

City Council Meeting

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA

Mayor Kim Douglass · Mayor Pro Tem Sean Lomen Councilmembers Caroline McCully · Larry Hillberg · Trinity Burruss

REGULAR MEETING AGENDA

October 9, 2024 Regular Session 6:00 PM

You may access the meeting and address the Council by the following means:

ZOOM at

https://us02web.zoom.us/j/84968570574

Dial in by calling one of the numbers listed below and enter the Webinar ID: 849 6857 0574

1 669 900 6833 / 1 669 444 9171 / 1 719 359 4580 / 1 253 205 0468
View Only on 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, 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 <u>CLOSED SES</u>SION (None)

2 OPEN SESSION

- 2A. Call Open Session to Order
- 2B. Pledge of Allegiance
- 2C. Roll Call
- 2D. 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.

2E. Statement of Conflict of Interest

3 <u>CONSENT CALENDAR</u>

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

Recommended Action: Approve Consent Calendar

3A. Minutes

Recommended Action: By Motion, approve the Colfax City Council minutes of 9/25/2024.



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.

October 9, 2024

Pages 4-7

Recommended Action: Accept and file.

3C. Trojan UV – UV Sleeve & Lamp Purchase

Pages 16-21

Recommended Action: Adopt Resolution ___-2024 authorizing the City Manager to execute an agreement with Trojan UV to Purchase UV Lamps for the Wastewater Treatment System.

*** End of Consent Calendar ***

4 AGENCY REPORTS

- 4A. Placer County Sheriff's Office
- 4B. California Highway Patrol
- 4C. Placer County Fire Department/CALFIRE
- 4D. Non-Profits
- 5 **PRESENTATION** (None)
- 6 **PUBLIC HEARING** (None)

7 <u>PUBLIC COMMENT</u>

Members of the public are permitted to address the Council orally or in writing on matters of concern to the public withinthe 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 five (5) minutes per speaker. Written comments should notexceed 800 words. Written comments received before the close of an agenda item may be read into the record, with a maximum allowance of five (5) 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. Ordinance Establishing Administrative Remedies Procedure for Challenges to Fees, Charges, and Assessments

Pages 22-27

Recommended Action: Introduce and waive the first reading of ordinance establishing an administrative remedies procedure for challenges to fees, charges and assessments.

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.



10A. Public Comment on Good of the Order

Members of the public are permitted to address the Council on matters that relate to general welfare of the City that have not been previously discussed on this agenda. Oral comments may not exceed five (5) minutes. Written comments should not exceed 800 words.

11 ADJOURNMENT

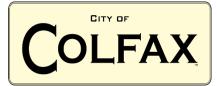
I, Amanda Ahre, City Clerk for the City of Colfax, declare that this agenda was posted in accordance with the Brown Act at Colfax City Hall and Colfax Post Office. The agenda is also available on the City website at http://colfax-ca.gov/

Amanda Ahre, City Clerk

Amanda Ahre

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.

LEVINE ACT WARNING: In certain instances, parties, participants, and their agents before the City Council are subject to the campaign disclosure provisions detailed in Government Code Section 84308, California Code of Regulations Sections 18438.1 through 18438.8, and Fair Political Practices Commission Opinion 0-22-002. All parties, participants, and their agents are hereby directed to review these sections for compliance. If you believe that these provisions apply to you or a Council Member, please inform the City Clerk at the earliest possible opportunity.



City Council Minutes

Regular Meeting of Colfax City Council Wednesday, September 25, 2024

City Hall Council Chambers, 33 S Main Street,

Colfax CA and attended via Teleconference through ZOOM

OPEN SESSION

1

- 1A. Call Open Session to Order Mayor Pro Tem Lomen called the Open Session to order at 6:00 p.m.
- **1B. Pledge of Allegiance** Officer Lyman lead the Pledge of Allegiance.
- 1C. Roll Call

Present: Councilmember Burruss, Councilmember Hillberg, Mayor Pro Tem Lomen, Councilmember

McCully

Absent: Mayor Douglass

1D. Approval of Agenda Order

MOTION made by Councilmember Burruss to approve the agenda order, seconded by Councilmember McCully, and approved by the following vote:

AYES: Burruss, Hillberg, Lomen, McCully

NOES: ABSTAIN:

ABSENT: Douglass

1E. Statement of Conflict of Interest – No conflicts were identified by the Council or the public.

2 CONSENT CALENDAR

2A. Minutes

Recommended Action: By Motion, approve the Colfax City Council minutes of 9/25/2024

2B. Compost Pad – Compost Give-A-Way

Recommended Action: Adopt Resolution ___-2024 authorizing the City Manager to award a construction contract to construct a compost pad in the amount of \$27,815.00 plus an 8% contingency for a total amount of \$30,000,00

MOTION made by Councilmember Burruss to approve the consent calendar Seconded by Councilmember Hillberg, and approved by the following vote:

AYES: Burruss, Hillberg, Lomen, McCully

NOES: ABSTAIN:

ABSENT: Douglass

3 Agency Reports

- **3A.** Placer County Sheriff's Deputy Boyer had nothing to report.
- **3B. CHP** Officer Lyman reported an increase of citations after a recent increase of patrols.

3C. Placer County Fire/CALFIRE – Absent

3D. Non-Profits –

Tammy with the Green Machine talked about the annual Halloween Trunk-or-Treat that was moved to the Sierra Vista Community Center due to safety concerns of having it on Main St. She invited Councilmembers to help with the Haunted House

Sharon Conners with the VFW expressed concerns about moving Trunk-or-Treat from Main St and what impact that will have on local businesses.

Amanda Palmquist with the Colfax Area Chamber of Commerce talked about Oktoberfest on 9/28, Coffee and Conversations on 10/3, and the marketing meeting 10/21.

4 <u>PRESENTATION</u>

4A. Placer County Transportation Planning Agency (PCTPA) Current Regional Planning Efforts – Countywide Active Transportation Plan and Annual Unmet Transit Needs Assessment

Recommended Action: Attend the Presentation

Mike Costa Presented this.

Councilmember Hillberg asked for clarification of planning vs budget for completing work.

Tim Dion asked about previous planning efforts.

Harry Anderson asked how involved Cal-Trans is in this planning.

4B. Harry Anderson to present the Colfax Elementary PTA, and the Colfax VFW Post 2003, each with a donation

Recommended Action: Attend the presentation.

Harry Anderson on behalf of Lisa Green, Festivals-of-Cali-805 who attended via Zoom, presented \$500 donations to the Colfax Garden Club, Colfax Lion's Club, Colfax PTA, and the VFW Post 2003.

5 PUBLIC HEARING (None)

6 **PUBLIC COMMENT**

Caroline Glenn, the owner of the Wrecking Crew Bakery & Café, expressed concerns on behalf of all of the Main St. business owners about the loss of business revenue during Trunk-or-Treat now that it has been moved to the Sierra Vista Community Center and off of Main St. The Wrecking Crew will be hosting a Chili Cook-Off 10/12, and she would like to see more smaller community events such as block parties downtown.

Harry Anderson read, the City of Colfax Vision Statement, and the City of Colfax Organizational Core Values that he found on the City website.

