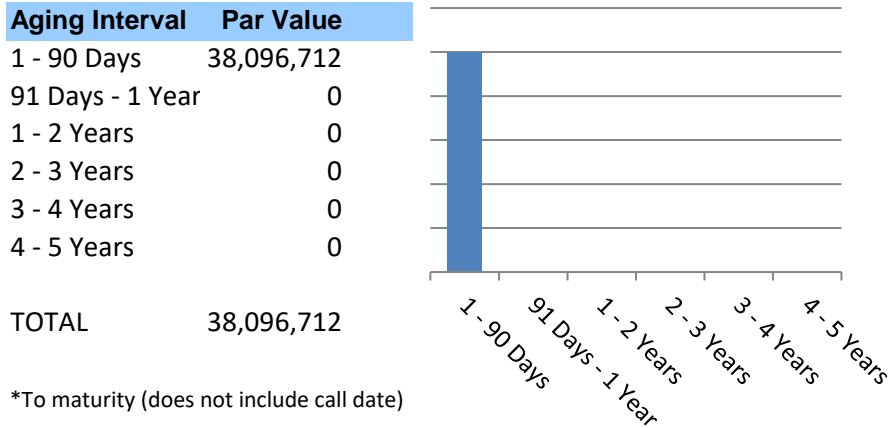


CITY OF CITRUS HEIGHTS DETAIL OF PORTFOLIO INVESTMENTS  
MARCH  
2022

	<i>SymPro</i>	<i>Cusip Number</i>	<i>Moody's Rating</i>	<i>S &amp; P Rating</i>	<i>Book Value</i>	<i>Face Value</i>	<i>Market Value</i>	<i>Rate</i>	<i>YTM</i>	<i>Purchase Date</i>	<i>Maturity Date</i>	<i>Maturity/Call Days</i>
<b>LOCAL AGENCY INVESTMENT FUND</b>												
Local Agency Investment Fund					33,533,247.24	33,533,247.24	33,533,247.24	0.320%	0.320%			1
<b>TOTAL</b>					<b>33,533,247.24</b>	<b>33,533,247.24</b>	<b>33,533,247.24</b>					<b>1</b>
<b>GENERAL ACCOUNT/US BANK</b>												
US Bank Corporate Checking					4,563,434.30	4,563,434.30	4,563,434.30	0.000%	0.000%			1
<b>TOTAL</b>					<b>4,563,434.30</b>	<b>4,563,434.30</b>	<b>4,563,434.30</b>					<b>1</b>
<b>CUSTODY ACCOUNT/SCHWAB</b>												
Schwab Bank Sweep (FDIC)					30.53	30.53	30.53	0.010%	0.010%			1
<b>TOTAL</b>					<b>30.53</b>	<b>30.53</b>	<b>30.53</b>					<b>1</b>
<b>MEDIUM TERM NOTES/FEDERAL AGENCY/CERTIFICATES OF DEPOSIT/ TREASURY COUPON SECURITIES</b>												
<b>TOTAL</b>					<b>0.00</b>	<b>0.00</b>	<b>0.00</b>					
<b>TOTAL INVESTMENT PORTFOLIO</b>					<b>38,096,712.07</b>	<b>38,096,712.07</b>	<b>38,096,712.07</b>					

