



# City Council Meeting

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA



Mayor Trinity Burruss · Mayor Pro Tem Marnie Mendoza  
Councilmembers · David Ackerman · Joe Fatula · Sean Lomen

## REGULAR MEETING AGENDA

**April 27, 2022**

Closed Session 5:00PM

Regular Session: 6:00PM

This Regular Meeting of the City Council is being held pursuant to Government Code Section 54953(e) which authorizes meetings to be held by teleconference. The Governor’s proclaimed state of emergency remains in effect and the City Council has made or will make the legal findings necessary to hold meetings by teleconference. You may access the meeting and address the Council by any of the following means:

ZOOM at

<https://us02web.zoom.us/j/85473677675>

Dial in by calling one of the numbers listed below and enter the Webinar ID:

**854 7367 7675**

1 (669) 900-6833

1 (346) 248-7799

1 (312) 626-6799

1 (929) 205-6099

1 (253) 215-8782

1(301) 715-8592

Facebook Live on our City of Colfax page: City of Colfax, California. You may also submit written comments to the City Clerk via email at [city.clerk@colfax-ca.gov](mailto:city.clerk@colfax-ca.gov), via regular mail to P.O. Box 702, Colfax CA 95713, or by dropping them off at City Hall, 33 S. Main Street, Colfax CA 95713. Comments received will be submitted to Council and made a part of the record.

### **1 CLOSED SESSION**

**1A. Call Closed Session to Order**

**1B. Roll Call**

**1C. Public Comment on Closed Session Items**

**1D. Closed Session:**

**(a) Public employee performance evaluation pursuant to Government Code Section 54957**

**Title: City Manager**

### **OPEN SESSION**

**2A. Call Open Session to Order**

**2B. Report from Closed Session**

**2C. Pledge of Allegiance**

**2D. Roll Call**



Colfax City Council Meetings are ADA compliant. If you need disability-related modification or accommodation including auxiliary aids or services to participate in this meeting, please contact the City Clerk at (530) 346-2313 at least 72 hours prior to make arrangements for ensuring your accessibility.

**April 27, 2022**

## 2E. Approval of Agenda Order

*This is the time for changes to the agenda to be considered including removal, postponement, or change to the agenda sequence.*

**Recommended Action:** By motion, accept the agenda as presented or amended.

## 3 CONSENT CALENDAR

*Matters on the Consent Calendar are routine in nature and will be approved by one blanket motion with a Council vote.*

### 3A. Authorize remote teleconference meetings pursuant to Government Code Section 54953 (e) [AB 361]

**Recommendation:** Adopt Resolution \_\_-2022 authorizing remote teleconference meetings pursuant to Government Code Section 54953(e) [AB 361]. (Pages 5-8)

### 3B. Quarterly Sales Tax Analysis

**Recommendation:** Accept and File. (Pages 9-11)

### 3C. Minutes (Pages 12-14)

**Recommendation:** By Motion, approve the Colfax City Council minutes of 3/23/22.

### 3D. SB 1383 Edible Food Generator and Food Recovery Organization Education and Inspection Services MOU – Placer County (Pages 15-26)

**Recommendation:** Authorize the City Manager to execute a SB 1383 Edible Food Generator and Food Recovery Organization Education and Inspection Services Memorandum of Understanding with Placer County up until terminated by either party.

### 3E. March Cash Summary (Pages 27-33)

**Recommendation:** Accept and File.

### 3F. Quarterly Investment Report – Quarter ended 03-31-2022

**Recommendation:** Accept and File. (Pages 34-42)

\*\*\* End of Consent Calendar \*\*\*

## 4 AGENCY REPORTS

### 4A. Placer County Sheriff Department

### 4B. CHP

### 4C. Placer County Fire Department/CALFIRE

### 4D. Non-Profits

## 5 PRESENTATION (None)

## 6 PUBLIC HEARING



**Notice to the Public: City Council, when considering a matter scheduled for hearing, will take the following actions:**

1. Presentation by Staff
2. Open the Public Hearing
3. Presentation, when applicable, by Applicant
4. Accept Public Testimony
5. When applicable, Applicant rebuttal period
6. Close Public Hearing (No public comment is taken, hearing is closed)
7. Council comments and questions
8. City Council Action

**Public Hearings that are continued will be so noted. The continued Public Hearing will be listed on a subsequent council agenda and posting of that agenda will serve as notice.**

*No discussion of these items ensues unless specific items are pulled for discussion and separate action. If you wish to have an item pulled from the Consent Agenda for discussion, please notify the Mayor.*

**6A. Ordinance 547 Amending Colfax Municipal Code Title 6, Chapter 6.20 “Limitations On Number Of Animals” (Chickens) (Pages 43-53)**

**Presentation:** Alfred “Mick” Cabral, City Attorney

**Recommendation:** Introduce the proposed ordinance by title only, conduct a public hearing, waive the first reading and schedule the proposed ordinance for second reading and adoption at the May 11, 2022, regularly scheduled meeting, to be effective 30 days thereafter.

**7 PUBLIC COMMENT**

*Members of the public are permitted to address the Council orally or in writing on matters of concern to the public within the subject matter jurisdiction of the City that are not listed on this agenda. Please make your comments as succinct as possible. Oral comments made at the meeting may not exceed three (3) minutes per speaker. Written comments should not exceed 500 words. Written comments received before the close of an agenda item may be read into the record, with a maximum allowance of three (3) minutes in length. Council cannot act on items not listed on this agenda but may briefly respond to statements made or questions posed, request clarification, refer the matter to staff, or place the matter on a future agenda.*

**8 COUNCIL AND STAFF**

*The purpose of these reports is to provide information to the Council and public on projects, programs, and issues discussed at committee meetings and other items of Colfax related information. No decisions will be made on these issues. If a member of the Council prefers formal action be taken on any committee reports or other information, the issue will be placed on a future Council meeting agenda.*

**8A. Committee Reports and Colfax Informational Items – All Councilmembers**

**8B. City Operations Update – City Manager**

**9 COUNCIL BUSINESS**

**9A. 3<sup>rd</sup> of July Event Coordinator and Funding (Pages 54-55)**

**Presentation:** Wes Heathcock, City Manager

**Recommendation:** Discuss and consider approving Green Machine request of \$10,000 to fund the 3<sup>rd</sup> of July fireworks and \$1,000 for general event costs for a total amount of \$11,000.



**10**     **GOOD OF THE ORDER**

*Informal statements, observation reports and inquiries regarding the business of the City may be presented by Councilmembers under this agenda item or requests for placement of items of interest on a future agenda. No action will be taken.*

**11**     **ADJOURNMENT**

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I, Marguerite Bailey, City Clerk for the City of Colfax, declare that this agenda was posted in accordance with the Brown Act at Colfax City Hall and Colfax Post Office. The agenda is also available on the City website at <http://colfax-ca.gov/>

*Marguerite Bailey*

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Marguerite Bailey, City Clerk

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Administrative Remedies must be exhausted prior to action being initiated in a court of law. If you challenge City Council action in court, you may be limited to raising only those issues you or someone else raised at a public hearing described in this notice/agenda, or in written correspondence delivered to the City Clerk of the City of Colfax at, or prior to, said public hearing





# Staff Report to City Council

## FOR THE APRIL 27, 2022, REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Wes Heathcock, City Manager  
 Alfred A. "Mick" Cabral, City Attorney  
**Subject:** Authorize remote teleconference meetings pursuant to Government Code Section 54953(e) [AB 361]

*Budget Impact Overview:*

N/A: ✓	Funded:	Un-funded:	Amount:	Fund(s):
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**RECOMMENDED ACTION:** Adopt Resolution \_\_-2022 authorizing remote teleconference meetings pursuant to Government Code Section 54953(e) [AB 361].

### Summary/Background

The proposed Resolution, if adopted, will authorize the City Council to conduct its meetings virtually or in person under the teleconference rules contained in Government Code Section 54953(e).

On March 4, 2020, the Governor proclaimed a state of emergency to address the threat of the COVID-19 pandemic. That proclamation remains in effect.

On March 17, 2020, Governor Newsom signed Executive Order N-29-20 which allowed Council to meet virtually under relaxed teleconferencing rules. Council did so until Executive Order N-29-20 expired on September 30, 2021, and was replaced by different rules under Government Code Section 54953(e) [AB 361] effective October 1, 2021. Council initially elected to resume meeting in person, but the persistence of the COVID pandemic has prompted Council and staff to consider resuming its virtual meetings.

Government Code Section 54953(e) authorizes Council to use teleconferencing to hold its meetings during a proclaimed state of emergency when state or local officials have imposed or recommended measures to promote social distancing. "State of Emergency" is narrowly defined such that one only exists when the Governor has proclaimed one under the authority of Government Code Section 8625, which occurred on March 4, 2020, and remains in effect.

If Council adopts the recommended Resolution, meetings must meet the following requirements:

1. Agendas and notice of the meeting must be posted, but not at all teleconference locations. (GC 54953(e)(2)(A)).
2. Members of the public must be allowed to access the meeting and address the Council. The agenda must (1) include notice of the means by which members of the public can access the meeting and comment, and (2) identify and include an opportunity for all persons to attend via call-in option or internet-based service option, but the City is not required to provide a physical location from which the public may attend or comment. (GC 54953(e)(2)(B)).
3. Teleconference meetings must protect the statutory and constitutional rights of all parties and members of the public appearing before Council. (GC 54953(e)(2)(C)).

4. If a disruption occurs that prevents the city from broadcasting the meeting or that prevents the public from participating or commenting using the call-in option, no further action on the agenda items can be taken until the disruption is remedied. (GC 54953(e)(2)(D)).
5. The City cannot require public comments to be submitted in advance of the meeting and must allow for comments to be made in “real time”. This does not require the city to provide a physical location from which the public may attend or comment. (GC 54953(e)(2)(E)).
6. GC Section 54953.3 precludes the City from requiring meeting attendees to register his or her name or to provide other information, complete a questionnaire, or fulfill any other condition precedent to attendance. AB 361 provides that individuals who want to provide public comment through the use of an internet website or other online platform not under the City’s control may nevertheless be required to register as required by that third-party internet website or online platform to participate. (GC 54953(e)(2)(F)).
7. Colfax takes public comment separately on each agenda item so it will have to allow a reasonable amount of time per agenda item for the public to register or be recognized for the purpose of providing public comment. (GC 54953(e)(2)(G)(ii)). This generally applies to the public comment period on matters within the City’s subject matter jurisdiction.
8. The following findings must be made within 30 days after teleconferencing under AB 361 for the first time without complying with Government Code Section 54953(b)(3) and every 30 days thereafter: (A) The Council has reconsidered the circumstances of the state of emergency, (B) Either the state of emergency continues to directly impact the ability of the Council to meet safely in person, or state or local officials continue to impose or recommend measures to promote social distancing. (GC 54953(e)(3)). Staff plans to place this periodic review on the Consent Calendar.

Staff is prepared to implement these requirements and will be available to answer any questions.

**Fiscal Impact**

None

**Attachments:**

1. Resolution \_\_-2022

# City of Colfax

## City Council

Resolution No. \_\_-2022

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AUTHORIZING REMOTE TELECONFERENCE MEETINGS PURSUANT TO GOVERNMENT CODE  
SECTION 54953(e) [AB 361]

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**WHEREAS**, Government Code Section 54953(e), as adopted by Assembly Bill 361 (AB 361) allows the Council to hold open meetings by teleconference without reference to otherwise applicable requirements of Government Code Section 54953(b)(3), so long as Council complies with legally-imposed requirements, there exists a declared state of emergency, and one of the following circumstances is met: (1) State or local officials have imposed or recommended measures to promote social distancing, (2) Council is holding the meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees, and (3) Council has determined, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees; and,

**WHEREAS**, on March 4, 2020, the Governor proclaimed a state of emergency pursuant to Government Code Section 8625, and that proclamation remains in effect; and,

**WHEREAS**, the City Council hereby declares that a state of emergency as a result of the threat of COVID-19 still exists and continues to impact the ability of members of the public, the City Council, Council subcommittees, City staff and consultants to meet safely in person.

**NOW THEREFORE, BE IT RESOLVED BY** the City Council of the City of Colfax as follows:

1. The foregoing recitals are true and correct statements of fact and are incorporated into this Resolution by this reference.
2. The City Council hereby finds and declares the following conditions are met as required by Government Code Section 54953(e)(3):
  - (i) The Governor of California proclaimed a state of emergency on March 4, 2020, pursuant to Government Code Section 8625, which remains in effect.
  - (ii) The City Council has determined that, as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.
3. The City Manager is authorized to utilize teleconferencing to conduct all City of Colfax public meetings pursuant to AB 361 and Government Code Section 54953(e).
4. In accordance with AB 361, the City Council shall reconsider the passage of this Resolution not less than every 30 days to determine whether a state of emergency continues to directly impact the ability of the Council to meet safely in person, or whether state or local officials continue to impose or recommend social distancing, until this Resolution is rescinded.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** at a regular meeting of the City Council of the City of Colfax held on the 27th of April, 2022, by the following vote of the Council:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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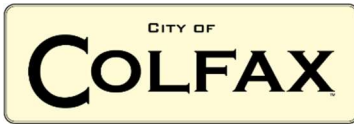
**Trinity Burruss, Mayor**

**ATTEST:**

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**Marguerite Bailey City Clerk**





# Staff Report to City Council

## FOR THE APRIL 27, 2022 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Laurie Van Groningen, Finance Director  
**Subject:** Quarterly Sales Tax Analysis – Calendar Year 2021-Q4

*Budget Impact Overview:*

N/A: ✓	Funded:	Un-funded:	Amount:	Fund(s):
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### RECOMMENDED ACTION: Accept and File

#### Summary/Background

The City provides a quarterly report on Sales and Use Tax revenues as quarterly information is available. We have now received the final Accounting for Sales and Use Tax revenues for the quarter ended December 31, 2021, which is the second quarter of fiscal year 2021-2022.