7 COUNCIL AND STAFF

7A. Committee Reports and Colfax Informational Items – All Councilmembers.

Councilmember Hillberg attended the Placer County Economic Development Board meeting. The board is willing to help Colfax do a business review. Would like to see a brainstorming meeting to find out what kind of town Colfax is.

Councilmember McCully attended a board meeting of the Bianchini Trust. The Bianchini Board granted the Sierra Vista Community Center \$30,000.00 to fix their heater, and \$5,000 to fix a leaking pipe. She also attended a SACOG meeting in Apple Hill, and stated there is a plan to have a production on 10/17 at the Colfax Theater.

Councilmember Burruss received an urgent time-sensitive request From Congressman Doug LaMalfa and Representative Kevin Kiley for Colfax to write a letter of support in the interest of having the newly established Collaborative Combat Aircraft Mission stationed at Beale Air Force Base. Council is all in favor of providing a letter of support, staff was directed to draft a letter of support preferably by the end of the week.

Mayor Pro Tem Lomen attended the Pioneer Community Energy Board meeting, and spoke of several programs to help customers that are being offered by Pioneer right now.

7B. City Operations Update – City Manager

Attended the Chamber Business Training event.

8 COUNCIL BUSINESS (None)

9 GOOD OF THE ORDER

Councilmember Hillberg – nothing to report

Councilmember McCully reminded that the Nevada County Food Bank is tomorrow in Cedar Ridge.

Councilmember Burruss – nothing to report

Mayor Pro Tem Lomen reminded everyone that the Sierra Fire Safe Council meeting is tomorrow night.

9A. Public Comment on Good of the Order

No public comment on good of the order.

10 CLOSED SESSION

10A. Public Comment (On the Closed Session Item only)

Councilmember Burruss moved to adjourn the Open Session and accept public comment on the Closed Session, Councilmember Hillberg seconded the motion.

No public comment on the closed session item.

10B. By Consensus of the Council, adjourn to a Closed Session.

Council adjourned to a Closed Session at 7:00 pm.

10C. **Roll Call**

Present: Councilmember Burruss, Councilmember Hillberg, Mayor Pro Tem Lomen

Absent: Mayor Douglass

Councilmember McCully recused herself from the closed session.

10D. Conference with Legal Counsel; Existing Litigation (Gov. Code, § 54956.9, subd. (d)(1))

Name of Case: ColfaxNet, LLC v. City of Colfax

Names of Parties or Claimants: ColfaxNet, LLC; City of Colfax

Case Number: 2:19-cv-02167-WBS-CKD

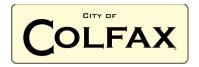
10E. **Report from Closed Session**

Nothing to report from the Closed Session.

11ADJOURNMENT

As there was no further business on the agenda, Mayor Pro Tem Lomen adjourned the meeting, by motion and without objection at 7:54 p.m. Respectfully submitted to City Council this 9th day of October, 2024.

Amanda Ahre, City Clerk



Staff Report to City Council

FOR THE OCTOBER 9, 2024 REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager

Prepared by: Shanna Stahl – Administrative Services Officer

Subject: Cash Summary – August 2024

Budget Impact Overview:

N/A: √ Funded: Un-funded: Amount: Fund(s):

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 purpose of these reports is to provide the status of funds and transparency for Council and the public regarding the financial transactions of the City. 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 attached reports reflect an overview of the financial transactions of the City of Colfax in August 2024. Some monthly highlights are listed below:

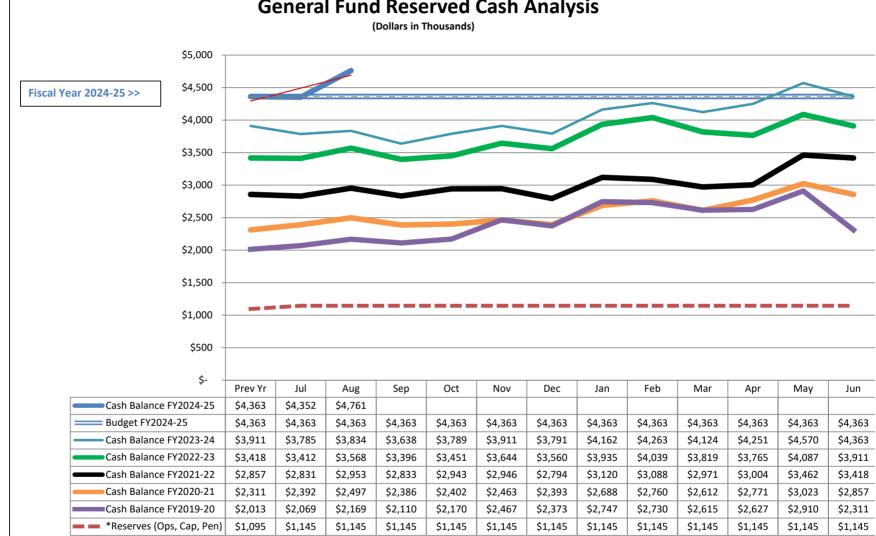
- August revenues included:
 - Allocation for Sales Tax revenues reported/paid to the State for the month of June 2024 (two-month lag).
- August expenditures included:
 - Approved capital project expenditures expenditures on WWTP Construction Grant and other grant funded projects.
- Negative cash fund balances at the end of August are primarily due to the timing of funding allocations and reimbursements:
 - Fund 250 Streets Roads/Transportation. These expenses are funded by annual Transportation funding through Placer County Transportation Agency (PCTPA), transfer of City Gas Tax revenues, and a General Fund allocation. Allocations and transfers will be recorded with the final fiscal year accounting processes.
 - Fund 300 Corporation Yard This is the project for installation of a metal storage building at the Corporation Yard. Funded by General Fund 100. The installation of the building is complete and the final invoice has been paid. A transfer to cover the project balance will occur next month.
 - o Fund 358 CDBG Road Rehabilitation. This is a reimbursable grant the final funding of the grant was awarded in November. CDBG has approved the start date of expenditures. The City has begun the reimbursement process. City restricted Streets funds will also be used on this project as the City match.
 - o Fund 575 WWTP Construction Grant. This is a reimbursable grant. Reimbursement requests are scheduled to be submitted at least quarterly.

- o Fund 577 Capital Projects. This is the project for the installation of a metal storage building at the Wastewater Treatment Plant. The project is slated to be funded by Fund 564 – Sewer Connection Fees. Installation of the building has been completed and the invoice has been paid. A transfer to cover the project balance will occur next month.
- Fund 590 Sewer Consolidation Planning Grant. This is a reimbursable grant reimbursement requests are scheduled to be submitted quarterly upon final award of application grant.
- Anticipated revenues/expenditures for September include:
 - o Revenues
 - Allocation for Sales Tax revenues reported/paid to the State for the month of July 2024 (two-month lag).
 - Capital project reimbursements.
 - Expenditures
 - Approved capital project expenditures. We anticipate continued large expenditures for the Wastewater Treatment Plant Construction project as the I/I Mitigation and Algae Reduction phases continue construction. The CDBG project will also have large expenses.
 - Ongoing monthly operating expenses.
 - First quarter 2024/2025 Placer County Sheriff contract payment.