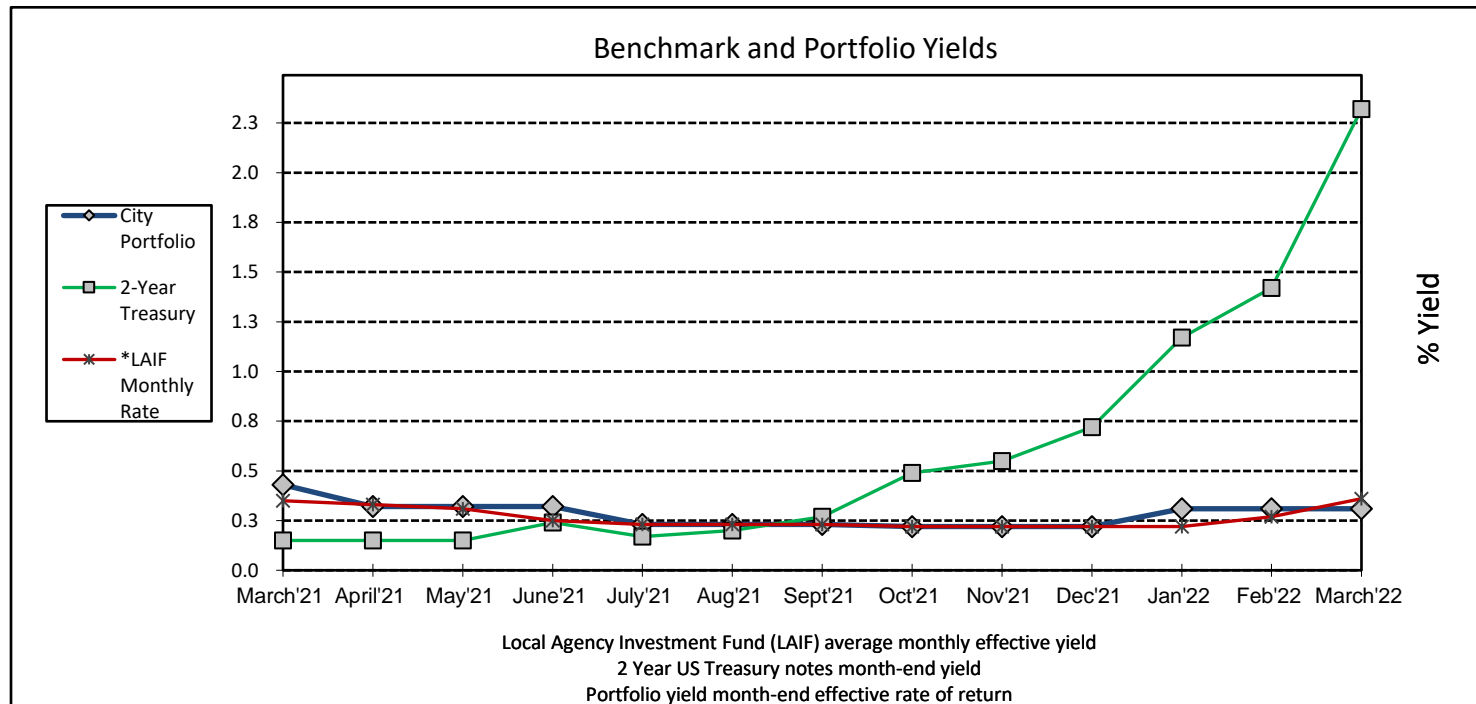
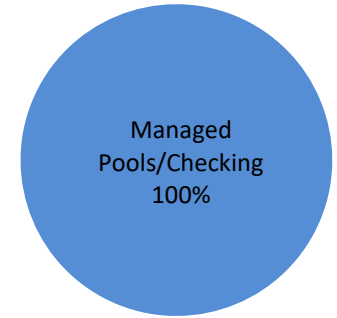
**City of Citrus Heights**  
**Portfolio Management**  
**Portfolio Statistics and Performance**  
**March 31, 2022**

**Portfolio Liquidity**



**Portfolio Composition**

Investment Type	Market Value
Managed Pools/Checking	38,096,712
Federal Agency Issues	0
U.S. Treasuries	0
Corporate Notes	0
Certificates of Deposit	0



**Disclosures:**

*Advisory services offered through RCM Robinson Capital Management LLC, SEC Registered Investment Advisor. Securities offered through Securities America, Inc., Member FINRA/SIPC. Douglas C. Robinson, Registered Representative. RCM Robinson Capital Management LLC and Securities America, Inc. are separate entities.*

*Information contained herein is based on sources and data believed to be reliable but is not guaranteed. This is not an offer to buy or sell securities. This data is for informational purposes and is not intended to replace statements, confirms, or 1099 Forms distributed by the custodian(s) of your assets. Past performance does not guarantee future results. This report is a combination of multiple account registrations and/or positions from various product sponsors and entities and may include assets not held by Securities America. Values for “held away assets” have not been verified. These assets may not be covered by SIPC coverage. Securities America’s SIPC coverage extends only to assets held at our firm. For assets held away from Securities America, contact your financial representative at those entities with questions regarding their SIPC membership and coverage, and/or the accuracy of positions, share prices and share amounts.*



# CITY OF CITRUS HEIGHTS

## CITY COUNCIL STAFF REPORT MEMORANDUM

**DATE:** May 12, 2022

**TO:** Mayor and City Council Members

**FROM:** Bill Zenoni, Interim Administrative Services Director  
Meghan Huber, Economic Development & Communications Manager

**SUBJECT:** Citrus Heights Small Business COVID Recovery Grant Program Update

### **Recommendation**

Staff recommends City Council receive this informational staff report and a presentation on the Citrus Heights Small Business COVID Recovery Grant Program Update. No action is being requested as part of this item.