As reported in the chart below, actuals for the quarter ended December 31<sup>st</sup> continue to reflect a substantial decrease in sales tax revenues for the City and is the lowest quarter reported since 2017. Sales tax revenues decreased 12% as compared to the same quarter last year and decreased 1% compared to the previous quarter (09/30/2021). Some items to note are:

- The largest decreases (as compared to same quarter last year) are in the Auto/Transportation industry and in the State/County pool.
- During COVID, the State relaxed reporting deadlines which impacted when some businesses report/pay sales tax. This may cause quarterly variations but does not impact overall receipts over time. Business who report annually will likely be reflected in the quarter ended March 31<sup>st</sup>.
- Some new businesses whether new ownership, new business, or transfer from another area are sometimes slow to report sales tax receipts. Staff monitors and works with the California Department of Tax and Fee Administration (CDTFA) to ensure that City businesses are reporting to the correct jurisdiction.

	QE 09/30	QE 12/31	QE 03/31	QE 06/30	TOTAL	Budget	% of Budget	Budget Diff	Prev Forecast
Fiscal Year 2021-2022	\$ 300,458	\$ 298,414			\$ 598,872	\$ 1,260,000			
Fiscal Year 2020-2021	\$ 391,444	\$ 340,379	\$ 326,981	\$ 365,994	\$ 1,424,798	\$ 1,250,000	114%	\$ 174,798	\$ 1,125,000
Fiscal Year 2019-2020	\$ 457,737	\$ 320,975	\$ 370,903	\$ 374,688	\$ 1,524,302	\$ 1,450,000	105%	\$ 74,302	\$ 1,430,388
Fiscal Year 2018-2019	\$ 354,152	\$ 353,870	\$ 336,721	\$ 356,865	\$ 1,401,608	\$ 1,350,000	104%	\$ 51,608	
% Change - Previous Calendar Qtr	-18%	-1%	-4%	12%					
% Change - Same Qtr - Prev Year	-23%	-12%	-12%	-2%	-7%	-14%			

#### Fiscal and Budget Impacts

Even though we exceeded sales tax projections for the past several years, due to the uncertainty of sales tax revenues, we did not adjust the FY2021-2022 budget from the original budget adoption in June 2020. Staff will continue to monitor and provide updates as additional information is available.

#### Attachments:

1. Graph – City of Colfax – Sales and Use Tax Revenues
2. Chart – City of Colfax – Sales and Use Tax Revenues History

## City of Colfax Sales and Use Tax Revenues (Actuals Through Quarter Ended 12/31/2021)



# City of Colfax

## Sales and Use Tax Revenues

### City of Colfax Sales and Use Tax Revenue History

	Actuals	Change	% Change
1999-2000	\$ 478,169		
2000-2001	\$ 484,801	\$ 6,632	1%
2001-2002	\$ 592,392	\$ 107,591	22%
2002-2003	\$ 581,749	\$ (10,643)	-2%
2003-2004	\$ 601,276	\$ 19,527	3%
2004-2005	\$ 707,515	\$ 106,239	18%
2005-2006	\$ 749,583	\$ 42,068	6%
2006-2007	\$ 752,431	\$ 2,848	0%
2007-2008	\$ 648,989	\$ (103,442)	-14%
2008-2009	\$ 540,051	\$ (108,938)	-17%
2009-2010	\$ 538,549	\$ (1,502)	0%
2010-2011	\$ 551,953	\$ 13,404	2%
2011-2012	\$ 571,943	\$ 19,990	4%
2012-2013	\$ 706,828	\$ 134,885	24%
2013-2014	\$ 928,729	\$ 221,901	31%
2014-2015	\$ 956,342	\$ 27,613	3%
2015-2016	* \$ 1,104,357	\$ 148,015	15%
2016-2017	\$ 1,103,560	\$ (797)	0%
2017-2018	\$ 1,370,741	\$ 267,181	24%
2018-2019	\$ 1,401,608	\$ 30,867	2%
2019-2020	\$ 1,524,302	\$ 122,694	9%
2020-2021	\$ 1,424,789	\$ (99,513)	-7%

*\*Included true up and final adjustments related to the end of the decade old triple flip sales tax program which ended December 31, 2015*



# City Council Minutes

Regular Meeting of Colfax City Council

Wednesday, March 23, 2022

City Hall Council Chambers, 33 S Main Street,

Colfax CA and attended via Teleconference through ZOOM

## 1 CLOSED SESSION

### 1A. **Call Closed Session to Order**

Mayor Burruss called the closed session to order at 5:17pm.

### 1B. **Roll Call**

Present: Councilmember Lomen, Councilmember Fatula, Mayor Pro Tem Mendoza, Mayor Burruss

Absent: Councilmember Ackerman

### 1C. **Public Comment** received from Pamela Biery

### 1D. **Closed Session**

(a) Public employee performance evaluation pursuant to Government Code Section 54947

Title: City Manager.

## 2 OPEN SESSION

### 2A. **Call Open Session to Order**

Mayor Burruss called the open session to order at 6:10pm.

### 2B. **Report from Closed Session**

No Reportable Action from Closed Session.

### 2C. **Pledge of Allegiance**

### 2D. **Roll Call**

Present: Councilmember Lomen, Councilmember Fatula, Mayor Pro Tem Mendoza, and Mayor Burruss.

Absent: Councilmember Ackerman

### 2E. **Approval of the Agenda Order**

**MOTION** made by Councilmember Fatula to approve the agenda order, and seconded by Councilmember Lomen, and unanimously approved by voice.

## 3 CONSENT CALENDAR

### 3A. **Cash Summary – February 2022**

**Recommendation:** Accept and File.

### 3B. **Minutes**

**Recommendation:** By Motion, approve the Colfax City Council minutes of 3/9/22

### 3C. **Schedule of Activities for Collecting Delinquent Sewer and Garbage Charges on Annual Tax Rolls**

**Recommendation:** Information Only

### 3D. **2021 Annual Housing Element Progress Report**

**Recommendation:** Adopt Resolution 11-2022 accepting the 2021 Annual Housing Element Progress report and authorize staff to send the report to the state.

**3E. An Ordinance Repealing and Replacing Colfax Municipal Code Title 9, Chapter 8.20 “Refuse Collection”**

**Recommendation:** Waive the second reading and adopt Ordinance 546, an Ordinance Repealing and Replacing Colfax Municipal Code Title 8, Chapter 8.20 “Refuse Collection”, to be effective 30 days after adoption.

\*\*\*End of Consent Calendar\*\*\*

By **MOTION**, approve the consent calendar excluding 3A and 3D.

**MOTION** made by Councilmember Lomen, and seconded by Councilmember Fatula, and approved by the following vote:

**AYES:** Lomen, Fatula, Mendoza, Burruss

**NOES:**

**ABSTAIN:**

**ABSENT:** Ackerman

Item 3A was discussed. Councilmember Fatula requested clarification and Staff responded regarding the Cash Summary – February 2022.

**MOTION** made by Councilmember Fatula to approve Item 3A, and seconded by Councilmember Lomen, and approved by the following vote:

**AYES:** Lomen, Fatula, Mendoza, Burruss

**NOES:**

**ABSTAIN:**

**ABSENT:** Ackerman

**MOTION** made by Mayor Pro Tem Mendoza to approve Item 3D, and seconded by Councilmember Lomen, and approved by the following vote:

**AYES:** Lomen, Fatula, Mendoza, Burruss

**NOES:**

**ABSTAIN:**

**ABSENT:** Ackerman

**4 AGENCY REPORTS**

**4A. Placer County Sheriff Office** – Officer Jacobs provided some public safety announcements.

**4B. CHP – Not in Attendance**

**4C. Placer County Fire/CALFIRE** – Battalion Chief Jeff Loveless provided a department update.

**4D. Non-Profits** – Chamber of Commerce President Tim Ryan spoke about upcoming events. Green Machine Andrea Harrison along with Events Coordinator, Melissa spoke about the 3<sup>rd</sup> of July Event.

**5 PRESENTATION**

**5A. Presentation by Mayor Burruss**

Proclamation presented in recognition of Tony Martello’s Football Coaching Career at Colfax High.

**6 PUBLIC HEARING (None)**

**7 PUBLIC COMMENT**

Tim Dion spoke about cannabis licensing. Jane stated that the podium microphone was hard to hear for online listeners.

**8 COUNCIL AND STAFF**

- 8A. **Committee Reports and Colfax Informational Items – All Councilmembers** – Councilmember Lomen announced the next Fire Safe Council Meeting would be on 3/24/22. Councilmember Fatula explained that they would be finishing the ordinance his committee had been working on, soon. Mayor Burruss announced that she would be participating in the Cap-to-Cap Event and was being sponsored to attend by the Placer County Air Pollution Control District and was open to input.
- 8B. **City Operations Update – City Manager** – City Manager, Wes Heathcock provided an update regarding the Caltrans Sustainable Downtown Grant.

9

**COUNCIL BUSINESS**

- 9A. **California Hazard Mitigation Grant Program – Subapplication**  
**Recommendation:** Discuss and consider authorizing the City Manager to submit a subapplication for California Hazard Mitigation Grant Program projects – Community Home Hardening and Defensible Space and Energy Resilience – Generator Installation for Critical Facilities and Infrastructure in an amount not to exceed \$6,850,000.  
 Item was presented and guidelines discussed by Staff, Unit Chief Brian Estes provided insight. Tim Ryan asked a question about renters. Jane asked a question about neighbors. Council discussed the item.  
**MOTION** made by Mayor Burruss to approve Item 9A, and seconded by Mayor Pro Tem Mendoza, and approved by the following vote:  
**AYES:** Lomen, Fatula, Mendoza, Burruss  
**NOES:**  
**ABSTAIN:**  
**ABSENT:** Ackerman

10

**GOOD OF THE ORDER**

Councilmember Lomen said that it was great to be back to town. Appreciation was expressed again For Coach Tony Martello.

11

**ADJOURNMENT**

As there was no further business on the agenda, Mayor Burruss adjourned the meeting, by motion and without objection at 7:07 pm. Respectfully submitted to City Council this 27<sup>th</sup> day of April, 2022.

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Marguerite Bailey, City Clerk



# Staff Report to City Council

## FOR THE APRIL 27, 2022 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Wes Heathcock, City Manager  
**Subject:** SB 1383 Edible Food Generator and Food Recovery Organization Education and Inspection Services MOU – Placer County

*Budget Impact Overview:*

<b>N/A:</b>	<b>Funded:</b> √	<b>Un-funded:</b>	<b>Amount:</b> \$6,000	<b>Fund(s):</b> 100 (CalRecycle SB 1383 Grant)
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**RECOMMENDED ACTION:** Authorize the City Manager to execute a SB 1383 Edible Food Generator and Food Recovery Organization Education and Inspection Services Memorandum of Understanding with Placer County up until terminated by either party.

### Summary/Background

The City of Colfax has the authority and is required to implement the requirements of Senate Bill (SB) 1383 as adopted in regulatory text Code California Code of Regulations Title 14, Division 7, Chapter 3 to reduce organic waste, including edible food, from disposal in landfills. The City of Colfax is exempt from the collection aspects of SB 1383, however, the City is still required to educate, inspect, and enforce businesses covered under Code Sections: Title 14, CCR Sections: 18985.2; 18991.1; 18991.5; and 18995.1.

Placer County Environmental Health currently has the responsibility and expertise to provide to consumers food that is safe, unadulterated, and honestly presented through the adoption of science-based standards in accordance with statewide health and sanitation standards, regulations, and laws in accordance with the California Retail Food Code that is currently applied to businesses within the City of Colfax. The County is specially trained, experienced, and competent to provide educational resources to and perform inspections of edible food generators and food recovery organizations as defined in Senate Bill 1383 and staff believes it is in the community's best interest to enter a Memorandum of Understanding (MOU) with Placer County to perform the aforementioned services.

### Fiscal Impact:

The MOU with Placer County to provide education and inspection services is anticipated to cost up to \$6,000 for the term. The value of the MOU will be funded from the SB 1383 CalRecycle grant.

### Attachments:

1. Placer County Resolution/MOU

**CONTRACT FOR SERVICES  
PLACER COUNTY DEPARTMENT OF HEALTH & HUMAN SERVICES**

DESCRIPTION: Edible Food Generator and Food Recovery Organization Education and Inspection Services  
 CONTRACT NO. HHS000  
 BEGINS: April 28, 2022  
 ADMINISTERING AGENCY: Health and Human Services, Environmental Health

This is an Agreement made and operative as of the **28<sup>th</sup> day of April, 2022**, between the COUNTY OF PLACER, through its Health and Human Services Department, hereinafter referred to as "COUNTY", and the CITY OF COLFAX, hereinafter referred to as "CITY", both parties being political subdivisions of the State of California.

WHEREAS, CITY has the authority and is required to implement the requirements of Senate Bill 1383 as adopted in regulatory text Code California Code of Regulations Title 14, Division 7, Chapter 3 to reduce organic waste, including edible food, from disposal in landfills, and

WHEREAS, the COUNTY has the responsibility and expertise to provide to consumers food that is safe, unadulterated, and honestly presented through the adoption of science-based standards in accordance with statewide health and sanitation standards, regulations, and laws in accordance with the California Retail Food Code, and

WHEREAS, COUNTY is specially trained, experienced, and competent to provide educational resources to and perform inspections of edible food generators and food recovery organizations as defined in Senate Bill 1383 and CITY has determined to rely on such representations, and

WHEREAS, CITY has determined that it is beneficial for COUNTY to provide educational resources and specified inspection services of edible food generators and food recovery organizations as defined in Senate Bill 1383 through the Environmental Health Division of the Placer County Health and Human Services Department, and COUNTY has agreed to provide services to assist in this venture as outlined below, and

WHEREAS, it is understood and agreed by and between the parties of this Agreement that they wish to enter into this Agreement in order to provide a full and complete statement of their respective responsibilities in connection with this venture during the term of this Agreement,

NOW, THEREFORE, in consideration of the mutual covenants and agreements of this Agreement, the parties hereby agree as follows:

1. **SERVICES:** CITY agrees to coordinate with COUNTY and delegate authority to COUNTY to provide CITY with services, as set forth in Exhibit A, titled Scope of Services, attached hereto and incorporated herein by this reference.
2. **AMENDMENTS:** This Agreement constitutes the entire Agreement between the parties. Any amendments or changes to this Agreement, including attachments, shall be agreed to in writing, specifying the change(s) and the effective date(s) and shall be executed by duly authorized representatives of both parties. However, in no event shall such amendments create additional liability to COUNTY or provide additional payment to CITY except as expressly set forth in this or the amended Agreement.
3. **PAYMENT:** COUNTY may collect fees from CITY or directly from facilities identified by CITY as subject to SB1383 requirements. For fees incurred that have not been directly paid from facilities, CITY will pay to COUNTY as full payment for all services rendered pursuant to this Agreement in the amount set forth in Exhibit B, titled Payment Provisions, attached hereto. The payment specified in Exhibit B shall be the only payment made to COUNTY for services rendered pursuant



to this Agreement. This payment amount shall be inclusive of all COUNTY costs, including, but not limited to travel, transportation, lodging, meals, supplies, and incidental expenses except as otherwise might be specifically set forth in this Agreement.