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 - August 2024 General Fund Reserved Cash Analysis



City of Colfax Cash Summary August 31, 2024

| | Balance 7/31/24 | Revenues In* | Expenses Out* | Transfers | Balance 8/31/24 | |
|--|---|--|---|-----------|--|--|
| US Bank LAIF Total Cash - General Ledger | \$ (789,469.96) \$ 7,832,151.30 \$ 7,042,681.34 | \$ 684,833.29 \$ - \$ 684,833.29 | \$ (984,110.20) \$ \$ - \$ \$ (984,110.20) \$ | | \$ 61,253.13 \$ 6,682,151.30 \$ 6,743,404.43 | |
| Petty Cash (In Safe) | \$ 300.00 | | | | \$ 300.00 | |
| Total Cash | \$ 7,042,981.34 | \$ 684,833.29 | \$ (984,110.20) \$ | - | \$ 6,743,704.43 | |

Change in Cash Account Balance - Total

\$ (299,276.91)

Attached Reports:

1. Cash Transactions Report (By Individual Fund)

| | | \$ (299.276.91) | \$ |
|-------------------|---------------------------------|--------------------|----|
| | Void Checks | \$ 242.34 | |
| | Utility Billing Tax Rolls | \$ - | |
| | LAIF Interest | \$ - | |
| | Utility Billings - Receipts | \$ 140,241.79 | |
| | Payroll Checks and Tax Deposits | \$ (69,229.12) | |
| | Cash Receipts | \$ 532,550.10 | |
| 2. Check Register | \$ (903,082.02) | | |
| | | | |

^{*}Does not include transfers between funds

Prepared by: Shanna Stahl

Shanna Stahl, Administrative Services Officer

Reviewed by:

Ron Walker

Ron Walker, City Manager

City of Colfax Cash Transactions Report - August 2024

| Fund Times 4.44 Consent Fund Unaccioused | | Beginning Balance | | Debit Revenues | (E | Credit expenditures) | Ending Balance |
|--|----------|----------------------|-----------|-------------------|----|-------------------------|-------------------|
| Fund Type: 1.11 - General Fund - Unassigned Fund: 100 - General Fund | Ф | 4,126,036.53 | Ф | 505,727.12 | \$ | (94,534.94) \$ | 4,537,228.71 |
| Fund: 120 - Land Development Fees | \$ \$ | 207,507.14 | \$ \$ | 292.84 | \$ | (3,708.87) \$ | |
| Fund: 200 - Cannabis Application | Ψ \$ | 19,201.55 | \$ | 292.04 | \$ | (3,700.07) \$ | |
| | \$ | 4,352,745.22 | | 506,019.96 | \$ | (98,243.81) \$ | |
| Tuliu Type. 1.11 - Gelleral Tuliu - Gliassiglieu | Ψ_ | 4,332,743.22 | Ψ | 300,019.90 | Ψ | (30,243.01) φ | 4,700,321.37 |
| Fund Type: 1.14 - General Fund - Restricted | | | | | | | |
| Fund: 205 - Escrow Funds | \$ | _ | \$ | _ | \$ | - \$ | - |
| Fund: 571 - AB939 Landfill Diversion | \$ | 23,299.04 | \$ | _ | \$ | - \$ | 23,299.04 |
| Fund: 572 - Landfill Post Closure Maintenance | \$ | 894,420.51 | \$ | 21.95 | \$ | (5,077.01) \$ | |
| Fund Type: 1.14 - General Fund - Restricted | \$ | 917,719.55 | \$ | 21.95 | \$ | (5,077.01) \$ | |
| | | | | | | | |
| Fund Type: 1.24 - Special Rev Funds - Restricte | ed | | | | | | |
| Fund: 210 - Mitigation Fees - Roads | \$ | 150,590.20 | \$ | - | \$ | - \$ | 150,590.20 |
| Fund: 211 - Mitigation Fees - Drainage | \$ | 5,755.71 | \$ | - | \$ | - \$ | |
| Fund: 212 - Mitigation Fees - Trails | \$ | 79,958.02 | \$ | - | \$ | - \$ | |
| Fund: 213 - Mitigation Fees - Parks/Rec | \$ | 198,700.22 | \$ | - | \$ | - \$ | |
| Fund: 214 - Mitigation Fees - City Bldgs | \$ | 108,015.92 | \$ | - | \$ | - \$ | 108,015.92 |
| Fund: 215 - Mitigation Fees - Vehicles | \$ | 23,590.51 | \$ | - | \$ | - \$ | 23,590.51 |
| Fund: 217 - Mitigation Fees - DT Parking | \$ | 36,395.88 | \$ | - | \$ | - \$ | |
| Fund: 218 - Support Law Enforcement | \$ | - | \$ | - | \$ | - \$ | |
| Fund: 244 - CDBG Program Inc - ME Lending | \$ | - | \$ | 1,800.00 | \$ | - \$ | |
| Fund: 250 - Streets - Roads/Transportation | \$ | (101,883.79) | \$ | 62.11 | \$ | (11,858.00) \$ | , |
| Fund: 253 - Gas Taxes | \$ | 44,935.73 | \$ | 6,458.86 | \$ | - \$ | 51,394.59 |
| Fund: 257 - Street /Road - Transit Capital | \$ | 48,346.04 | \$ | - | \$ | - \$ | 48,346.04 |
| Fund: 258 - Road Maintenance - SB1/RSTBG | \$ | 277,252.32 | \$ | 4,870.30 | \$ | - \$ | |
| Fund: 270 - Beverage Container Recycling | \$ | 20,381.43 | \$ | - | \$ | - \$ | |
| Fund: 280 - Oil Recycling | \$ | 4,018.78 | \$ | - | \$ | - \$ | |
| Fund: 290 - SB1383 Implementation Grant | \$ | 89,093.37 | \$ | - | \$ | (7,060.00) \$ | 82,033.37 |
| Fund: 292 - Fire Department Capital Funds | \$ | 99,519.31 | \$ | - | \$ | - \$ | 99,519.31 |
| Fund: 342 - Fire Construction - Mitigation | \$ | 84,481.62 | \$ | - | \$ | - \$ | 84,481.62 |
| Fund: 343 - Recreation Construction | \$ | 84,482.10 | \$ | - | \$ | - \$ | |
| Fund Type: 1.24 - Special Rev Funds - Restricte | \$ | 1,253,633.37 | \$ | 13,191.27 | \$ | (18,918.00) \$ | 1,247,906.64 |
| Found Towns 4.04 Comitted Dunis etc. Descripted | | | | | | | |
| Fund Type: 1.34 - Capital Projects - Restricted | Φ | (40,000,50) | • | | Φ | (OF 4F7 OC) M | (20.057.20) |
| Fund: 300 - GF Capital Projects | \$ | (12,899.52) | | 40 200 00 | \$ | (25,157.86) \$ | , , |
| Fund: 358 - CDBG Pavement | \$ | (1,093,163.35) | \$ | 16,300.00 | \$ | (533,030.84) \$ | (, , , |
| Fund: 386 - Caboose Relocation | \$ | - (4,400,000,07) | \$ | 40 200 00 | \$ | (570.00) \$ | |
| Fund Type: 1.34 - Capital Projects - Restricted | Þ | (1,106,062.67) | \$ | 16,300.00 | \$ | (556,756.70) \$ | (1,648,521.57) |
| Fund Type: 2.11 - Enterprise Funds | | | | | | | |
| Fund: 560 - Sewer | \$ | 1,930,722.00 | \$ | 96,566.87 | \$ | (69,256.59) \$ | 1,958,032.28 |
| Fund: 561 - Sewer Liftstations | \$ | 516,252.53 | | 14,581.90 | \$ | (27,568.47) \$ | |
| Fund: 563 - Wastewater Treatment Plant | \$ | 1,364,231.63 | | 37,422.14 | | - \$ | |
| Fund: 564 - Sewer Connections | \$ | 321,774.88 | \$ | 01,422.14 | \$ | - \$ | |
| Fund: 575 - WWTP Construction Grant | \$ | (2,447,602.30) | | _ | \$ | (183,435.17) \$ | |
| Fund: 577 - Capital Projects | \$ | (7,229.51) | | _ | \$ | (20,272.45) \$ | , , |
| Fund: 590 - Sewer Consolidation Planning | \$ | (56,095.46) | | _ | \$ | (2,580.00) \$ | , |
| Fund Type: 2.11 - Enterprise Funds - Unassign | | 1,622,053.77 | \$ | 148,570.91 | \$ | (303,112.68) \$ | |
| runu Type. 2.11 - Enterprise runus - Onassign | Ψ | 1,022,033.77 | Ψ | 140,570.51 | Ψ | (303,112.00) ψ | 1,407,512.00 |
| Fund Type: 9.0 - CLEARING ACCOUNT | | | | | | | |
| Fund: 998 - PAYROLL CLEARING FUND | \$ | 2,592.30 | \$ | 729.20 | | \$ | 3,321.50 |
| Fund Type: 9.0 - CLEARING ACCOUNT | \$ | 2,592.30 | \$ | 729.20 | \$ | - \$ | |
| •• | | | | | | | |
| Grand Totals: | \$ | 7,042,681.34 | \$ | 684,833.29 | \$ | (984,110.20) \$ | 6,743,404.43 |

