City Council Meeting

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA

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

REGULAR MEETING AGENDA

October 28, 2026
Open 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.

While the City makes every effort to allow public participation in City Council meetings via Zoom and Facebook Live as described above, we cannot guarantee these services will be accessible. We encourage interested members of the public to submit written comments in advance of the meeting or attend the meeting in person.

1 OPEN SESSION

1A. Call Open Session to Order

1B. Pledge of Allegiance

1C. Roll Call

1D. 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.

1E. Statement of Conflict of Interest

2 CONSENT CALENDAR

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: By motion, approve the Consent Calendar.

2A. City Projects Report (Pages 5-8)
Recommended Action: Accept report.

2B. Minutes – October 14, 2026 Regular Meeting (Pages 9-15)
Recommended Action: Approve the Colfax City Council minutes dated October 14, 2026 (Regular Meeting)

2C. Electronic Signature Policy (Pages 16-20)
Recommended Action: Adopt Resolution ___ - 2026 approving Electronic Signature Use Policy

2D. City Policy, Event Donation (Pages 21-31)
Recommended Action: Adopt Resolution ___-2026 Approving Policies and Procedures for Event Donations.

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

3 AGENCY REPORTS -

3A. Placer County Sheriff's Office

3B. California Highway Patrol

3C. Placer County Fire Department/CALFIRE

3D. Caltrans

3E. Non-Profits

4 PRESENTATIONS

5 PUBLIC HEARING –

6 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 five (5) minutes per speaker. Written comments should not exceed 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.

7 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.

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

7B. City Operations Update – City Manager

8 UNFINISHED COUNCIL BUSINESS

Any agenda items not acted on during a previous City Council meeting appear here.

9 COUNCIL BUSINESS

(Pages 32-37)

9A Amendment to Conditions Requiring Clearing and Testing of Building Sewer Laterals
Recommended Action: Adopt Recommended Amendments to Colfax Municipal Code Chapter 13.08

(Pages 38-44)

9B. Council Compensation Ordinance Update
Recommended Action: Review, Discuss, and Direct Staff

(Pages 45-46)

9C. Reconsider December 12, 2026 Firework funding
Recommended Action: Adopt Resolution No. ___-2026 authorizing the City Manager to allocate $8,000 to the Colfax 3rd of July nonprofit organization for the purchase and display of fireworks in conjunction with the City's Winterfest celebration, traditionally held in December

(Pages 47-119)

9D Cal-OES Compliance Assessment for the FEMA Home Hardening and Defensible Space Program
Recommended Action: (1) adopt Resolution No. ___-2026 adopting the City of Colfax Federal Awards Conflict of Interest and Standards of Conduct Policy; (2) approve Amendment No. 2 to the Agreement for Consultant Services with 4LEAF, Inc., incorporating the federally required Certification Regarding Lobbying (Byrd Anti-Lobbying Amendment), and authorize the City Manager to execute the Amendment in a form approved by the City Attorney; (3) approve the Federal Procurement Compliance Checklist and direct staff to implement it, with associated staff training, for all procurements funded in whole or in part with federal funds; and (4) ratify the City Manager's submittal of the City's Corrective Action Plan to Cal OES and authorize the City Manager to transmit the adopted Resolution, executed Amendment No. 2 and Certification, and training documentation to Cal OES and to take such further actions as are necessary to close the findings.

10 FUTURE ADENDA ITEM REQUESTS

11 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.

11A. 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.

12 CLOSED SESSION (NONE)

13 **ADJOURNMENT**

I, Gabrielle Christakes, City Clerk for the City of Colfax, declare that this agenda was posted October 23, 2026 in accordance with the Brown Act at Colfax City Hall, Colfax Post Office United States. The agenda is also available on the City website at http://colfax-ca.gov/



Gabrielle Christakes, City Clerk

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.

Staff Report to City Council

FOR OCTOBER 28, 2026 REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager
Prepared by: Ron Walker, City Manager
Subject: City Projects Report

Budget Impact Overview:

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

RECOMMENDED ACTION: Accept report.

Summary/Background

The following is a list of projects, by department, which have either been completed or are in progress.

Week of October 4 - 10, 2026

City Manager

- Worked with City Clerk on City Council Agenda.
- Caboose relocation meeting
- Coordinate Highschool Banner Hanging.
- Met with GSPC representatives to discuss signage.

Planning Department

- Need to schedule second reading for PQP zoning amendment- probably November 11. Prepared hearing notice/staff report.
- Draft historic district resources map.
- Zoning inquiries.