4. **INVOICES:**

- 4.1. COUNTY will provide invoices to CITY on a monthly basis, within 30 days of the close of each calendar month. CITY will review, approve, and pay all valid invoices within 30 days of receipt.
- 4.2. Invoices for payment will be submitted to the following address, will be on COUNTY letterhead and will include the contract number, the remittance address, a unique invoice number, a detailed list of expenses with dollar amounts and backup documentation to support each expense should be attached to the invoice:

CITY'S INVOICING ADDRESS

Attn: Wes Heathcock, City Manager  
 City of Colfax  
 P.O. Box 702  
 Colfax, CA 95713

5. **EXHIBITS:** Exhibits expressly listed on the signature page of this Agreement are hereby incorporated herein by this reference and collectively, along with this base document, form the Agreement. In the event of any conflict or inconsistency between provisions contained in the base agreement or exhibits such conflict or inconsistency shall be resolved by giving precedence according to the following priorities: Exhibit A, Exhibit B, base agreement, then followed by any remaining exhibits. Responsibilities and obligations mandated by federal or state regulations or otherwise at law shall be liberally construed to meet legal requirements.
6. **CONTRACT TERM:** This Agreement shall remain in full force and effect from April 28, 2022, until terminated by either party.
7. **TERMINATION:**
- 7.1. CITY and COUNTY will have the right to terminate this Agreement at any time without cause by giving thirty (30) days' notice, in writing, of such termination to the other party. If the CITY gives notice of termination for cause, COUNTY shall immediately cease rendering service upon receipt of such written notice. Such notice shall be personally served or given by United States Mail.
- 7.2. In the event CITY terminates this Agreement, COUNTY shall be paid for all work performed according to the County's fee schedule.
8. **RECORDS:**
- 8.1. If Agreement is state or federally funded, COUNTY will be subject to the examination and audit of the California State Auditor for a period of three years after final payment under contract (California Government Code, Section 8546.7).
9. **INSURANCE and INDEMNIFICATION REQUIREMENTS:** See Exhibit B, attached hereto, for insurance requirements for this Agreement. The COUNTY'S insurance requirements are a material provision to this Agreement.
10. **CONFIDENTIALITY of RECORDS and INFORMATION:** COUNTY agrees to maintain confidentiality of information and records as required by applicable Federal, State and local laws, regulations and rules. COUNTY will not use or disclose confidential information other than as permitted or required by this Agreement and will notify CITY of any discovered instances of breaches of confidentiality. COUNTY will ensure that any subcontractors' agents receiving

confidential information related to this Agreement agree to the same restrictions and conditions that apply to COUNTY with respect to such information.

11. **NOTICES:** All notices required or authorized by this Agreement shall be in writing and shall be deemed to have been served if delivered personally or deposited in the United States Mail, postage prepaid and properly addressed as follows:

If to COUNTY: Robert L. Oldham, Director  
Placer County Dept. of Health and Human Services  
3091 County Center Drive, Suite 290  
Auburn, CA 95603

If to CITY: Wes Heathcock, City Manager  
City of Colfax  
P.O. Box 702  
Colfax, CA 95713

Changes in contact person or address information shall be made by notice, in writing, to the other party.

12. **NONDISCRIMINATION:** During the performance of this Agreement, CITY and COUNTY shall comply with all applicable Federal, State and local laws, rules, regulations and ordinances, including the provisions of the Americans with Disabilities Act of 1990, and Fair Employment and Housing Act, and will not unlawfully discriminate against employees, applicants or clients because of race, sex, sexual orientation, color, ancestry, religion or religious creed, national origin or ethnic group identification, mental disability, physical disability, medical condition (including cancer, HIV and AIDS), age (over 40), marital status, or use of Family and Medical Care Leave and/or Pregnancy Disability Leave in regard to any position for which the employee or applicant is qualified.
13. **ASSIGNMENT:** COUNTY shall not assign or sub-contract, in whole or part, any of its rights, duties, services or obligations arising under this Agreement without written consent of CITY. The terms of this Agreement shall also apply to any subcontractor(s) of COUNTY.
14. **NON-EXCLUSIVITY:** Nothing herein is intended nor shall be construed as creating any exclusive arrangement with CITY. This Agreement shall not restrict COUNTY from entering into similar, equal or like goods and/or services with other entities or sources. COUNTY shall only provide those services as defined by this agreement.
15. **TIME OF PERFORMANCE:** COUNTY agrees to complete all work and services in a timely fashion.
16. **ENTIRETY OF AGREEMENT:** This Agreement contains the entire agreement of COUNTY and CITY with respect to the subject matter hereof, and no other agreement, statement, or promise made by any party, or to any employee, officer, or agent of any party which is not contained in this Agreement shall be binding or valid.
17. **GOVERNING LAW AND VENUE:** The parties enter into this Agreement in the County of Placer, California and agree to comply with all applicable laws and regulations therein. The laws of the State of California shall govern its interpretation and effect. For litigation purposes, the parties agree that the proper venue for any dispute related to the Agreement shall be the Placer County Superior Court or the United States District Court, Eastern District of California.
18. **SIGNATURES:** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together will constitute one and the same instrument. The Parties agree that an electronic copy of a signed contract, or an electronically signed contract, shall have the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term

“electronically signed contract” means a contract that is executed by applying an electronic signature using technology approved by the Parties.

***//Signatures on following page***

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**IN WITNESS WHEREOF**, the parties hereto have caused their duly authorized representatives to execute this Agreement as of the day first above stated:

CITY OF COLFAX ("CITY") \*

COUNTY OF PLACER ("COUNTY")

_____ Signature
_____ Print Name
Date: _____

_____ Robert L. Oldham, Director, Department of Health & Human Services
Date: _____

Approved as to Form Office of City Attorney
_____ Signature
_____ Print Name
Date: _____

Approved as to Form Office of Placer County Counsel
_____
Date: _____

**EXHIBITS:**

- Exhibit A – Scope of Services
- Exhibit B – Payment Provisions
- Exhibit C – Insurance and Indemnification Requirements

**EXHIBIT A****SCOPE OF SERVICES****1. DESCRIPTION OF SERVICES:**

- 1.1. COUNTY shall perform services within the incorporated jurisdiction of CITY. CITY herein designates the COUNTY, and the COUNTY herein agrees to conduct inspections of edible food generators and food recovery organizations on behalf of the CITY for purposes set forth in this contract.
- 1.2. COUNTY will provide education and perform inspection within CITY'S jurisdiction to determine compliance with the following Code Sections: Title 14, CCR Sections 18985.2; 18991.1; 18991.5; and 18995.1.
- 1.3. COUNTY will provide annually (each July 1<sup>st</sup>) a list of eligible food generators and food recovery organizations located within the jurisdiction to the CITY. CITY will be responsible for review and validation of the list. CITY will approve edible food generators and food recovery organizations to be inspected by the COUNTY. COUNTY agrees to provide CITY with accurate documentation and reports, compliant with SB 1383, regarding education and inspection services provided by COUNTY.
- 1.4. COUNTY may collect fees from facilities identified by CITY as subject to SB1383 requirements to recover cost of providing services and shall retain all such fees. CITY is responsible for paying fees not submitted by such facilities.
- 1.5. If CITY requires additional services outside of this agreement, a separate agreement for those services will be established.

**EXHIBIT B**

**PAYMENT PROVISIONS**

This is a fee for services contract. COUNTY will be paid for services at the current Commercial Edible Food Generator Fee rate listed on the COUNTY Environmental Health Fee Schedule, or otherwise approved by the Board. All rates are per inspection. At the time of execution, the current county fee is \$103 per inspection, which is subject to adjustment by the Board of Supervisors. The fee in effect at the time will be the applicable fee for the duration of this agreement.

COUNTY may collect fees from CITY or directly from facilities identified by CITY as subject to SB1383 requirements. CITY is responsible to paying COUNTY for fees it is unable to collect from facilities.

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**EXHIBIT C****PLACER COUNTY INSURANCE AND INDEMNITY REQUIREMENTS**

CITY shall file with COUNTY concurrently herewith a Certificate of Insurance, in companies acceptable to COUNTY, with a Best's Rating of no less than A: VII evidencing all coverages, limits, and endorsements listed below:

1. **HOLD HARMLESS AND INDEMNIFICATION AGREEMENT**

The CITY hereby agrees to protect, defend, indemnify, and hold PLACER COUNTY free and harmless from any and all losses, claims, liens, demands, and causes of action of every kind and character including, but not limited to, the amounts of judgments, penalties, interest, court costs, legal fees, and all other expenses incurred by PLACER COUNTY arising in favor of any party, including claims, liens, debts, personal injuries, death, or damages to property (including employees or property of the COUNTY) and without limitation by enumeration, all other claims or demands of every character occurring or in any way incident to, in connection with or arising directly or indirectly out of, the contract or agreement. CITY agrees to investigate, handle, respond to, provide defense for, and defend any such claims, demand, or suit at the sole expense of the CITY. CITY also agrees to bear all other costs and expenses related thereto, even if the claim or claims alleged are groundless, false, or fraudulent. This provision is not intended to create any cause of action in favor of any third party against CITY or the COUNTY or to enlarge in any way the CITY'S liability but is intended solely to provide for indemnification of PLACER COUNTY from liability for damages or injuries to third persons or property arising from CITY'S performance pursuant to this contract or agreement.

As used above, the term PLACER COUNTY means Placer County or its officers, agents, employees, and volunteers.

2. **INSURANCE:**

CITY shall file with COUNTY concurrently herewith a Certificate of Insurance, in companies acceptable to COUNTY, with a Best's Rating of no less than A:VII showing. City's evidence of self-insured status shall meet these requirements.

3. **WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE:**

Worker's Compensation Insurance shall be provided as required by any applicable law or regulation. Employer's liability insurance shall be provided in amounts not less than one million dollars (\$1,000,000) each accident for bodily injury by accident, one million dollars (\$1,000,000) policy limit for bodily injury by disease, and one million dollars (\$1,000,000) each employee for bodily injury by disease.

If there is an exposure of injury to CITY'S employees under the U.S. Longshoremen's and Harbor Worker's Compensation Act, the Jones Act, or under laws, regulations, or statutes applicable to maritime employees, coverage shall be included for such injuries or claims.

Each Worker's Compensation policy shall be endorsed with the following specific language:

Cancellation Notice - "This policy shall not be changed without first giving thirty (30) days prior written notice and ten (10) days prior written notice of cancellation for non-payment of premium to the County of Placer".

Waiver of Subrogation - The workers' compensation policy shall be endorsed to state that the workers' compensation carrier waives its right of subrogation against the County, its officers, directors, officials, employees, agents or volunteers, which might arise by reason of payment under such policy in connection with performance under this agreement by the CITY.

CITY shall require all SUBCONTRACTORS to maintain adequate Workers' Compensation insurance. Certificates of Workers' Compensation shall be filed forthwith with the County upon demand.

4. GENERAL LIABILITY INSURANCE:

A. Comprehensive General Liability or Commercial General Liability insurance covering all operations by or on behalf of CITY, providing insurance for bodily injury liability and property damage liability for the limits of liability indicated below and including coverage for:

(1) Contractual liability insuring the obligations assumed by CITY in this Agreement.

B. One of the following forms is required:

- (1) Comprehensive General Liability;
- (2) Commercial General Liability (Occurrence); or
- (3) Commercial General Liability (Claims Made).

C. If CITY carries a Comprehensive General Liability policy, the limits of liability shall not be less than a Combined Single Limit for bodily injury, property damage, and Personal Injury Liability of:

- One million dollars (\$1,000,000) each occurrence
- Two million dollars (\$2,000,000) aggregate

D. If CITY carries a Commercial General Liability (Occurrence) policy:

- (1) The limits of liability shall not be less than:
  - One million dollars (\$1,000,000) each occurrence (combined single limit for bodily injury and property damage)
  - One million dollars (\$1,000,000) for Products-Completed Operations
  - Two million dollars (\$2,000,000) General Aggregate
- (2) If the policy does not have an endorsement providing that the General Aggregate Limit applies separately, or if defense costs are included in the aggregate limits, then the required aggregate limits shall be two million dollars (\$2,000,000).

E. Special Claims Made Policy Form Provisions:

CITY shall not provide a Commercial General Liability (Claims Made) policy without the express prior written consent of COUNTY, which consent, if given, shall be subject to the following conditions:



- (1) The limits of liability shall not be less than:
- One million dollars (\$1,000,000) each occurrence (combined single limit for bodily injury and property damage)
  - One million dollars (\$1,000,000) aggregate for Products Completed Operations
  - Two million dollars (\$2,000,000) General Aggregate
- (2) The insurance coverage provided by CITY shall contain language providing coverage up to one (1) year following the completion of the contract in order to provide insurance coverage for the hold harmless provisions herein if the policy is a claims-made policy.

Conformity of Coverages - If more than one policy is used to meet the required coverages, such as a separate umbrella policy, such policies shall be consistent with all other applicable policies used to meet these minimum requirements. For example, all policies shall be Occurrence Liability policies, or all shall be Claims Made Liability policies, if approved by the County as noted above. In no cases shall the types of polices be different.