CITY OF COLFAX

Item 3B

09/05/2024

Time: 9:29 am Page: 1

Date:

BANK: US BANK
Page:

US Void/Stop Reconcile Vendor Vendor Name
Check Description

| Check Number | Check Date | Status | Void/Stop Reco Date Date | | Vendor Number | Vendor Name | Check Description | Amount |
|-----------------|---------------|--------------------------|-----------------------------|-------|------------------|---------------------------------|------------------------------------|--------------------|
| US BANK | Checks | | | | | | | |
| 60934 | 08/02/24 | Reconciled | 08/3 | 31/24 | 03141 | CALPERS | HEALTH INS PREMIUMS AUG 24 | 15,857.74 |
| 60935 | 08/06/24 | Reconciled | 08/3 | 31/24 | 01500 | ANDERSON'S SIERRA | CITY LAWNS/IRRIGATION | 704.72 |
| 60936 | 08/06/24 | Reconciled | 08/3 | 31/24 | 03160 | CARTWRIGHT NOR CAL, INC. | ENG SVCS JULY 2024 | 16,435.00 |
| 60937 | 08/06/24 | Reconciled | 08/3 | 31/24 | 03446 | CITY OF FOSTER CITY | WWTP POSITION POSTINGS | 1,164.00 |
| 60938 | | Reconciled | | | 03562 | COMMERCIAL PUMP SERVICE, INC | LS FILTER CLOGGED | 5,321.31 |
| 60939 | | Reconciled | | 31/24 | | DATA FLOW SYSTEMS, INC. | WWTP SCADA REPAIR | 1,483.04 |
| 60940 | | Reconciled | | — . | 07570 | GRAINGER | WWTP SUPPLIES | 170.29 |
| 60941 | | Reconciled | | | 08159 | HILL BROTHERS CHEMICAL CO. | WWTP CHEMICALS | 5,188.76 |
| 60942 | | Reconciled | | 31/24 | 08660 | HUNT AND SONS, LLC | FUEL | 949.41 |
| 60943 | | Reconciled | | 31/24 | 8661 | HYDROCOMPLIANCE | WWTP MONTHLY QSP SVCS | 1,400.00 |
| 60944 | | Reconciled | 08/3 | 31/24 | 18400 | NAPA AUTO PARTS | SUPPLIES | 184.36 |
| 60945 | 08/06/24 | Reconciled | | 31/24 | 16011(2) | PELLETREAU, ALDERSON & CABRAL | LEGAL SERVICES JULY 2024 | 8,254.95 |
| 60946 | | Reconciled | | 31/24 | 19037 | SAFE SIDE SECURITY | CORP YARD SECURITY AUG 24 | 155.00 |
| 60947 | | Reconciled | 08/3 | 31/24 | 19037 | SAFE SIDE SECURITY | WWTP SECURITY AUG 24 | 95.00 |
| 60948 | | Reconciled | | | 19193 | SECURE RECORD MANAGEMENT | SHREDDING SVCS Q1 FY 24/25 | 150.00 |
| 60949 | | Reconciled | 08/3 | | 19591 | SECURITAS TECHNOLOGY | DEPOT SECURITY Q4 FY 23/24 | 167.34 |
| 60950 | | Reconciled | | | 19320 | SOLENIS | WWTP CHEMICALS | 5,444.01 |
| 60951 | | Reconciled | | — . | 19743 | WILLIAM STOCKWIN | COLFAX CONNECTION AUG 24 | 300.00 |
| 60952 | | Reconciled | | | 21560 | US BANK CORPORATE PMT SYSTEM | SUPPLIES | 3,631.88 |
| 60953 | | Reconciled | | 31/24 | 22134 | VISION QUEST | TECH SUPPORT SEPT 24 | 3,800.00 |
| 60954 | 08/06/24 | Reconciled | 08/3 | 31/24 | 22135 | VISTA COMPLETE CARE | NEW HIRE PHYSICALS | 150.00 |
| 60955 | 08/06/24 | Reconciled | 08/3 | 31/24 | 23169 | WAVE BUSINESS SOLUTIONS | DEPOT PHONE | 18.77 |
| 60956 | 08/06/24 | Reconciled | | | 23451 | WOOD RODGERS | INSTRUMENTATION SURVEY REPORT | 1,620.00 |
| 60957 | 08/06/24 | Reconciled | 08/3 | 31/24 | 23451 | WOOD RODGERS | WWTP FINAL DESIGN JUN24 | 3,930.50 |
| 60958 | 08/13/24 | Reconciled | 08/3 | 31/24 | 01414 | ALHAMBRA & SIERRA SPRINGS | WATER | 194.36 |
| 60959 | 08/13/24 | Reconciled | 08/3 | 31/24 | 01500 | ANDERSON'S SIERRA | IRRIGATION | 132.45 |
| 60960 | | Reconciled | | | 01766 | AT&T MOBILITY | CITY HALL PHONES | 793.31 |
| 60961 | 08/13/24 | Reconciled | | 31/24 | 2819 | BIG BRAND TIRE & SERVICE | PW OIL CHANGE TRK C-4 | 293.15 |
| 60962 | | Reconciled | 08/3 | 31/24 | 3425 | CINTAS | UNIFORMS JULY 2024 | 444.19 |
| 60963 | | Reconciled | | | 03650 | CRANMER ENGINEERING, INC. | LANDFILL ADDITIONAL TESTING | 390.00 |
| 60964 | | Reconciled | | | 04299 | DKF SOLUTIONS GROUP | WWTP TRAINING | 160.00 |
| 60965 | | Reconciled | | | 05120 | EDWARDS HEATING & COOLING | CITY HALL A/C REPAIR | 109.00 |
| 60966 | | Reconciled | | 31/24 | | FENNEMORE CRAIG, PC | LEGAL MATTER | 255.00 |
| 60967 | | Reconciled | | 31/24 | | GEOCON CONSULTANTS INC. | | 8,525.00 |
| 60968 | | Reconciled | | 31/24 | | GEOCON CONSULTANTS INC. | | 3,547.50 |
| 60969 | | Reconciled | | | 07570 | GRAINGER | WWTP FUSES | 12.71 |
| 60970 60971 | | Reconciled Reconciled | | | 07570 13191 | GRAINGER MANAGEMENT ADVISORY | WWTP SUPPLES PLANNING SVCS JULY 24 | 124.03 5,144.69 |
| 60972 | 08/13/24 | Reconciled | 08/3 | 31/24 | 16040 | SERVICES PURCHASE POWER | POSTAGE REFILL | 507.00 |
| 60973 | 08/13/24 | Reconciled | 08/3 | 31/24 | 17951 | R3 CONSULTING GROUP | GRANT FUND MGMNT/EAR PREP | 8,425.00 |
| 60974 | 08/13/24 | Reconciled | 08/3 | 31/24 | 18496 | RIVER CITY RENTALS | MAIN ST FLAG POLE ROPE REPLACE | 825.00 |
| 60975 | 08/13/24 | Reconciled | 08/3 | 31/24 | 01790 | SIERRA OFFICE PRODUCTS | OFFICE SUPPLIES | 318.93 |
| 60976 | 08/13/24 | Reconciled | 08/3 | 31/24 | 21500 | USA BLUE BOOK, INC | WWTP LAB SUPPLIES | 941.87 |
| 60977 | 08/13/24 | Reconciled | 08/3 | 31/24 | 23169 | WAVE BUSINESS SOLUTIONS | CITY HALL PHONES | 215.72 |
| 60978 | 08/13/24 | Reconciled | 08/3 | 31/24 | 23206 | WECO INDUSTRIES | JETTER REPAIR | 2,264.41 |
| 60979 | 08/13/24 | Reconciled | 08/3 | 31/24 | 23301 | WESTERN PLACER WASTE | SLUDGE REMOVAL JULY 24 | 1,338.27 |
| 60980 | 08/13/24 | Reconciled | 08/3 | 31/24 | 23453 | WM LYLES | ALGAE REDUCTION JUNE 24 | 157,520.67 |
| 60981 | 08/16/24 | Reconciled | 08/3 | 31/24 | 2087 | BASIC PACIFIC | FSA BENEFIT PYMT AHRE | 109.00 |
| 60982 | 08/19/24 | Reconciled | 08/3 | 31/24 | 03141 | CALPERS | GASB REPORTING FEE | 700.00 |
| 60983 | 00/00/04 | Printed | | | 1161 | 49ER WATER SERVICES | WWTP TESTING JUNE 2024 | 6,269.00 |