### **Summary**

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARPA) into law. The \$1.9 trillion financial package is intended to combat the COVID-19 pandemic, including public health and economic impacts. The ARPA includes funds provided directly to the City of Citrus Heights for uses allowed under the ARPA guidelines, including providing support to small businesses which were negatively impacted by the COVID-19 pandemic.

Under the provisions of ARPA and consistent with guidance provided by the US Treasury Department, ARPA funds may be used by municipalities to provide grants to local businesses which were negatively impacted by the COVID pandemic. At the January 13, 2022 City Council Meeting, staff received direction to launch a Small Business COVID Recovery Grant Program using the unallocated non-revenue loss portion of ARPA funding in the amount of \$320,000. The program launched February 24, 2022 with grant applications due by March 26, 2022.

The program received 76 applications (including 7 duplicate applications). The grant applications were carefully reviewed by staff to determine eligibility based upon the stated program guidelines. Based upon that review, 33 applicants met the revenue loss and other eligibility requirements and were awarded Small Business COVID Recovery Grants totaling \$277,611. The grant payments were issued on April 25, 2022. All applicants were notified of their grant application status.

The program was undersubscribed and staff does not recommend an additional round of COVID recovery business grants. Other business supporting efforts are anticipated to be discussed as part of the May 10, 2022 Strategic Planning Retreat.

### **Fiscal Impact**

The program distributed \$277,611 in grants out of a \$320,000 available allocation. The remaining \$42,389 are part of the unexpended ARPA fund balance.

### **Background and Analysis**

#### **Program Scope**

The following grant program guidelines were approved by City Council and used to determine a business's eligibility:

#### **Small Business Eligibility**

- Commercial business located and licensed in Citrus Heights
- Business was operational as of March 1, 2020, and is still in business at the time of application submittal, and intends to remain open indefinitely
- Open to all industries, available to franchises and affiliate businesses
- Business entity earned \$3 million annual revenue or less in calendar year 2019
- Business experienced a net revenue loss (gross revenue net of operating expenses) of at least 25% for the calendar year 2020 OR calendar year 2021 compared to the calendar year 2019
  - A business cannot receive more in ARPA grant funding than total revenue loss
- Business employed 20 full-time equivalent (FTE) employees or less, as of March 1, 2020.
- For businesses with multiple locations, only employment and revenue figures for the Citrus Heights location(s) can be used to qualify for a grant under the Program, and all grant funds received must be used only to support Citrus Heights business operations. Multiple locations within Citrus Heights operating under a single business entity will be considered one business for purposes of the Program.
- Passive businesses are not eligible. These include rental properties or any business in which the owner does not actively participate.
- This program does not include non-profits at this time.

#### **Funding Allocation**

Grant amounts to eligible businesses will be a flat amount determined by the 2019 Annual Gross Revenue for each small business applicant as indicated in the table below:

<b>2019 Annual Gross Revenue Brackets</b>	<b>Grant Amount</b>
\$1,000 - \$100,000	\$2,000
\$100,000 - \$1,000,000	\$10,000
\$1,000,000 - \$3,000,000	\$15,000

### **Outreach and Program Promotion Summary**

To ensure all businesses had an equal opportunity to apply for a grant, outreach efforts were robust and multi-channel. Promotion began two weeks in advance of program opening and kicked off with a recorded informational webinar that reviewed eligibility requirements, the application process, and frequently asked questions. The webinar was available on the dedicated project website throughout the entirety of the pre-launch and application period window. Outreach efforts included press releases and e-news, business and economic development partner organization public relations, announcements and reminders at public meetings, direct messaging to all licensed businesses for which the City has contact information, social media posts, advertising, and media engagement. The City also contracted with Sacramento Metro Business Center to provide support to local businesses with application technical assistance as well as program marketing and promotion. A 30-day on-line application period opened February 24, with outreach and marketing efforts commencing two weeks prior. Electronic and hard copy applications in all key languages were available to ensure equitable access to the program. Staff and its partners were available to provide personalized live assistance via phone, in-person, or virtual meetings to assist any applicant in all key languages. The deadline for submission of applications was March 26, 2022.

### **Application and Review Process and Award Summary**

When the application period closed, staff reviewed all applications for completeness and eligibility. Staff completed additional outreach to applicants who needed to fulfill requirements like a current business license or needing to provide additional information to fully qualify. Staff then determined grant amounts based on submitted 2019 annual revenues, processed grant payments and sent notifications to all applicants.