5. ENDORSEMENTS:

Each Comprehensive or Commercial General Liability policy shall be endorsed with the following specific language:

- A. "The County of Placer, its officers, agents, employees, and volunteers are to be covered as an additional insured for all liability arising out of the operations by or on behalf of the named insured in the performance of this Agreement."
- B. "The insurance provided by the CITY, including any excess liability or umbrella form coverage, is primary coverage to the County of Placer with respect to any insurance or self-insurance programs maintained by the County of Placer and no insurance held or owned by the County of Placer shall be called upon to contribute to a loss."
- C. "This policy shall not be changed without first giving thirty (30) days prior written notice and ten (10) days prior written notice of cancellation for non-payment of premium to the County of Placer."

6. AUTOMOBILE LIABILITY INSURANCE:

Automobile Liability insurance covering bodily injury and property damage in an amount no less than one million dollars (\$1,000,000) combined single limit for each occurrence.

Covered vehicles shall include owned, non-owned, and hired automobiles/trucks.

8. ADDITIONAL REQUIREMENTS:

Premium Payments - The insurance companies shall have no recourse against the COUNTY and funding agencies, its officers and employees or any of them for payment of any premiums or assessments under any policy issued by a mutual insurance company.

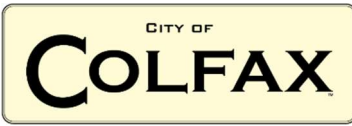
Policy Deductibles - The CITY shall be responsible for all deductibles in all of the CITY's insurance policies. The maximum amount of allowable deductible for insurance coverage required herein shall be \$25,000.

CITY's Obligations - CITY'S indemnity and other obligations shall not be limited by the foregoing insurance requirements and shall survive the expiration of this agreement.

Verification of Coverage - CITY shall furnish the County with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the County before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the CITY'S obligation to provide them. The County reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Material Breach - Failure of the CITY to maintain the insurance required by this agreement, or to comply with any of the requirements of this section, shall constitute a material breach of the entire agreement.

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# Staff Report to City Council

## FOR THE APRIL 27, 2022 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Laurie Van Groningen, Finance Director  
**Subject:** Cash Summary – March 2022

*Budget Impact Overview:*

N/A: ✓	Funded:	Un-funded:	Amount:	Fund(s):
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**RECOMMENDED ACTION:** Accept and File.

### Summary/Background

The monthly financial report includes General Fund Reserved Cash Analysis Graphs and the City of Colfax Cash Summary Report (with supporting documentation). The reports are prepared monthly on a cash basis and are reconciled to the General Ledger accounting system, previous reports, and bank statements. Detailed budget comparisons are provided as a mid-year report and as part of the proposed budget process each year.

The purpose of these reports is to provide the status of funds and transparency for Council and the public of the financial transactions of the City.

The attached reports reflect an overview of the financial transactions of the City of Colfax in March 2022. Some monthly highlights are listed below:

- March revenues included:
  - Allocation for Sales Tax revenues reported/paid to the State for the month of January 2022 (two-month lag).
  - Annual Streets and Roads funding from PCTPA
  - Ongoing monthly receipts for Sewer services
- March expenditures included:
  - Quarterly payment for Sheriff contract.
  - Ongoing monthly operating expenses and approved capital project expenditures.
- Negative cash fund balances at the end of March are due to timing of funding allocations and reimbursements:
  - Fund 203 – Cares Act Funding CDBG. This grant funding was for City Subsistence Assistance program. The City has elected to close this program due to lack of participation. Grant closeout and request for reimbursement have been submitted. Payment is expected before end of fiscal year.
  - Fund 250 – Streets – Roads/Transportation. These expenses are funded by annual Transportation funding through Placer County Transportation Agency (PCTPA), City Gas Tax revenues, and a General Fund allocation. PCTPA Funding was received in March. Transfers of Gas tax and General fund allocations will be completed as part of fiscal year end accounting.

- Fund 358 – CDBG Road Rehabilitation. This is a reimbursable grant – final funding of grant is still pending. CDBG has approved start date of expenditures. Any unfunded expenditures would require allocation from General Fund.
- Fund 367 – SB2 Planning Grant – this is a reimbursable grant. Second round of Reimbursement requests were submitted in February and are still pending. HCD is backlogged and cannot commit to a payment date.
- Fund 373 – S Auburn/Whitcomb Improvements. This project will be funded with Road Mitigation fees at project completion. Final costs and fund transfers are pending based on costs overages due to PCWA water breaks (2).
- Fund 575 – WWTP Construction Grant. This is a reimbursable grant. Reimbursement requests are scheduled to be submitted quarterly – final grant award was processed in December. The first reimbursement request was submitted in early March 2022 and is anticipated to be remitted to the City in May.
- Fund 576 – Phase II – Pond 3 Fissure Repair. This project is anticipated to be funded by insurance. Final Project costs were submitted for reimbursement in early March 2022 – previous reimbursements have taken 3-6 months.
- Fund 585 – Lift station #5 Force Main repair. Current expenditures include design work being performed by GHD (approved \$50K). Repair work is estimated at \$532K and the total project will be funded at completion by Sewer Connection fees and American Rescue Plan Act (ARPA) funding.
- Anticipated revenues/expenditures for April include:
  - Revenues
    - Allocation for Sales Tax revenues reported/paid to the State for the month of February 2022 (two-month lag).
  - Expenditures
    - Ongoing monthly operating expenses.
    - Approved capital project expenditures – expect an increase as WWTP solar project, Lift Station #5 repairs, and Generator replacement projects have expected increased activity.

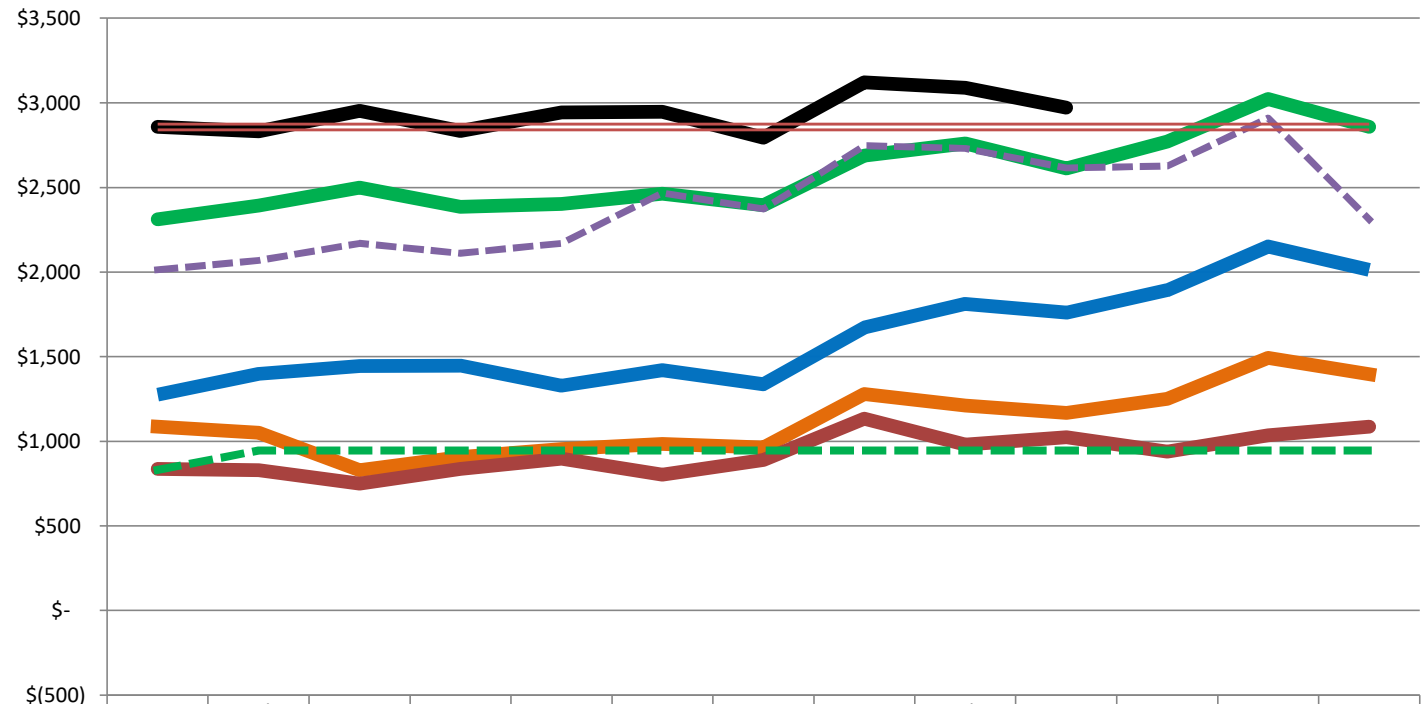
**Attachments:**

1. General Fund Reserved Cash Analysis Graph
2. Cash Activity Reports
  - a. Cash Summary
  - b. Cash Transactions Report – by individual fund
  - c. Check Register Report - Accounts Payable

## City of Colfax - March 2022 General Fund Reserved Cash Analysis

(Dollars in Thousands)

Fiscal Year 2021-22 >>



	Prev Yr	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
— Cash Balance FY2021-22	\$2,857	\$2,831	\$2,953	\$2,833	\$2,943	\$2,946	\$2,794	\$3,120	\$3,088	\$2,971			
— Cash Balance FY2020-21	\$2,311	\$2,392	\$2,497	\$2,386	\$2,402	\$2,463	\$2,393	\$2,688	\$2,760	\$2,612	\$2,771	\$3,023	\$2,857
- - Cash Balance FY2019-20	\$2,013	\$2,069	\$2,169	\$2,110	\$2,170	\$2,467	\$2,373	\$2,747	\$2,730	\$2,615	\$2,627	\$2,910	\$2,311
— Cash Balance FY2018-19	\$1,275	\$1,398	\$1,444	\$1,447	\$1,329	\$1,420	\$1,336	\$1,672	\$1,812	\$1,760	\$1,893	\$2,151	\$2,013
— Cash Balance FY2017-18	\$1,086	\$1,050	\$828	\$905	\$954	\$983	\$962	\$1,280	\$1,212	\$1,168	\$1,250	\$1,493	\$1,396
— Cash Balance FY2016-17	\$838	\$829	\$750	\$835	\$897	\$802	\$889	\$1,133	\$981	\$1,022	\$938	\$1,034	\$1,086
— *Reserves (Ops, Cap, Pen)	\$830	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945
— Budget FY2021-22	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857

**City of Colfax  
Cash Summary  
March 31, 2022**

	Balance 02/28/2022	Revenues In	Expenses Out	Transfers	Balance 03/31/2022
US Bank	\$ 208,693.57	\$ 447,826.86	\$ (655,944.58)	\$ -	\$ 575.85
LAIF	\$ 8,522,952.05	\$ -		\$ -	\$ 8,522,952.05
Total Cash - General Ledger	<u>\$ 8,731,645.62</u>	<u>\$ 447,826.86</u>	<u>\$ (655,944.58)</u>	<u>\$ -</u>	<u>\$ 8,523,527.90</u>
Petty Cash (In Safe)	\$ 300.00				\$ 300.00
Total Cash	<u>\$ 8,731,945.62</u>	<u>\$ 447,826.86</u>	<u>\$ (655,944.58)</u>	<u>\$ -</u>	<u>\$ 8,523,827.90</u>

**Change in Cash Account Balance - Total** \$ (208,117.72)

## Attached Reports:

1. Cash Transactions Report (By Individual Fund)		
2. Check Register Report (Accounts Payable)	\$ (551,280.25)	
Cash Receipts	\$ 269,829.67	
Payroll Checks and Tax Deposits	\$ (92,410.58)	
Utility Billings - Receipts	\$ 165,260.86	
UB Refund	\$ 482.58	
	\$ -	
	\$ -	
	<u>\$ (208,117.72)</u>	\$ -

Prepared by: Laurie Van Groningen, Finance Director  
Laurie Van Groningen, Finance Director