Item 3B

2

Date: 09/05/2024 Time: 9:29 am

CITY OF COLFAX BANK: US BANK Page:

| Check Number | Check Date | Status | Void/Stop Reconcile Date Date | Vendor Number | Vendor Name | Check Description | Amount |
|-----------------|----------------------|--------------------------|----------------------------------|------------------|--|--|-----------------------|
| US BAN | K Checks | | | | | | |
| 60984 | 08/22/24 | Printed | | 1179 | AA COLFAX FELLOWSHIP | 6TH ANNUAL PICNIC DEPOSIT RTN | 100.00 |
| 60985 | 08/22/24 | Reconciled | 08/31/24 | 01270 | ADAMS ASHBY GROUP, INC. | CDBG LABOR COMPLIANCE JUN 24 | 5,500.00 |
| 60986 | 08/22/24 | Reconciled | 08/31/24 | 01270 | ADAMS ASHBY GROUP, INC. | CDBG GENERAL ADMIN JULY 24 | 5,000.00 |
| 60987 | 08/22/24 | Reconciled | 08/31/24 | 01270 | ADAMS ASHBY GROUP, INC. | CDBG LABOR COMPLIANCE JUL 24 | 5,500.00 |
| 60988 | | Reconciled | 08/31/24 | | BUREAU VERITAS NORTH AMERICA | BLDG OFFICIAL SVCS JULY 24 | 5,760.00 |
| 60989 | 08/22/24 | Reconciled | 08/31/24 | | CHOICE BUILDER | PREMIUMS SEPT 2024 | 675.31 |
| 60990 | | Reconciled | 08/31/24 | | CLARK PEST CONTROL | PEST CONTROL | 537.00 |
| 60991 | 08/22/24 | | | 04592 | DACOMM | WWTP INTERNET SEPT 2024 | 103.45 |
| 60992 | | Reconciled | 08/31/24 | | GHD INC. | CDBG ROAD REHAB JULY 24 | 4,676.22 |
| 60993 | | Reconciled | 08/31/24 | | GOLD MOUNTAIN CALIFORNIA | PUBLIC NOTICE ELECTION | 204.64 |
| 60994 | | Reconciled | 08/31/24 | | GOLD MOUNTAIN CALIFORNIA | SHORT TERM RENTAL NOTICE | 217.91 |
| 60995 60996 | | Reconciled Reconciled | 08/31/24 08/31/24 | | GOLD MOUNTAIN CALIFORNIA GOLD MOUNTAIN | ZONING PUBLIC NOTICE FINANCE DIRECTOR JOB AD | 177.89 169.16 |
| | | | | | CALIFORNIA HILL BROTHERS CHEMICAL | | |
| 60997 | | Reconciled | 08/31/24 | | CO. | WWTP CHEMICALS | 3,632.14 |
| 60998 | | Reconciled | 08/31/24 | | LAWRENCE & ASSOCIATES INC | LANDFILL MONITORING JULY 24 | 1,397.50 |
| 60999 | | Reconciled | 08/31/24 | | MARK LEATHERS | 2024 BOOT ALLOWANCE | 257.37 |
| 61000 | | Reconciled | 08/31/24 | | PCWA -PLACER COUNTY | WATER | 3,975.20 |
| 61001 | | Reconciled | 08/31/24 | | PITNEY BOWES | POSTAGE MACH LEASE Q1 | 167.84 |
| 61002 | | Reconciled | 08/31/24 | | PLACER COUNTY DOCUMENT | WINDOW ENVELOPES | 96.55 |
| 61003 | 08/22/24 | | | 19037 | SAFE SIDE SECURITY | WWTP CCTV REPAIR | 340.00 |
| 61004 | 08/22/24 | | | 19037 | SAFE SIDE SECURITY | CORP YARD/BALL FIELD CCTV REP. | 681.00 |
| 61005 | 08/22/24 08/22/24 | | | 19037 19037 | SAFE SIDE SECURITY | WWTP CCTV REPAIR BALL PARK CCTV BATTERY | 620.00 |
| 61006 61007 | | Reconciled | 08/31/24 | | SAFE SIDE SECURITY SIERRA SAFETY COMPANY | NO PARKING SIGNS | 40.00 193.05 |
| 61007 | | Reconciled | 08/31/24 | | SIMPSON & SIMPSON | METAL BLDGS | 45,430.31 |
| 61009 | | Reconciled | 08/31/24 | | WAVE BUSINESS SOLUTIONS | | 71.83 |
| 61011 | 08/29/24 | | 00/01/24 | 01448 | AMERIGAS - COLFAX | SHERIFF DEPT PROPANE | 12.86 |
| 61012 | 08/29/24 | | | 01500 | ANDERSON'S SIERRA | WWTP SUPPLIES | 185.38 |
| 61013 | 08/29/24 | | | 02901 | BUREAU VERITAS NORTH AMERICA | PLAN CHK - COLFAX HOTEL | 165.00 |
| 61014 | 08/29/24 | Printed | | 04234 | DE LAGE LANDEN FINANCIAL | COPY MACH LEASE SEPT 2024 | 504.79 |
| 61015 | 08/29/24 | Printed | | 06278 | FRONTIER COMMUNICATIONS | WWTP PHONE | 275.55 |
| 61016 | 08/29/24 | Printed | | 7223 | GEOCON CONSULTANTS INC. | I&I CONST MGMNT JUN 24 | 2,830.00 |
| 61017 | 08/29/24 | Printed | | 07570 | GRAINGER | ELECTRICITY MTR/CURRENT TESTER | 192.17 |
| 61018 | 08/29/24 | | | 08070 | HANSEN BROS. ENTERPRISES | CDBG ROAD REHAB JULY 2024 | 494,672.82 |
| 61019 | 08/29/24 | | | 08170 | HILLS FLAT LUMBER CO | SUPPLIES | 1,095.82 |
| 61020 | 08/29/24 | | | 08200 | HINDERLITER, DE LLAMAS & ASSOC | | 600.00 |
| 61021 | 08/29/24 | | | 08660 | HUNT AND SONS, LLC | FUEL | 745.30 |
| 61022 | 08/29/24 | | | 8661 | HYDROCOMPLIANCE | WWTP MONTHLY QSP AUG 2024 | 1,400.00 |
| 61023 | 08/29/24 | | | 23101 | | NPDES PERMIT ASS JULY 2024 | 130.50 |
| 61024 | 08/29/24 | | | 17951 | R3 CONSULTING GROUP | SB1383 COMPLIANCE/EAR REPORT | 3,911.25 |
| 61025 | 08/29/24 | | | 18193 | | 23/24 TEETER 5% TAX ROLLS | 617.08 |
| 61026 | 08/29/24 | | | 19396 | SIERRA SAFETY COMPANY | SIGNS FOR CORP YARD/SPLASH PAD | 854.14 4.175.04 |
| 61027 | 08/29/24 | | | 20538 | TROJAN TECHNOLOGIES | WWTP SUPPLES | 4,175.94 |
| 61028 61029 | 08/29/24 08/29/24 | | | 21105 21560 | UNICO ENGINEERING US BANK CORPORATE PMT | ARCO/MAIDU CONST INSP JUL 23 SUPPLIES | 2,069.20 10,869.22 |
| | | | | | SYSTEM | | |
| 61030 | 08/29/24 | | | 21500 | USA BLUE BOOK, INC | WWTP LAB SUPPLIES | 325.39 |
| 61031 61032 | 08/29/24 08/29/24 | | | 23169 | WAVE BUSINESS SOLUTIONS | | 159.90 |
| 01032 | 00/29/24 | riiitea | | 23451 | WOOD RODGERS | SEWER CONSOLIDATION | 2,580.00 |

Check Register Report

Item 3B

09/05/2024

9:29 am

Date:

Time: BANK: US BANK CITY OF COLFAX Page: 3

| Check Number | Check Date | Status | Void/Stop Date | Reconcile Date | Vendor Number | Vendor Name | Check Description | Amount |
|-----------------|-------------------|---------|---------------------------------------|-------------------|------------------|--------------|------------------------------|-----------|
| US BAN | K Checks | | | | | | | |
| 61033 | 08/29/24 | Printed | | | 23451 | WOOD RODGERS | WWTP INSTRUMENTATION JULY 24 | 780.00 |
| 61034 | 08/29/24 | Printed | | | 23451 | WOOD RODGERS | WWTP FINAL DESIGN JULY 24 | 12,269.00 |
| | Total Checks: 100 | | Checks Total (excluding void checks): | 903,082.02 | | | | |

Total Payments: 100

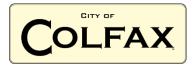
Bank Total (excluding void checks):

903,082.02

Total Payments: 100

Grand Total (excluding void checks):

903,082.02



Staff Report to City Council

FOR THE OCTOBER 9, 2024 REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager Prepared by: Ron Walker, City Manager

Subject: Trojan UV – UV Sleeve & Lamp Purchase

Budget Impact Overview:

N/A: Funded: $\sqrt{}$ Un-funded: Amount: \$25,906.99 Fund(s): 560

RECOMMENDED ACTION: Adopt Resolution __-2024 authorizing the City Manager to execute an

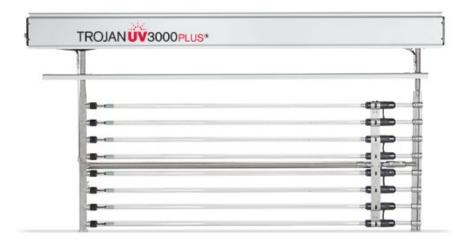
agreement with Trojan UV to Purchase UV Lamps for the Wastewater Treatment System.

Summary/Background

The wastewater treatment facility is required to disinfect the treated water before discharging it into the environment, ultraviolet (UV) light is used to accomplish this. UV is a safe and environmentally friendly way to disinfect wastewater. It provides broad-spectrum protection against a wide range of pathogens, including bacteria, viruses, and chlorine-resistant protozoa such as cryptosporidium and giardia. The UV system is designed to increase and/or decrease light intensity based on the incoming flow rate from the filtration unit.

The City utilizes a UV system built by Trojan UV, it is a very complicated system requiring trained professionals to service and trouble shoot for anything above basic maintenance. Staff has contacted Trojan UV to set up a service agreement, but Trojan UV will not service equipment that contains non-Trojan UV parts such as aftermarket UV lamps.