Reviewed by: Wes Heathcock, City Manager  
Wes Heathcock, City Manager

**City of Colfax**  
**Cash Transactions Report - March 2022**

	Beginning Balance	Debit Revenues	Credit (Expenditures)	Ending Balance
<b>Fund Type: 1.11 - General Fund - Unassigned</b>				
Fund: 100 - General Fund	\$ 3,027,843.15	\$ 141,114.42	\$ (235,756.08)	\$ 2,933,201.49
Fund: 120 - Land Development Fees	\$ 60,538.11	\$ 1,333.29	\$ (23,520.50)	\$ 38,350.90
Fund: 200 - Cannabis Application	\$ (107.01)	\$ -	\$ -	\$ (107.01)
<b>Fund Type: 1.11 - General Fund - Unassigned</b>	<b>\$ 3,088,274.25</b>	<b>\$ 142,447.71</b>	<b>\$ (259,276.58)</b>	<b>\$ 2,971,445.38</b>
<b>Fund Type: 1.14 - General Fund - Restricted</b>				
Fund: 205 - Escrow Funds	\$ 117,157.00	\$ -	\$ -	\$ 117,157.00
Fund: 571 - AB939 Landfill Diversion	\$ 23,317.26	\$ -	\$ -	\$ 23,317.26
Fund: 572 - Landfill Post Closure Maintenance	\$ 782,744.51	\$ -	\$ (4,526.84)	\$ 778,217.67
<b>Fund Type: 1.14 - General Fund - Restricted</b>	<b>\$ 923,218.77</b>	<b>\$ -</b>	<b>\$ (4,526.84)</b>	<b>\$ 918,691.93</b>
<b>Fund Type: 1.24 - Special Rev Funds - Restricted</b>				
Fund: 202 - ARPA American Rescue Plan Act	\$ 239,736.15	\$ -	\$ -	\$ 239,736.15
Fund: 203 - CARES Act Funding - CDBG	\$ (16,409.27)	\$ -	\$ -	\$ (16,409.27)
Fund: 210 - Mitigation Fees - Roads	\$ 267,184.19	\$ -	\$ -	\$ 267,184.19
Fund: 211 - Mitigation Fees - Drainage	\$ 5,393.96	\$ -	\$ -	\$ 5,393.96
Fund: 212 - Mitigation Fees - Trails	\$ 74,933.08	\$ -	\$ -	\$ 74,933.08
Fund: 213 - Mitigation Fees - Parks/Rec	\$ 191,900.71	\$ -	\$ -	\$ 191,900.71
Fund: 214 - Mitigation Fees - City Bldgs	\$ 101,227.70	\$ -	\$ -	\$ 101,227.70
Fund: 215 - Mitigation Fees - Vehicles	\$ 22,107.93	\$ -	\$ -	\$ 22,107.93
Fund: 217 - Mitigation Fees - DT Parking	\$ 43,279.28	\$ -	\$ -	\$ 43,279.28
Fund: 218 - Support Law Enforcement	\$ 88,771.27	\$ 16,782.16	\$ (85,873.67)	\$ 19,679.76
Fund: 244 - CDBG Program Inc - ME Lending	\$ 1,002.25	\$ -	\$ -	\$ 1,002.25
Fund: 250 - Streets - Roads/Transportation	\$ (105,207.36)	\$ 109,315.00	\$ (20,005.01)	\$ (15,897.37)
Fund: 253 - Gas Taxes	\$ 27,094.32	\$ 4,364.68	\$ (2,566.11)	\$ 28,892.89
Fund: 258 - Road Maintenance - SB1/RSTBG	\$ 147,898.40	\$ 3,369.49	\$ -	\$ 151,267.89
Fund: 270 - Beverage Container Recycling	\$ 19,100.52	\$ -	\$ -	\$ 19,100.52
Fund: 280 - Oil Recycling	\$ 3,766.18	\$ -	\$ -	\$ 3,766.18
Fund: 292 - Fire Department Capital Funds	\$ 93,265.04	\$ -	\$ -	\$ 93,265.04
Fund: 342 - Fire Construction - Mitigation	\$ 75,780.39	\$ -	\$ -	\$ 75,780.39
Fund: 343 - Recreation Construction	\$ 75,780.86	\$ -	\$ -	\$ 75,780.86
<b>Fund Type: 1.24 - Special Rev Funds - Restrict</b>	<b>\$ 1,356,605.60</b>	<b>\$ 133,831.33</b>	<b>\$ (108,444.79)</b>	<b>\$ 1,381,992.14</b>
<b>Fund Type: 1.34 - Capital Projects - Restricted</b>				
Fund: 367 - SB2 - Planning Grant	\$ (48,732.94)	\$ -	\$ (937.30)	\$ (49,670.24)
Fund: 358 - CDBG Pavement	\$ (92,621.34)	\$ -	\$ -	\$ (92,621.34)
Fund: 373 - S Auburn/Whitcomb Imp	\$ (126,307.15)	\$ -	\$ -	\$ (126,307.15)
Fund: 374 - Roundabout Monument	\$ (0.00)	\$ -	\$ -	\$ (0.00)
<b>Fund Type: 1.34 - Capital Projects - Restricted</b>	<b>\$ (267,661.43)</b>	<b>\$ -</b>	<b>\$ (937.30)</b>	<b>\$ (268,598.73)</b>
<b>Fund Type: 2.11 - Enterprise Funds</b>				
Fund: 560 - Sewer	\$ 1,522,693.76	\$ 106,136.35	\$ (67,734.56)	\$ 1,561,095.55
Fund: 561 - Sewer Liftstations	\$ 735,642.13	\$ 17,866.63	\$ (20,778.42)	\$ 732,730.34
Fund: 563 - Wastewater Treatment Plant	\$ 743,567.05	\$ 47,314.08	\$ -	\$ 790,881.13
Fund: 564 - Sewer Connections	\$ 443,017.95	\$ -	\$ -	\$ 443,017.95
Fund: 574 - OES PSPS Grant	\$ 282,112.18	\$ -	\$ (5,409.88)	\$ 276,702.30
Fund: 575 - WWTP Construction Grant	\$ (18,027.00)	\$ -	\$ (188,836.21)	\$ (206,863.21)
Fund: 576 - Phase II - Pond 3 Fissure Repair	\$ (27,956.11)	\$ -	\$ -	\$ (27,956.11)
Fund: 585 - LS #5 Force Main Repairs	\$ (51,620.87)	\$ -	\$ -	\$ (51,620.87)
<b>Fund Type: 2.11 - Enterprise Funds - Unassign</b>	<b>\$ 3,629,429.09</b>	<b>\$ 171,317.06</b>	<b>\$ (282,759.07)</b>	<b>\$ 3,517,987.08</b>
<b>Fund Type: 9.0 - CLEARING ACCOUNT</b>				
Fund: 998 - PAYROLL CLEARING FUND	\$ 1,779.34	\$ 230.76	\$ -	\$ 2,010.10
<b>Fund Type: 9.0 - CLEARING ACCOUNT</b>	<b>\$ 1,779.34</b>	<b>\$ 230.76</b>	<b>\$ -</b>	<b>\$ 2,010.10</b>
<b>Grand Totals:</b>	<b>\$ 8,731,645.62</b>	<b>\$ 447,826.86</b>	<b>\$ (655,944.58)</b>	<b>\$ 8,523,527.90</b>

Check Register Report

Checks - March 2022

Date: 04/11/2022

Time: 1:43 pm

CITY OF COLFAX

BANK: US BANK

Page: 1

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
<b>US BANK Checks</b>								
57910	03/07/22	Reconciled		03/31/22	03141	CALPERS	HEALTH PREMIUMS MAR 2022	10,744.98
57911	03/07/22	Reconciled		03/31/22	2087	BASIC PACIFIC	FSA BENEFIT PYMT	10.00
57912	03/09/22	Reconciled		03/31/22	8501	HOLT RENEWABLES	WWTP SOLAR CONST PROG PAY	175,336.15
57913	03/18/22	Reconciled		03/31/22	01414	ALHAMBRA & SIERRA SPRINGS	WATER	9.00
57914	03/18/22	Reconciled		03/31/22	01448	AMERIGAS - COLFAX	CITY HALL PROPANE	806.59
57915	03/18/22	Reconciled		03/31/22	01448	AMERIGAS - COLFAX	FIRE DEPT PROPANE	12.86
57916	03/18/22	Reconciled		03/31/22	01448	AMERIGAS - COLFAX	SHERIFF DEPT PROPANE	291.17
57917	03/18/22	Reconciled		03/31/22	01448	AMERIGAS - COLFAX	DEPT PROPANE	643.51
57918	03/18/22	Reconciled		03/31/22	01500	ANDERSON'S SIERRA	WWTP SUPPLIES	31.84
57919	03/18/22	Reconciled		03/31/22	01766	AT&T MOBILITY	CITY CELL PHONES	717.60
57920	03/18/22	Reconciled		03/31/22	03401	CHOICE BUILDER	PREMIUMS APR 2022	339.23
57921	03/18/22	Reconciled		03/31/22	3425	CINTAS	UNIFORM SVCS FEB 2022	304.10
57922	03/18/22	Reconciled		03/31/22	03446	CITY OF FOSTER CITY	OP II JOB POSTING	520.00
57923	03/18/22	Reconciled		03/31/22	3496	COLEMAN ENGINEERING	WWTP STAFFING FEB 2022	2,344.89
57924	03/18/22	Reconciled		03/31/22	6426	FLYING SQUIRREL TREE CARE	GENERATOR RPLCMENT TREE REM	2,200.00
57925	03/18/22	Reconciled		03/31/22	7798	G&T TRUCK REPAIR	VACTOR RPR	1,240.51
57926	03/18/22	Reconciled		03/31/22	14859	GHD INC.	ENG SVCS FEB 2022	13,261.50
57927	03/18/22	Reconciled		03/31/22	07460	GOLD COUNTRY MEDIA	POULTRY ORDINANCE PUBLIC HEAR	281.74
57928	03/18/22	Reconciled		03/31/22	07570	GRAINGER	WWTP SUPPLIES	41.79
57929	03/18/22	Reconciled		03/31/22	07570	GRAINGER	WWTP SUPPLIES	186.51
57930	03/18/22	Reconciled		03/31/22	07570	GRAINGER	WWTP STORAGE RACKS	1,325.48
57931	03/18/22	Reconciled		03/31/22	08050	HACH COMPANY	WWTP LAB SUPPLIES	162.52
57932	03/18/22	Reconciled		03/31/22	08086	HBE RENTALS	MANLIFT RENTAL - GARLAND	258.64
57933	03/18/22	Reconciled		03/31/22	08170	HILLS FLAT LUMBER CO	SUPPLIES	811.66
57934	03/18/22	Reconciled		03/31/22	08200	HINDERLITER, DE LLAMAS & ASSOC	Q3 2021 SALES TAX AUDIT SVCS	609.11
57935	03/18/22	Reconciled		03/31/22	08501	HOME DEPOT CREDIT SERVICES	STMT 2/21/22	658.49
57936	03/18/22	Reconciled		03/31/22	08660	HUNT AND SONS, INC.	FUEL	116.80
57937	03/18/22	Reconciled		03/31/22	09455	INLAND BUSINESS SYSTEMS	COPY MACH LEASE	5.63
57938	03/18/22	Reconciled		03/31/22	19199	JENNIFER SEIM	REF OF SEWER OVERPAY	482.58
57939	03/18/22	Reconciled		03/31/22	10796	KAESER COMPRESSORS	WWTP MOTOR RPRS	485.25
57940	03/18/22	Printed			12182	LAWANNA TAYLOR	REFUND OF LAND DEV DEPOSIT	312.25
57941	03/18/22	Reconciled		03/31/22	31015	MRG, LLC	LEGAL MATTER INVESTIGATION SVC	3,883.50
57942	03/18/22	Reconciled		03/31/22	14356	NORTHERN CALIFORNIA GLOVE	PW GLOVES/RAIN BOOTS	153.37
57943	03/18/22	Reconciled		03/31/22	14356	NORTHERN CALIFORNIA GLOVE	PW SUPPLIES	134.52
57944	03/18/22	Reconciled		03/31/22	16300	PCWA -PLACER COUNTY	WATER	1,021.09
57945	03/18/22	Reconciled		03/31/22	16011(2)	PELLETREAU, ALDERSON & CABRAL	LEGAL SVCS FEB 2022	9,000.44
57946	03/18/22	Reconciled		03/31/22	16035	PG&E	ELECTRICITY	13,292.93
57947	03/18/22	Reconciled		03/31/22	16040A	PITNEY BOWES	POSTAGE MACH LEASE	167.84
57948	03/18/22	Reconciled		03/31/22	16138	PLACER COUNTY AUDITOR-	OVERPAY OF MVF	70.33
57949	03/18/22	Reconciled		03/31/22	16200	PLACER COUNTY SHERIFF DEPT.	Q3 FY 21/22 SHERIFF CONTRACT	206,843.00
57950	03/18/22	Reconciled		03/31/22	17951	R3 CONSULTING GROUP	SB1383 COMPLIANCE FEB 2022	1,662.00
57951	03/18/22	Reconciled		03/31/22	18407	RIGHT STRIPING	FIRE DEPT STRIPING	1,453.00
57952	03/18/22	Reconciled		03/31/22	18407	RIGHT STRIPING	CITY STOP SIGNS	5,116.00
57953	03/18/22	Reconciled		03/31/22	18407	RIGHT STRIPING	SHERWOOD CT STRIPING	1,042.92
57954	03/18/22	Printed			18592	RUIBAL, JOHN	EVENT DEPOSIT REFUND	100.00
57955	03/18/22	Reconciled		03/31/22	19037	SAFE SIDE SECURITY	BALLPARK SECURITY RPR	191.00
57956	03/18/22	Reconciled		03/31/22	19037	SAFE SIDE SECURITY	BALLPARK SECURITY CALL OUT	465.00
57957	03/18/22	Reconciled		03/31/22	19037	SAFE SIDE SECURITY	CORP YARD SECURITY MAR 2022	155.00
57958	03/18/22	Reconciled		03/31/22	19037	SAFE SIDE SECURITY	WWTP SECURITY MAR 2022	95.00
57959	03/18/22	Reconciled		03/31/22	19279	SERVICE ENGINEERING	AERATOR PUMP RPR	3,967.50