The Trojan UV3000 Plus system at the wastewater treatment facility uses 3 independent disinfection banks, and each bank is fitted with 5 hangers with 4 bulbs each, totaling a quantity of 60 sleeves and lamps. Each hanger is fitted with a ballast system to allow for changes in lamp output intensity. Each hanger is set up with canisters that individually clean each quartz sleeve, allowing for maximum lamp out to achieve disinfection. The canisters are all connected to a hydraulic pump drive system.



At some point in the past, the city had purchased and installed aftermarket lamps in an effort to save money. The lamps will need to be changed in a few months, and Trojan UV is offering replacement lamps at a discounted price and will provide 2 free technical visits for the first year of a service agreement if the city purchases the lamps now. The lamps are housed in removable quartz sleeves which are scratched and stained and will need to be replaced when the lamps are replaced.



Current condition of 98% of all the Sleeves.

Lamp with Newer Sleeve

Conclusions and Findings

The sleeves are approaching the end of their useful life, and the best practice is to replace the sleeves when the lamps are replaced. The after-market lamps are nearing the end of their useful life cycles, and Trojan is requiring the city to replace the sleeves and lamps with Original Equipment Manufacturer (O.E.M.) parts before they will enter into a service contract with the city.

Fiscal Impacts

The fiscal Impacts are \$25,906.99

Attachments:

- 1. Resolution -2024
- 2. Trojan UV Quotation

City of Colfax City Council

Resolution № __-2024

APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH TROJAN U.V. TO PURCHASE U.V. LAMPS AND SLEEVES FOR THE WASTEWATER TREATMENT FACILITY AT A COST NOT TO EXCEED \$25,906.99.

WHEREAS, the wastewater treatment facility is required to disinfect the treated water before discharging it, and ultraviolet (UV) light is used to accomplish this; and,

WHEREAS, UV is a safe and environmentally friendly way to disinfect wastewater. It provides broad-spectrum protection against a wide range of pathogens, including bacteria, viruses, and chlorine-resistant protozoa such as cryptosporidium and giardia; and,

WHEREAS, The city utilizes a UV system built by Trojan UV, it is a very complicated system requiring trained professionals to service and troubleshoot for anything above basic maintenance; and,

WHEREAS, Staff has contacted Trojan UV to set up a service agreement, but Trojan UV will not service equipment that contains non-Trojan UV parts such as aftermarket UV lamps; and,

WHEREAS, At some point in the past, the city had purchased and installed aftermarket lamps in an effort to save money; and,

WHEREAS, the U.V. lamps and sleeves are nearing the end of their useful life, and will need to be replaced soon: and,

WHEREAS, Trojan UV is offering replacement lamps at a discounted price and will provide 2 free technical visits for the first year of a service agreement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Colfax approves and authorizes the City Manager to execute an agreement with Trojan UV for replacement lamps.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on October 9, 2024, by the following vote of the Council:

| Amanda Ahre, City Clerk | |
|-------------------------|---------------------|
| ATTEST: | Kim Douglass, Mayor |
| ABSENT: | |
| ABSTAIN: | |
| NOES: | |
| AYES: | |
| Council: | |

Item 3C **QUOTATION** Q00014211



TROJAN TECHNOLOGIES 3020 GORE ROAD LONDON, ON N5V 4T7 CANADA T. 519-457-3400 www.trojantechnologies.com

Sold to **CITY OF COLFAX PO BOX 702** Colfax CA 95713-0702 **UNITED STATES**

Ship to City Of Colfax 23550 Grand View Way Colfax CA 95713-0001 **UNITED STATES**

Customer Service Contact: tuvcustomerservice@trojantechnologies.com

Payment Terms : 0% / 00 / 30 net

Delivery Terms : DELIVERED DUTY PAID

Carrier/LSP

Internal Sales Rep : Heather Conine

Customer No. : 100003639

Reference

: 08-12-2024 Quote Date Quote Expiry Date : 09-11-2024

| Line | Project Item Description | Quantity | Price Discount % | Unit Net Price Net Amount | Tax Rate Tax Amount | Amount |
|------|---|----------------|------------------------------|------------------------------|------------------------|------------------------|
| 10 | 794447-0RD LAMP P, GA64T6HE ANGLE BASE | 60.00 | 250.00/ EA | 250.00 15,000.00 | 7.25% 1087.50 | 16,087.50 |
| 11 | 316136 SLEEVE, QTZ UV3+ 28x25x1958 | 60.00 | 157.05/ EA 10.00 % | 141.34 8,480.70 | 7.25% 614.85 | 9,095.55 |
| 20 | FREIGHT & HANDLING | 1.00 | 675.00/ EA | 675.00 675.00 | 7.25% 48.94 | 723.94 |
| | | Goods Costs | 23,480.70 Disc 675.00 Sub | | Tax Amount 1,751.29 | Total USD 25,906.99 |





TROJAN TECHNOLOGIES 3020 GORE ROAD LONDON, ON N5V 4T7 CANADA T. 519-457-3400 www.trojantechnologies.com

Terms and Conditions

All purchases of Trojan products and/or services are expressly and without limitation subject to Trojan's Terms and Conditions of Sale ("Trojan" or "SELLER"), incorporated herein by reference and published on Trojan's website https: www.trojantechnologies.com/sales-terms-conditions/

Trojan TCS are incorporated by reference into each of Trojan's offers or quotations, order acknowledgments, and invoice and shipping documents. The first of the following acts shall constitute an acceptance of Trojan's offer and not a counteroffer and shall create a contract of sale ("Contract") in accordance with the Trojan TCS, subject to Trojan's final credit approval: (i) Buyer's issuance of a purchase order document against Trojan's offer or quotation; (ii) Trojan's acknowledgement of Buyer's order; or (iii) commencement of any performance by Trojan in response to Buyer's order. Provisions contained in Buyer's purchase documents that materially alter, add to or subtract from the provisions of the Trojan's TCS shall be null and void and not considered part of the Contract.

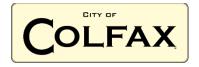
www.trojantechnologies.com/sales-terms-conditions











Staff Report to City Council

FOR THE OCTOBER 9, 2024 REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager Prepared by: Conor Harkins, City Attorney

Subject: Ordinance Establishing Administrative Remedies Procedure for Challenges to

Fees, Charges, and Assessments

Budget Impact Overview:

| N/A: | Funded: | Un-funded: √ | Amount: | Fund(s): |
|------|---------|---------------------|---------|----------|
|------|---------|---------------------|---------|----------|

RECOMMENDED ACTION: Introduce and waive first reading of ordinance establishing an administrative remedies procedure for challenges to fees, charges, and assessments.

Summary/Background

The City Council is being asked to introduce and waive first reading of an ordinance establishing an administrative remedies procedure for challenges to fees, charges, and assessments.

Discussion

Assembly Bill 2257 (2024) (adding Government Code sections 53759.1 and 53759.2) provides the City with a new tool to defend against challenges to fees, charges, and assessments adopted under Prop. 218 (Cal. Const., Art. XIII D). If the City follows certain procedures, a ratepayer who fails to submit a written objection **before** the close of the Prop. 218 protest hearing will be barred from challenging the fee, charge, or assessment later on.