Check Register Report

Checks - March 2022

Date: 04/11/2022

Time: 1:43 pm

CITY OF COLFAX

BANK: US BANK

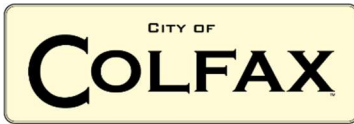
Page: 2

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
<b>US BANK Checks</b>								
57960	03/18/22	Printed			19387(2)	SIERRA FOOTHILLS LITTLE LEAGUE	TRYOUTS EVENT DEPOSIT REF	100.00
57961	03/18/22	Printed			19391	SIERRA MEDICAL PARTNERSHIP	COVID TESTING	500.00
57962	03/18/22	Reconciled		03/31/22	01790	SIERRA OFFICE PRODUCTS	OFFICE SUPPLIES	174.18
57963	03/18/22	Reconciled		03/31/22	19743	WILL STOCKWIN	MAR 2022 COLFAX CONNECTION EDI	300.00
57964	03/18/22	Reconciled		03/31/22	19762	STS AUTOMATION INCORPORATED	ANNUAL INSTRUMENTATION CALIB	1,676.33
57965	03/18/22	Reconciled		03/31/22	21105	UNICO ENGINEERING	ARCO INSPECTION SVCS OCT 2021	21,874.40
57966	03/18/22	Reconciled		03/31/22	21452	URSU, EMMANUEL	PLANNING SVCS FEB 2022	13,915.30
57967	03/18/22	Reconciled		03/31/22	21560	US BANK CORPORATE PMT SYSTEM	STMT 2/25/22	3,819.48
57968	03/18/22	Reconciled		03/31/22	22106	VAN GRONINGEN & ASSOCIATES	FINANCIAL SVCS FEB 2022	5,121.25
57969	03/18/22	Reconciled		03/31/22	22134	VISION QUEST	TECH SUPPORT SVCS APR 2022	1,851.14
57970	03/18/22	Reconciled		03/31/22	23169	WAVE BUSINESS SOLUTIONS	CITY HALL PHONE	225.92
57971	03/18/22	Reconciled		03/31/22	23169	WAVE BUSINESS SOLUTIONS	DEPOT PHONE	18.88
57972	03/18/22	Reconciled		03/31/22	23169	WAVE BUSINESS SOLUTIONS	FIRE DEPT PHONE	38.15
57973	03/18/22	Reconciled		03/31/22	18883	WAXIE SANITARY SUPPLY	PW SUPPLIES	729.65
57974	03/18/22	Reconciled		03/31/22	23218	WENDEL ROSEN	LEGAL MATTER	85.00
57975	03/18/22	Reconciled		03/31/22	23301	WESTERN PLACER WASTE	WWTP SLUDGE REMOVAL FEB 2022	1,485.50
57976	03/18/22	Reconciled		03/31/22	23450	WINNER CHEVROLET, INC.	PW VEHICLE OIL CHANGE	159.27
57977	03/18/22	Reconciled		03/31/22	23451	WOOD RODGERS	WWTP CONST GRANT JAN 2022	7,735.76
57978	03/18/22	Reconciled		03/31/22	23451	WOOD RODGERS	GENERATOR REP JAN 2022	820.00
57979	03/18/22	Reconciled		03/31/22	23451	WOOD RODGERS	WWTP CONST GRANT FEB 2022	5,764.30
57980	03/18/22	Reconciled		03/31/22	23451	WOOD RODGERS	GENERATOR PROJ FEB 2022	2,140.10
57981	03/21/22	Reconciled		03/31/22	2087	BASIC PACIFIC	FSA BENEFIT PYMT	25.29
57982	03/23/22	Printed			011200	24 SEVEN FIRE PROTECTION	ANNUAL FIRE EXT TESTING	825.66
57983	03/23/22	Reconciled		03/31/22	3496	COLEMAN ENGINEERING	WWTP TEMP LABOR MAR 2022	2,440.89
57984	03/23/22	Reconciled		03/31/22	03502	COLFAX AREA CHAMBER OF COMMERCE	LUNCHEON	25.00
57985	03/23/22	Reconciled		03/31/22	06278	FRONTIER COMMUNICATIONS	WWTP PHONE	201.33
57986	03/23/22	Printed			07465	GOLD MINER PEST CONTROL	DEPOT PEST CONTROL	75.00
57987	03/23/22	Printed			07465	GOLD MINER PEST CONTROL	STATION 37 PEST CONTROL	74.00
57988	03/23/22	Printed			07465	GOLD MINER PEST CONTROL	STATION 36 PEST CONTROL	74.00
57989	03/23/22	Reconciled		03/31/22	08660	HUNT AND SONS, INC.	FUEL	583.56
57990	03/23/22	Reconciled		03/31/22	10796	KAESER COMPRESSORS	WWTP MOTOR REPLACEMENT	6,194.88
57991	03/23/22	Reconciled		03/31/22	17951	R3 CONSULTING GROUP	SB1383/FRANCHISE FEE COMPLIANC	2,057.50
57992	03/23/22	Reconciled		03/31/22	18295	RETAIL STRATEGIES	ECONOMIC CONSULTANT	5,000.00
57993	03/23/22	Reconciled		03/31/22	19279	SERVICE ENGINEERING	WWTP PUMP RPR	612.50
57994	03/23/22	Reconciled		03/31/22	19396	SIERRA SAFETY COMPANY	ST SIGNAGE	390.39
57995	03/23/22	Printed			19591	STANLEY CONVERGENT SECURITY	DEPOT SECURITY Q4 FY 21/22	167.34
57996	03/23/22	Printed			22240	VULCAN MATERIALS COMPANY	ASPHALT	384.71
57997	03/23/22	Reconciled		03/31/22	23169	WAVE BUSINESS SOLUTIONS	CORP YARD INTERNET	61.87
57998	03/23/22	Reconciled		03/31/22	23169	WAVE BUSINESS SOLUTIONS	CITY HALL INTERNET	159.90
57999	03/24/22	Reconciled		03/31/22	03300	CHAMBER OF COMMERCE	CHAMBER LUNCHEON	25.00

**Total Checks: 90** **Checks Total (excluding void checks): 551,280.25**

**Total Payments: 90** **Bank Total (excluding void checks): 551,280.25**

**Total Payments: 90** **Grand Total (excluding void checks): 551,280.25**



# Staff Report to City Council

## FOR THE APRIL 27, 2022 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Laurie Van Groningen, Finance Director  
**Subject:** Quarterly Investment Report – Quarter ended 03/31/2022

*Budget Impact Overview:*

N/A: ✓	Funded:	Un-funded:	Amount:	Fund(s):
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**RECOMMENDED ACTION: Accept and File.**

California Government Code Section 53646 and the City of Colfax Investment Policy require a quarterly investment report be submitted to the City Council. Such report shall include at least the following information:

- Types of Investments;
- Name of the institution in which funds are invested or deposited;
- Date of Maturity, if applicable;
- Par and dollar amount investment for all securities;
- Percent distribution of each type of investment or deposit; current market value as of the date of the report, including source of the valuation except those under LAIF;
- Rate of interest;
- Average weighted yield of all investments;
- A statement relating the report to the City’s Investment Policy; and
- A statement that there are sufficient funds to meet the City’s next six months of financial obligations.

The current practice for cash management is to maintain an operating balance between \$75,000 and \$150,000 in the City’s US Bank Corporate checking account. This account accumulates Earnings Credits based on the account balance which offset/reduce monthly service charges. City funds in excess of the targeted operating balance are transferred to the State of California Local Agency Investment Fund (LAIF) on a weekly basis. The checking account balance may be reported at an amount higher than the target balance by the Bank due to the timing of City checks being processed by vendors/service providers.

The City’s investment policy is authorized under the California Government Code, section 53600, et. seq. as it applies to the investment of public funds. The Government Code governs the City’s allowable investments, and the lengths of those investments. Our investment policy dictates that the City should have liquid short term securities to meet six months of financial obligations. The budget for fiscal year 2020-2021 reflects nearly \$4.2M in annual operating expenditures; therefore, our target for liquid short term securities would be \$2.1M.

The attached schedule Analysis of Treasury Investment Pool satisfies the State’s reporting requirements. Additionally, we have determined:

- The investments held at March 31, 2022 conform to the City Investment Policy adopted by Resolution 29-2014.
- The composite yield of the City’s investment pool (US Bank and LAIF) to be the rate of .29% for the quarter ended March 31, 2022.
- There are sufficient funds on deposit to meet all anticipated City expenditures for the period April 01, 2022 through September 30, 2022.

Historically, due to fluctuations in fund balances, investment opportunities outside the corporate checking and LAIF accounts have been somewhat limited. Staff will continue to review for opportunities, but at this time will continue with the current investment structure.

**Attachments:**

1. Analysis of Treasury Investment Pool
2. State of California – PMIA and LAIF Performance Report (QE 03/31/2022)
3. State of California – PMIA Average Monthly Effective Yields
4. Resolution 29-2014

**City of Colfax**  
**Analysis of Treasury Investment Pool**  
**Quarterly Analysis - FY2021-2022**  
**Report Date: 03/31/2022**

**Quarter Ended 03/31/2022**

Type of Investment	Financial Institution	Date of Maturity	Investment Amount	% of Total Investment	Average Investment Yield
Investment Fund	State Local Agency Investment Fund (LAIF)	N/A	\$ 8,522,952	97%	0.29%
Corporate Checking	US Bank	N/A	\$ 229,709	3%	0.16%
<b>Total Investment Pool</b>			<b>\$ 8,752,661</b>	<b>100%</b>	<b>0.29%</b>

**Quarter Ended 12/31/2021**

Type of Investment	Financial Institution	Date of Maturity	Investment Amount	% of Total Investment	Average Investment Yield
Investment Fund	State Local Agency Investment Fund (LAIF)	N/A	\$ 8,013,368	96%	0.21%
Corporate Checking	US Bank	N/A	\$ 327,548	4%	0.16%
<b>Total Investment Pool</b>			<b>\$ 8,340,916</b>	<b>100%</b>	<b>0.20%</b>

**Quarter Ended 09/30/2021**

Type of Investment	Financial Institution	Date of Maturity	Investment Amount	% of Total Investment	Average Investment Yield
Investment Fund	State Local Agency Investment Fund (LAIF)	N/A	\$ 8,188,495	97%	0.24%
Corporate Checking	US Bank	N/A	\$ 232,046	3%	0.16%
<b>Total Investment Pool</b>			<b>\$ 8,420,541</b>	<b>100%</b>	<b>0.24%</b>



# PMIA/LAIF Performance Report as of 04/15/22



## PMIA Average Monthly Effective Yields<sup>(1)</sup>

Mar	0.365
Feb	0.278
Jan	0.234

## Quarterly Performance Quarter Ended 03/31/22

LAIF Apportionment Rate <sup>(2)</sup> :	0.32
LAIF Earnings Ratio <sup>(2)</sup> :	0.0000875657176851
LAIF Fair Value Factor <sup>(1)</sup> :	0.988753538
PMIA Daily <sup>(1)</sup> :	0.42%
PMIA Quarter to Date <sup>(1)</sup> :	0.29%
PMIA Average Life <sup>(1)</sup> :	310

## Pooled Money Investment Account Monthly Portfolio Composition <sup>(1)</sup> 03/31/22 \$207.9 billion

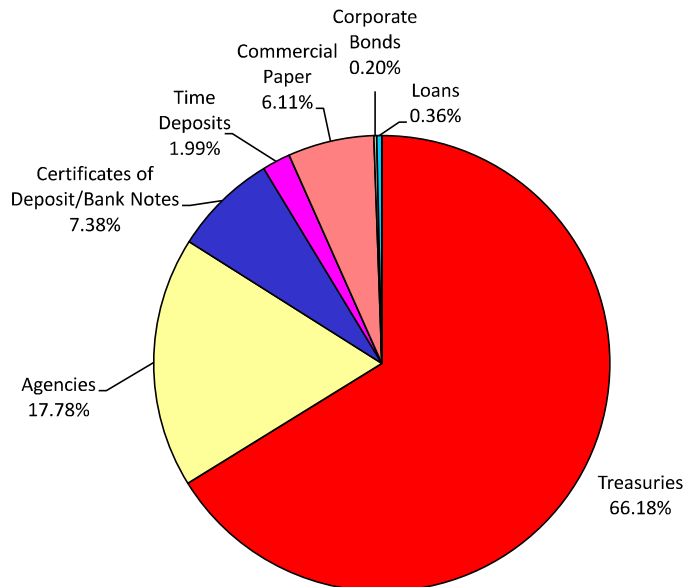


Chart does not include \$5,704,000.00 in mortgages, which equates to 0.003%. Percentages may not total 100% due to rounding.

Daily rates are now available here. [View PMIA Daily Rates](#)

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1) and interest earned on the Wildfire Fund loan pursuant to Public Utility Code 3288 (a).

Source:

<sup>(1)</sup> State of California, Office of the Treasurer

<sup>(2)</sup> State of California, Office of the Controller



[Home](#) ->> [PMIA](#) ->> PMIA Average Monthly Effective Yields



**POOLED MONEY INVESTMENT ACCOUNT**

**PMIA Average Monthly Effective Yields**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1977	5.770	5.660	5.660	5.650	5.760	5.850	5.930	6.050	6.090	6.090	6.610	6.730
1978	6.920	7.050	7.140	7.270	7.386	7.569	7.652	7.821	7.871	8.110	8.286	8.769
1979	8.777	8.904	8.820	9.082	9.046	9.224	9.202	9.528	9.259	9.814	10.223	10.218
1980	10.980	11.251	11.490	11.480	12.017	11.798	10.206	9.870	9.945	10.056	10.426	10.961
1981	10.987	11.686	11.130	11.475	12.179	11.442	12.346	12.844	12.059	12.397	11.887	11.484
1982	11.683	12.044	11.835	11.773	12.270	11.994	12.235	11.909	11.151	11.111	10.704	10.401
1983	10.251	9.887	9.688	9.868	9.527	9.600	9.879	10.076	10.202	10.182	10.164	10.227
1984	10.312	10.280	10.382	10.594	10.843	11.119	11.355	11.557	11.597	11.681	11.474	11.024
1985	10.579	10.289	10.118	10.025	10.180	9.743	9.656	9.417	9.572	9.482	9.488	9.371
1986	9.252	9.090	8.958	8.621	8.369	8.225	8.141	7.844	7.512	7.586	7.432	7.439
1987	7.365	7.157	7.205	7.044	7.294	7.289	7.464	7.562	7.712	7.825	8.121	8.071
1988	8.078	8.050	7.945	7.940	7.815	7.929	8.089	8.245	8.341	8.397	8.467	8.563
1989	8.698	8.770	8.870	8.992	9.227	9.204	9.056	8.833	8.801	8.771	8.685	8.645
1990	8.571	8.538	8.506	8.497	8.531	8.538	8.517	8.382	8.333	8.321	8.269	8.279
1991	8.164	8.002	7.775	7.666	7.374	7.169	7.098	7.072	6.859	6.719	6.591	6.318
1992	6.122	5.863	5.680	5.692	5.379	5.323	5.235	4.958	4.760	4.730	4.659	4.647
1993	4.678	4.649	4.624	4.605	4.427	4.554	4.438	4.472	4.430	4.380	4.365	4.384
1994	4.359	4.176	4.248	4.333	4.434	4.623	4.823	4.989	5.106	5.243	5.380	5.528
1995	5.612	5.779	5.934	5.960	6.008	5.997	5.972	5.910	5.832	5.784	5.805	5.748
1996	5.698	5.643	5.557	5.538	5.502	5.548	5.587	5.566	5.601	5.601	5.599	5.574
1997	5.583	5.575	5.580	5.612	5.634	5.667	5.679	5.690	5.707	5.705	5.715	5.744
1998	5.742	5.720	5.680	5.672	5.673	5.671	5.652	5.652	5.639	5.557	5.492	5.374
1999	5.265	5.210	5.136	5.119	5.086	5.095	5.178	5.225	5.274	5.391	5.484	5.639
2000	5.760	5.824	5.851	6.014	6.190	6.349	6.443	6.505	6.502	6.517	6.538	6.535
2001	6.372	6.169	5.976	5.760	5.328	4.958	4.635	4.502	4.288	3.785	3.526	3.261
2002	3.068	2.967	2.861	2.845	2.740	2.687	2.714	2.594	2.604	2.487	2.301	2.201
2003	2.103	1.945	1.904	1.858	1.769	1.697	1.653	1.632	1.635	1.596	1.572	1.545
2004	1.528	1.440	1.474	1.445	1.426	1.469	1.604	1.672	1.771	1.890	2.003	2.134
2005	2.264	2.368	2.542	2.724	2.856	2.967	3.083	3.179	3.324	3.458	3.636	3.808
2006	3.955	4.043	4.142	4.305	4.563	4.700	4.849	4.946	5.023	5.098	5.125	5.129
2007	5.156	5.181	5.214	5.222	5.248	5.250	5.255	5.253	5.231	5.137	4.962	4.801
2008	4.620	4.161	3.777	3.400	3.072	2.894	2.787	2.779	2.774	2.709	2.568	2.353
2009	2.046	1.869	1.822	1.607	1.530	1.377	1.035	0.925	0.750	0.646	0.611	0.569
2010	0.558	0.577	0.547	0.588	0.560	0.528	0.531	0.513	0.500	0.480	0.454	0.462
2011	0.538	0.512	0.500	0.588	0.413	0.448	0.381	0.408	0.378	0.385	0.401	0.382
2012	0.385	0.389	0.383	0.367	0.363	0.358	0.363	0.377	0.348	0.340	0.324	0.326
2013	0.300	0.286	0.285	0.264	0.245	0.244	0.267	0.271	0.257	0.266	0.263	0.264
2014	0.244	0.236	0.236	0.233	0.228	0.228	0.244	0.260	0.246	0.261	0.261	0.267
2015	0.262	0.266	0.278	0.283	0.290	0.299	0.320	0.330	0.337	0.357	0.374	0.400
2016	0.446	0.467	0.506	0.525	0.552	0.576	0.588	0.614	0.634	0.654	0.678	0.719
2017	0.751	0.777	0.821	0.884	0.925	0.978	1.051	1.084	1.111	1.143	1.172	1.239
2018	1.350	1.412	1.524	1.661	1.755	1.854	1.944	1.998	2.063	2.144	2.208	2.291
2019	2.355	2.392	2.436	2.445	2.449	2.428	2.379	2.341	2.280	2.190	2.103	2.043
2020	1.967	1.912	1.787	1.648	1.363	1.217	0.920	0.784	0.685	0.620	0.576	0.540
2021	0.458	0.407	0.357	0.339	0.315	0.262	0.221	0.221	0.206	0.203	0.203	0.212
2022	0.234	0.278	0.365									

# City of Colfax City Council

## Resolution № 29-2014

### AFFIRMING ADMINISTRATIVE POLICIES AND PROCEDURES FOR FINANCIAL MANAGEMENT, INVESTMENT AND WHISTLEBLOWERS

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**Whereas**, the Colfax City Council has determined that the administrative policies for financial management, investment and whistleblowers are important to the smooth and consistent financial operations of the City; and,

**Whereas**, these policies have not been updated for several years; and

**Whereas**, the annual independent audit recommended such policies be updated and in place; and,

**Whereas**, the Council has reviewed the attached policies,


**Now Therefore, Be It Resolved** by the City Council of the City of Colfax that the administrative policies attached hereto are hereby affirmed.

**Passed and Adopted this 8th day of October by the following vote:**

**Ayes:** Douglass, Hesch, McKinney, Parnham  
**Noes:** None  
**Absent:** Barkle

  
\_\_\_\_\_  
**Tony Hesch, Mayor**

**ATTEST:**

  
\_\_\_\_\_  
**Lorraine Cassidy, City Clerk**

## CITY OF COLFAX ADMINISTRATIVE POLICIES AND PROCEDURES

Subject: Investment Policy  
 Effective Date: October 8, 2014  
 Resolution: Resolution No. 29-2014

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### SCOPE AND AUTHORITY

The purpose of this policy is to establish a prudent and systematic Investment Policy, and to organize and formalize investment-related activities.

The City's Investment Policy is authorized under the California Government Code, section 53600, et, seq.as it applies to the investment of public funds.

It is intended that this policy cover all funds and investment activities under the direct authority of the City of Colfax. Investments authorized by Fiscal Agents pursuant to bonded debt are controlled by the terms and conditions of the specific bond, and may not necessarily coincide with the Investment Policy outlined herein. Investments must conform to Government Code Section 53600.5 concerning safekeeping of purchased securities by financial advisers, fiscal agent, or consultants. Wherever practical, investments made by a Fiscal Agent on behalf of the City will be consistent with this Policy.

### INVESTMENT OBJECTIVES

**Safety** – It is the primary duty and responsibility of the City Staff to protect, preserve and maintain cash and investments on behalf of the citizens of Colfax.

**Liquidity** – An adequate percentage of the City's investment portfolio should be maintained in liquid short-term securities which can be converted to cash if necessary to meet disbursement requirements. Since all cash requirements cannot be anticipated, investments in securities with active secondary or resale markets is highly recommended. Emphasis should be on marketable securities with low sensitivity to market risk.

**Yield** – Yield should become a consideration only after the basic requirements of safety and liquidity have been met.

- A. The overall yield should be designed to attain a market-average rate of return throughout budgetary and economic cycles, taking into account the City's risk constraints, the cash flow characteristics of the portfolio, and State and local laws, ordinances or resolutions that restrict investments.

**Public Trust** – All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall investment program shall be designed and managed with a degree of professionalism that is worthy of the public trust.



**Diversification** – The investment portfolio will be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.

- A. In a diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

**Prudence** – The City adheres to the "prudent person rule" which obligates a fiduciary to insure that: "...investments shall be made with the exercise of that degree of judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment considering the probable safety of their capital as well as the probable income to be derived."

## **INVESTMENT STRATEGY**

The most effective method of increasing investment yields without sacrificing safety is to extend the investment horizon commensurate with the City's cash requirements. To that end, improved cash forecasting and management is the preferred investment strategy for the City.

- A. Cash management activities include accurate cash projections, the expeditious collection of revenue, the control of disbursements, cost-effective banking relations, and a short-term borrowing program, when needed, that coordinates working capital requirements and investment opportunity.

## **ALLOWABLE INVESTMENT INSTRUMENTS**

The Government Code, Sections 53601, 53601.1 and 53635 shall govern the City's allowable investments, and the length of those investments, unless specifically limited by this policy. Although the maximum maturity for any deposit or investment is five years, most investments should be for no longer than 2-3 years. All investments of City funds shall be made in accordance with California Government Code Sections 53601, et seq. and 53635 et seq., or in accordance with California Government Code 16429.1 authorizing investments into the State Local Agency Investment Fund (LAIF). Investments will be authorized by the City Manager, City Treasurer, Finance Director or Mayor only.

## **REPORTING REQUIRMENTS**

City staff shall submit a quarterly investment report to the City Council. The report must be submitted to the City Manager for the agenda within 30 days following the end of the month covered by the report, and is required under Government Code Section 53646. Such report shall include at least the following information:

- Types of investments;
- Name of the institution in which funds are invested or deposited;
- Date of maturity, if applicable;
- Par and dollar amount investment for all securities;
- Percent distribution of each type of investment or deposit; current market value as of the date of the report, including source of the valuation except those under LAIF;
- Rate of interest;

- Average weighted yield of all investments;
- A statement relating the report to the City's Investment Policy; and
- A statement that there are sufficient funds to meet the City's next six months' financial obligations.

Staff shall also submit the above information annually to the external auditors.

Periodic reports shall be prepared as required by circumstances or as directed by Council. Such circumstances include, but are not limited to, notification that any City investment may be in jeopardy or a sudden and significant drop in the current market value of any City investment.

### **INTERNAL CONTROLS AND GENERAL GUIDELINES**

A system of internal control shall be implemented to prevent losses of public funds arising from fraud, employee error, misrepresentation of third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City.

Controls deemed most important include:

- The control of collusion and separation of duties;
- Custodial safekeeping of funds invested or on deposit;
- Minimizing the number of authorized Investment Officers; and
- Written documentation of procedures and transactions.

In selecting financial institutions for the deposit or investment of City funds, the City shall consider the credit-worthiness of the institution. Such credit-worthiness shall be monitored on a regular basis throughout the period in which City funds are deposited or invested.

- A. Any deposit or investment of funds shall be in writing, signed by the City and the authorized representative of the institution.
- B. All transfers must be made by authorized personnel and properly logged and documented.

City staff shall encourage peer review of the City's investments and investment practices. In addition, the City's cash management and investment practices shall be included in any outside financial audit of the City.

An annual Cash Flow Forecast may be prepared by the City, and would be used to assist in the development of the annual operating budget for the City.

This Investment Policy shall be reviewed by the City Council on an annual basis as part of the budget process.



# Staff Report to City Council

## FOR THE APRIL 27, 2022 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Wes Heathcock, City Manager  
 Alfred A. “Mick” Cabral, City Attorney  
**Subject:** Ordinance 547 Amending Colfax Municipal Code Title 6, Chapter 6.20  
 “Limitations On Number Of Animals” (Chickens)

*Budget Impact Overview:*

N/A: ✓	Funded:	Un-funded:	Amount:	Fund(s):
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**RECOMMENDED ACTION:** Introduce the proposed ordinance by title only, conduct a public hearing, waive the first reading and schedule the proposed ordinance for second reading and adoption at the May 11, 2022, regularly scheduled meeting, to be effective 30 days thereafter.

### Summary/Background

This proposed ordinance was introduced at the December 8, 2021, regular City Council meeting. After holding a public hearing, the Council referred the draft ordinance to an ad hoc committee composed of Council Members Fatula and Lomen to consider comments made at the public hearing by the public and Council. The ad hoc committee completed its review and is presenting a revised ordinance for Council consideration. The passage of time and the scope of changes require re-introduction of the proposed ordinance and further public hearing.

The Ad Hoc Committee has made the following changes to the draft ordinance:

1. This will be Ordinance No. 547 because Council adopted Ordinance No. 546, which implements changes required by SB 1383 (Organic Waste), in the interim.
2. Section 6.20.020 C 1 a was amended by striking the sentence that read “This section is not intended to regulate the keeping and raising of chickens on agricultural zoned parcels but it is intended to regulate the keeping and raising of chickens on all parcels zoned residential R-1.”
3. Section 6.20.020 C 2 b now requires chicken coops to contain a slide-out manure tray to facilitate the removal of manure.
4. Section 6.20.020 C 2 e allows but does not require chicken runs to include a roof to provide protection from inclement weather.
5. Section 6.20.020 C 3 c will limit the maximum number of chickens to 8 regardless of regulated parcel size.
6. Section 6.20.020 C 3 d prohibits roosters but the sentence requiring removal of roosters as soon as they are of adequate age to be identified as such has been deleted.
7. Section 6.20.020 C 3 e (i) will allow coops to be constructed within 5 feet of a property line but retains a minimum five-foot setback from buildings or structures on adjacent property.

8. Section 6.20.020 C 3 e (iii) has been modified to allow coops to be constructed of pallets, scrap wood or scrap metal so long as an eyesore or public nuisance is not created, as determined by the City Inspector.
9. Section 6.20.020 C 3 e (vii) requires all coops to contain a manure tray to facilitate easy cleaning.
10. The one-time administrative permit fee in Section 6.20.020 C 4 a has been reduced from \$25 to \$1.
11. The discretion to prosecute violations as infractions in Section 6.20.040 C has been eliminated so the only possible criminal penalty is misdemeanor prosecution.

The remainder of this staff report reiterates the staff report given at the December 8, 2021, meeting.

Colfax Municipal Code (“CMC” or the “Code”) Chapter 6.20 allows chickens to be kept and raised on properties within the City that are zoned other than agricultural, but the Code does not regulate the number of chickens or the conditions under which they may be kept and raised. The proposed ordinance, if passed, will allow a maximum of eight chickens to be kept and raised on appropriately sized parcels zoned Residential R-1. The proposed ordinance prescribes standards for the location and size of proper housing for chickens and makes provision for manure removal, disposal, composting, use as fertilizer and odor control. A non-transferrable permit will be required along with a one-time \$25 permit fee. Violations will be subject to nuisance abatement, administrative fines and penalties, and possible misdemeanor prosecution.

The proposed ordinance was prompted by the passage of SB 1383 which requires persons who generate organic waste to comply with local requirements for collection and recovery of organic waste onsite, and with the use of collection services or through self-hauling. “Organic waste” includes food and green waste but is also broadly defined to include materials such as food scraps, coffee grounds, peelings, vegetable trimmings, bones, bread scraps, and used pizza boxes. The net effect of the law and its implementing regulations is that organic waste, including food waste, can no longer be placed in the landfill and must be diverted through a high diversion recovery facility or single source separation waste process.

CalRecycle has legal authority to begin enforcement proceedings and assess penalties for violations effective January 1, 2022. Although Colfax is presently not subject to these provisions, it likely will be in the future and needs to consider taking steps to prepare to obtain compliance.

The proposed ordinance has several intended purposes: (1) to achieve compliance with SB 1383 and its implementing regulations; (2) to divert food waste from going to the landfill and minimize waste disposal costs to homeowners; (3) to permit the keeping of female chickens (hens) in developed single-family zoned lots of appropriate size; (4) to supplement food sources for City residents; and (5) to ensure that hens do not adversely impact the neighborhood surrounding the property on which chickens are kept.

Although numbers vary depending upon household size, an average adult generates about 4.9 pounds per day (1,788 pounds per year) of solid waste. A family of four, assuming two adults and two children, generates approximately 2.7 tons of solid waste per year. Roughly 13% of the solid waste generated, which equates to 220 pounds per person or 650 pounds per family per year, is food waste suitable for diversion and recycling.

One hen can consume approximately 83 pounds of food waste per year. Eight hens can consume about 664 pounds of food waste per year. In other words, eight hens can consume most if not all of the food waste generated by a family of four per year. If properly managed, keeping and raising hens can help Colfax divert and recycle a significant portion of the food waste generated within its boundaries. The cost of doing so can be substantially offset by the eggs they lay and the fertilizer they generate.