The California Constitution grants the City additional authority to enforce any local, police, sanitary, or other ordinance not in conflict with general laws, and to establish and operate public works upon conditions and under regulations that the City may prescribe. (Cal. Const., Art. XI, §§ 7, 9.) Based on this authority, the ordinance also requires objections be timely submitted to challenge fees or charges adopted under Article XIII C of the California Constitution, any assessment on real property, or the methodology used to develop any fee, charge, or assessment.

This ordinance establishes the process the City must follow to limit challenges in this way. The City must:

- 1. Make the proposed fee, charge, or assessment publicly available at least 45 days before the deadline for submitting written objections;
- 2. Post a written basis for the proposed fee, charge, or assessment on the City's website and include a link to that website on public hearing notices sent to ratepayers or property owners;
- 3. Mail the written basis for the proposed fee, charge, or assessment to ratepayers or property owners upon request;

- 4. Provide at least 45 days for ratepayers or property owners to submit written objections to the fee, charge, or assessment;
- 5. Respond in writing to any timely submitted objections with an explanation for keeping or changing the proposed fee, charge, or assessment;
- 6. Present any timely submitted objections and responses thereto to the City Council for its consideration, either before or during the public hearing on the proposed fee, charge, or assessment:
- 7. Include on its public hearing notices a statement in **bold-faced** type of 12 points or larger:
 - a. That all written objections must be submitted to the City Clerk by the end of public comment period at the hearing, that a failure to timely object in writing bars any right to challenge that fee, charge, or assessment in court, and that any such action will be limited to issues identified in such objections; and
 - b. All substantive and procedural requirements for submitting an objection to the proposed fee, charge, or assessment.

Fiscal

This ordinance will require a small amount of additional staff time to comply with its notice and comment procedures.

Environmental Review

This Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 21065 and 15061(b)(3) as the establishment of an administrative remedies procedure will not result in a reasonably foreseeable direct or indirect physical change in the environment.

Attachments

1. Proposed Ordinance

| ORDINANCE | NO. | |
|-----------|-----|--|
| | | |

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLFAX ADOPTING AN ADMINISTRATIVE REMEDIES PROCEDURE FOR CHALLENGES TO FEES, CHARGES, AND ASSESSMENTS

Be it ordained by the Council of the City of Colfax:

Section 1. AUTHORITY. This Ordinance is authorized by the City's authority under California Constitution, article XI, sections 7 (police power) and 9 (utility power) as well as Government Code section 53759.1.

Section 2. CODE AMENDMENT. Chapter 1.28 (Public Hearing Procedures) of Title 1 (General Provisions) of the Colfax Municipal Code is hereby amended to add a new section 1.28.140 to read as follows:

Section 1.04.020 — Exhaustion of administrative remedies for challenges to fees, charges, and assessments on real property.

- A. Scope. The duty to exhaust administrative remedies imposed by this section extends to:
 - a. any fee or charge subject to articles XIII C or XIII D of the California Constitution,
 - b. any assessment on real property levied by the City, and
 - c. the methodology used to develop and levy such a fee, charge, or assessment.
- B. "Hearing" as used in this section means the hearing referenced in paragraph 4 of subsection D of this section.
- C. Duty to Exhaust Issues. No person may bring a judicial action or proceeding alleging noncompliance with the California Constitution or other applicable law for any new, increased, or extended fee, charge, or assessment levied by the City, unless that person submitted to the City Clerk a timely, written objection to that fee, charge, or assessment specifying the grounds for alleging noncompliance. The issues raised in any such action or proceeding shall be limited to those raised in such an objection unless a court finds the issue could not have been raised in such an objection by those exercising reasonable diligence.

- D. Procedures. The City shall:
- (1) Make available to the public any proposed fee, charge, or assessment to which this section is to apply no less than 45 days before the deadline for a ratepayer or assessed property owner to submit an objection pursuant to paragraph 4 of this subsection D.
- (2) Post on its internet website a written basis for the fee, charge, or assessment, such as a cost of service analysis or an engineer's report, and include a link to the internet website in the written notice of the Hearing, including, but not limited to, a notice pursuant to subdivision (c) of Section 4 or paragraph (1) of subdivision (a) of Section 6 of Article XIII D of the California Constitution.
- (3) Mail the written basis described in paragraph 2 of this subsection D to a ratepayer or property owner on request.
- (4) Provide at least 45 days for a ratepayer or assessed property owner to review the proposed fee or assessment and to timely submit to the City Clerk a written objection to that fee, charge, or assessment that specifies the grounds for alleging noncompliance. Any objection shall be submitted before the end of the public comment portion of a Hearing on the rate, charge or assessment.
- (5) Include in a written notice of the Hearing, a statement in bold-faced type of 12 points or larger:
 - (A) That all written objections must be submitted to the City Clerk by the end of public comment period at the Hearing and that a failure to timely object in writing bars any right to challenge that fee, charge, or assessment in court and that any such action will be limited to issues identified in such objections.
 - (B) All substantive and procedural requirements for submitting an objection to the proposed fee, charge, or assessment such as those specified for a property-related fee under California Constitution, article XIII D, section 6(a) or for an assessment on real property under California Constitution, article XIII D, section 4(e).
- E. Council Consideration; City Responses. Before or during the Hearing, the City Council shall consider and the City shall respond in writing to, any timely written objections. The City Council may adjourn the Hearing to another date if necessary to respond to comments received after the agenda is posted for the meeting at which the Hearing occurs. The City's responses shall explain the

substantive basis for retaining or altering the proposed fee, charge, or assessment in response to written objections, including any reasons to reject requested amendments.

- F. City Council Determinations. The City Council, in exercising its legislative discretion, shall determine whether:
- (1) The written objections and the City's response warrant clarifications to the proposed fee, charge, or assessment.
 - (2) To reduce the proposed fee, charge or assessment.
- (3) To further review the proposed fee, charge, or assessment before determining whether clarification or reduction is needed.
 - (4) To proceed with the Hearing, to continue it, or to abandon the proposal.

SECTION 3. CEQA FINDINGS. The City Council finds that adoption of this Ordinance is exempt from CEQA because: (i) it is not a project within the meaning of Public Resources Code, section 21065 because it has no potential to alter the physical environment; (ii) and pursuant to CEQA Guidelines section 15061(b)(3), the so-called "common sense" exemption, for this same reason.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect 30 days after its adoption pursuant to Government Code section 36937.

SECTION 6. PUBLICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published pursuant to Government Code section 36933.

| INTRODUCED | and first read | at a regula | r meeting | of the City | Council | on the |
|------------|----------------|-------------|-----------|-------------|---------|--------|
| day of | _ 2024. | | | | | |

| FINAL PASSAGE AND ADOPTION at a meeting held on the day of | by the City Council of the City of Colfax 2024, by the following vote: |
|--|--|
| AYES: | |
| NOES: | |
| ABSENT: | |
| ABSTAINING: | |
| | Kim A. Douglass, Mayor |
| APPROVED AS TO FORM: | ATTEST: |
| Conor W. Harkins, City Attorney | Amanda Ahre, City Clerk |