Staff will be available to answer questions or provide additional information.

**Fiscal Impacts**

None anticipated unless enforcement becomes an issue.

**Attachments:**

1. Draft Ordinance.

## CITY OF COLFAX

## ORDINANCE NO. 547

**AN ORDINANCE OF THE CITY OF COLFAX AMENDING COLFAX MUNICIPAL CODE TITLE 6, CHAPTER 6.20 "LIMITATIONS ON THE NUMBER OF ANIMALS"**

The City Council of the City of Colfax does ordain as follows:

Section 1:

Colfax Municipal Code Title 6, Chapter 6.20 is hereby amended in the form and substance contained in the Ordinance attached hereto as Exhibit A and incorporated herein by this reference. Amendments are reflected in blue font on Exhibit A.

Section 2. Superceding Provisions

The provisions of this Ordinance and any resolution adopted pursuant hereto shall supersede and repeal any previous Ordinance or resolution to the extent the same is in conflict herewith.

Section 3. Severability

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

Section 4. California Environmental Quality Act Findings

The City of Colfax finds that, if the provisions of the California Environmental Quality Act, Public Resources Code §21000 et seq (hereinafter "CEQA") apply, the title of this ordinance would constitute a brief description of the "Project" as required by Section 15062(a)(1) of the Guidelines for Implementation of the California Environmental Quality Act published by the State of California Office of Planning and Research (the "CEQA Guidelines").

## FINDING OF NO PROJECT

The City of Colfax finds that adoption of this ordinance does not constitute a "Project" as that term is defined by or used in CEQA, the CEQA Guidelines or any court or attorney general opinion construing the same. Accordingly, the City of Colfax finds that the provisions of CEQA and the CEQA Guidelines are not applicable to said action.

## FINDING OF EXEMPTION

In the event that it is found that the said action constitutes a "Project" as defined by or used in CEQA or the CEQA Guidelines, which finding would be contrary to the City's opinion of its action, the City of Colfax hereby finds that said action is exempt from compliance with CEQA and the CEQA Guidelines, for the following reasons: The action falls within the exemptions provided by Senate Bill 94, and within the "common sense" CEQA exemption provided in 14 CCR 15061(b)(3) in that CEQA applies only to projects which have the potential for causing a

significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the action is not subject to CEQA. CEQA Guidelines, Section 15061(b)(3). It can be seen with certainty that adoption of this ordinance and its provisions cannot possibly have a significant effect on the environment.

Section 5. Effective Date

This Ordinance, and all of its provisions, shall take effect thirty (30) days after its adoption and shall, within 15 days after its adoption, be published or posted in accordance with Section 36933 of the Government Code of the State of California with the names of those City Council members voting for and against it.

The foregoing Ordinance was introduced at a duly held regular meeting of the City Council of the City of Colfax held on the 27<sup>th</sup> day of April, 2022, and passed and adopted at a duly held regular meeting of the City Council held on the 11<sup>th</sup> day of May, 2022, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Trinity Burruss, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Alfred Cabral  
City Attorney

\_\_\_\_\_  
Marguerite Bailey  
City Clerk

**EXHIBIT A**  
**CITY OF COLFAX**  
**ORDINANCE NO. 547**

**AN ORDINANCE OF THE CITY OF COLFAX AMENDING COLFAX MUNICIPAL CODE  
TITLE 6, CHAPTER 6.20 “LIMITATIONS ON NUMBER OF ANIMALS”**

Colfax Municipal Code Title 6, Chapter 6.20 is hereby amended as follows. The amendments to Chapter 6.20 adopted by this Ordinance are reflected in blue font.

**6.20.010 Agricultural zoned properties.**

- A. Large-sized Animals, Such as Horses, Bulls, Cows, Llamas, Alpacas, Etc.
  - 1. No large animals on parcels of less than two acres;
  - 2. One large animal on parcels larger than two acres and smaller than four acres;
  - 3. A maximum of two large animals on parcels of four to six acres;
  - 4. Not more than one large animal for every three acres, for parcels of seven or more acres in size.
  
- B. Medium-sized Animals, Such as Sheep, Goats, Pigs, Etc.
  - 1. No medium-sized animals on parcels less than two acres in size;
  - 2. Not more than five medium-sized animals on parcels larger than two acres and less than four acres;
  - 3. Not more than ten (10) medium-sized animals on parcels of between four and six acres in size;
  - 4. Not more than five such medium-sized animals for each acre, for parcels of seven or more acres in size.
  
- C. Small-sized Animals, Such as Rabbits, Small Commercial Fur Animals, Chickens and Small Fowl Other Than Turkeys, Pea Fowl and Guinea Fowl.
  - 1. Not more than fifteen (15) small-sized animals on parcels of one acre or less;
  - 2. Not more than thirty (30) small-sized animals on parcels of two or less acres in size;
  - 3. For parcels of three or more acres in size, not more than fifty (50) small-sized animals for each three acres or fraction thereof.



## 6.20.020 Properties zoned other than Agricultural.

- A. Dogs and Cats. No more than two dogs and two cats over four months of age are allowed on properties zoned other than agricultural. Non-domesticated (wild/feral) dogs and cats are prohibited.
- B. Chickens and Rabbits. Chickens and rabbits will be allowed only on residential parcels that meet the minimum lot size hereafter provided and only upon the issuance of an administrative permit. Roosters are prohibited.

### C. **Keeping And Care of Female Chickens**

#### 1. **Purpose and Applicability.**

- a. **Purpose.** The purpose of this section is to address the raising and keeping of chickens and the areas in which the raising and keeping of chickens are allowed. It is the intent of this section to allow for the keeping of chickens based on the provisions, and subject to the restrictions, contained in this section.
- b. **Applicability.** The raising and keeping of chickens shall only take place in compliance with the requirements of this section on properties zoned for and developed as single family residential.

#### 2. **Definitions.** When used in this Chapter, the following words shall have the Meanings ascribed to them as set forth herein.

- a. “Chicken” or “hen” shall mean and refer to a genetically female chicken.
- b. “Coop” shall mean and refer to the sleeping area of an enclosure used solely for housing chickens. Every Coop shall contain a roof, four sides, a floor, a slide-out manure tray to facilitate removal of manure and a door that can be closed to keep Chickens in and predators out, adequate windows and sufficient ventilation to minimize moisture.
- c. “Housing” shall mean and refer to the combination of the Coop, Nesting Box and Run. Housing may be affixed to the property on which it is located, or it may be on wheels or skids to be mobile on the property. All Housing shall provide adequate protection from predators and shall comply with applicable provisions of federal, state and local laws, rules, regulations and ordinances.

- d. “Nesting Box” shall mean and refer to the nesting space attached to the wall of a Coop and is used for a hen to lay eggs. Nesting Boxes shall provide a minimum of 1.5 square feet per hen with not less than sixteen inches of head room. An exterior access panel to each Nesting Space is advisable to facilitate easy removal of eggs.
- e. “Run” shall mean and refer to an enclosed area that allows hens to be outside. The Run may have a roof adequate to provide protection from inclement weather. Part or all of the Run may be under the Coop or Nesting Box provided that the vertical distance under the Coop and Nesting box is not less than sixteen inches.

### **3. Allowed Land Use.**

The keeping and raising of Chickens shall be allowed on properties zoned residential R-1 subject to all of the following requirements and restrictions.

- a. Each lot upon which Chickens are kept and raised shall have been developed for and contain a single-family residence.
- b. Minimum lot size – 4,356 Square Feet (0.1 acre) provided, however, that Chickens can be kept and raised on a smaller lot so long as the smaller lot has an open area of not less than 20 feet x 30 feet and all other requirements of this Section are satisfied.
- c. Maximum number of Chickens: No more than eight (8).
- d. Roosters (genetically male Chickens) are prohibited.
- e. All Chickens must be contained within adequate, legally compliant housing that complies with applicable federal, state and local laws, rules, regulations and ordinances and the following:
  - (i) Housing shall not be located within five (5) feet of any building or structure on adjacent property, but may be attached to any building or structure on the property upon which Chickens are kept and raised.
  - (ii) Housing shall not be located between the front of the residence and any street the residence faces unless it can be located a minimum of thirty (30) feet from the street the residence faces.

- (iii) Housing shall not be constructed from pallets, scrap wood or scrap metal to create an eyesore or public nuisance as determined by the City Inspector.
- (iv) Housing height shall not exceed an average of seven feet (7').
- (v) A Run shall provide a minimum of six square feet per hen.
- (vi) A Coop shall provide a minimum of 1.5 square feet per hen and include at least twelve inches of roosting rail per hen with not less than sixteen inches of head room.
- (vii) All Coops shall contain a manure tray to facilitate easy cleaning.
- (viii) A minimum of two Nesting Boxes per Housing unit shall be required.
- (ix) When removed from a Housing unit, all manure shall be kept in a closed container until composted or used as fertilizer.
- (x) All feed shall be protected from precipitation, rodents and vectors.
- (f) Chicken Housing shall not constitute an accessory use or structure for purposes of Chapter 17.96 of this Code.

#### **4. Operating Requirements**

It shall be unlawful for the owner of any property subject to this ordinance, upon which Chickens are kept and raised, and any resident, tenant, level of subtenant or occupant of such property, to fail to meet all of the following requirements:

- a. An administrative permit allowing the keeping and raising of Chickens shall be obtained from the City, and all fees paid, before Chickens can be kept and raised on any property subject to this ordinance. A one-time fee of one dollar (\$1) shall be paid to the City for processing any application for an administrative permit and for issuance of the permit. All applications for a permit to keep and raise chickens on any property shall be signed by the property owner and, if applicable, any tenant, level of subtenant or occupant of the property seeking the permit. Permits shall have no expiration date but shall not be transferrable.
- b. Chickens shall only be kept and raised in a proper Housing Unit which at all times shall be properly cleaned and maintained to control odor.

- c. Chickens shall not be allowed to fly or roam outside of the boundaries of the property upon which they are kept or onto any of the common thoroughfares, sidewalks, passageways, play areas, parks, streets, allies or public highways, or any area outside of the property where people congregate or walk, or upon any public property.
- d. All manure shall be kept in a closed container before it is composted or used as fertilizer. All manure shall be properly disposed of or composted and used for gardening or yard plantings. No manure shall be disposed of in the solid waste stream.
- e. Slaughtering or butchering of Chickens on the property upon which the Chickens are kept and raised shall only be for personal consumption. All waste products of slaughtering and butchering shall be properly disposed of or fed to the Chickens.
- f. All feed and other items associated with the keeping of Chickens shall be stored and protected in a way that prevents infestation by rats, mice or other rodents or vectors.

#### **6.20.030 Exemptions.**

- A. Temporary animal rescue centers are exempt from these limitations.
- B. Animal sales and service type uses, as defined in Chapter 17.12 of the Colfax Municipal Code, are exempt from these limitations.
- C. Service animals are exempt from these limitations.
- D. Small, indoor household pets such as fish, hamsters, guinea pigs, mice, rats, turtles, snakes and birds, are exempt from these limitations.

**6.20.040 Penalties for violation.**

- A. Nuisance Declared. The failure to timely comply with all requirements of this section is hereby declared to be a public nuisance that may be abated in accordance with the applicable provision of Colfax Municipal Code Chapter 8.16. Additionally, any violation of this Section shall be subject to injunctive relief, any permit issued pursuant to this Section being deemed null and void, disgorgement and payment to the City of any monies unlawful obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or in equity.
  
- B. Each Violation a Separate Offense. Any violation of the provisions of this chapter shall constitute a separate violation and shall be subject to the penalties set forth in Chapter 1.24 of the Colfax Municipal Code, all administrative citations and fines provided for in Colfax Municipal Code Chapter 1.25, and all other remedies and enforcement measures authorized by the Colfax Municipal Code. Each day a violation is committed or permitted to continue shall constitute a separate offense.
  
- C. Criminal Penalties. Each and every violation of the provisions of this Chapter may in the discretion of the District Attorney or the City Attorney be prosecuted as a misdemeanor and upon conviction be subject to a fine not to exceed one thousand dollars (\$1,000) or imprisonment in the county jail for a period of not more than twelve (12) months, or by both such fine and imprisonment.
  
- D. Remedies Cumulative and Not Exclusive. The remedies provided herein are not to be construed as exclusive remedies. The City is authorized to pursue any proceedings or remedies provided by law.



# Staff Report to City Council

## FOR THE APRIL 27, 2022 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Wes Heathcock, City Manager  
**Subject:** 3<sup>rd</sup> of July Event Coordinator Funding Request

*Budget Impact Overview:*

N/A:	Funded: √	Un-funded:	Amount: 11,000	Fund(s): 100
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**RECOMMENDED ACTION:** Discuss and consider approving Green Machine request of \$10,000 to fund the 3<sup>rd</sup> of July fireworks and \$1,000 for general event costs for a total amount of \$11,000.

### Summary/Background

The City of Colfax sponsors three primary community events each year – 3<sup>rd</sup> of July, Railroad Days, and Winterfest. At the March 23, 2022 City Council meeting, the 3<sup>rd</sup> of July event coordinator Green Machine announced that they would not be overseeing the event for 2022. Subsequently, on April 15, 2022 Green Machine contacted staff indicating they are willing to host the 3<sup>rd</sup> of July event, if the City is willing to fund the cost of the fireworks and the traditional donation amount.

The fireworks cost for the 3<sup>rd</sup> of July this year is \$10,000 plus the traditional City donation of \$1,000 which totals \$11,000. Staff is requesting council discuss the Green Machine request and provide direction.

### Fiscal Impact:

The requested amount of \$11,000 will be funded by the Fund 100 (General Fund).

### Attachments:

1. Green Machine Funding Request



Fri 4/15/2022 11:04 AM

Green Machine <info@colfaxgreenmachine.org>

**3rd of July**

To Wes Heathcock

Hello,

We had a special meeting to see if there was interested in organizing the 3rd of July with a donation from the City. The board agreed if we can get the cost of the fireworks and the standard event donation of \$1,000.00 that we would get the rest of the donations from other sponsors. The cost of the Fireworks is \$10,000.00. We will be at the meeting on the 27th.

Thank you

Colfax Green Machine Board