Maintenance Department

- Mowed and edged all City parks.
- Applied fertilizer to Arbor Park and the Depot grass area.
- Cleaned out the splash pad storage room and painted the walls to cover graffiti.
- Removed the old channelizers and reflectors at the roundabout. Painted the ends yellow and installed new channelizers and reflectors.
- Provided traffic control for Wastewater operations while sewer lines were jetted along N. Main St.
- Installed a plaque at the ballpark.
- Completed multiple 811 utility locates.

Wastewater Treatment Plant/Sewer

- Out of the Office.

City Clerk

- CivicPlus Agenda creation.
- CDBG Public Hearing Affidavit of Posting

  - 5 locations w/pictures.
- PRA – ADA w/City Attorney.
- PRA – Building Permits.
- PRA – Paving Moratorium.
- PRA – Uncashed checks.
- Agenda Prep and Posting.
- Halloween Decorating Contest flyer.

Administrative Services

- Reviewed and approved accounts payable batch in Tyler.
- Reviewed and approved cashiering batch in Tyler. Reviewed and approved cashiering batch for UB in Fund balance.
- Reviewed and approved weekly banking deposit.
- Worked with Gavin (Tyler) and RGS consultant (Heather) on accounts receivable configuration in Tyler. Processed invoice in Tyler.
- Attended Local Streets and Roads Program technical training for FY 2025-26.
- Attended Tyler conversion bi-weekly status update with Matthew (Tyler) and RGS (Heather) to review milestones reached, budget and ongoing training update with due dates for completion.
- Posted multiple month end journal entries for all ACH debits and credits for September 2026 in preparation to reconcile the general checking account in Tyler.
- Completed bank reconciliations for the general checking account, LAIF and USDA in Tyler. All accounts balanced.
- Worked with the EPL attorney drafting an updated letter to employee addressing ongoing HR issue.
- Continued working on accounts GL modifications to the chart of the accounts as items came up during Cecelia posting accounts payable and cashiering batches.
- Worked with employee's on health plan changes for open enrollment.

Engineering

- Emails and general coordination; complaints; public records request
- Review and comment on Ordinance 13.08.520
- AMTRAK project coordination
- Skatepark closeout and change order coordination
- Sewer evaluation
- Caboose relocation meeting
- Encroachment permits and coordination with PW staff
- Caboose relocation coordination

Building/Code Enforcement

- Following up on the Notice of Violations. Majority have been completed.
- Reviewing skate park contract to very change orders issued to the city.
- Inspected excavation and rebar at 233 Hwy 174 for the new sign pole.
- Shear inspection of new dwelling at the top of Hunter Ln

Week of October 11 - 17, 2026

City Manager

- Worked with City Clerk on City Council Agenda.
- Attended City Council Meeting.
- Meeting with the City Attorney.
- Caboose Relocation project.
- Met with City Attorney to discuss future Council Agenda Items.

Planning Department

- Review of draft municipal services review report
- Follow up on A&A concrete noise violation- substantial research on conditional use permit approvals
- Zoning/lot split inquires.

Maintenance Department

- Mowed and edged all City parks.
- Completed multiple 811 utility locates.
- Worked on the Caboose pad area.

Wastewater Treatment Plant/Sewer

- No issues in collection system.
- Lift station 3 pump 2 trouble shooting. New pump and cradle needed.
- Lift station 1 soft start repaired and back online.
- Lift Station 2 lag pumps air locked. Crew is troubleshooting issues
- Processing water out of pond 3. Pond has 8.6 Mg left

City Clerk

- Finished ADA PRA w/attorney
- Posted Halloween decorations flyers
- 5 Resolutions/1Ordinance prep for meeting
- Council Meeting

Administrative Services

- Reviewed and approved cashiering batch in Tyler. Reviewed and approved cashiering batch for UB in Fund balance.
- Ran end of day process in Tyler for cashiering batch and reviewed and approved weekly deposit.
- Posted payroll journal entry from FB to Tyler for pay date 10/09/2026.
- Attended ERP Pro 10 HRM Employee Access Pro configuration, payroll timecard module.
- Completed 3rd and 4th quarter FY 25/26 Strong Motion Instrumentation and Seismic Hazard Mapping and submitted check request for payment.
- Completed 3rd and 4th quarter FY 25/26 business license fee collection reporting and submitted check request for payment.
- Worked with the EPL attorney to address employee ongoing HR issue.

- Continued working on accounts GL modifications to the chart of the accounts as items came up during Cecelia posting accounts payable and cashiering batches.
- Continued to work with employees on health plan changes for open enrollment.
- Completed 2nd, 3rd and 4th quarter FY 25/26 green fee reporting from permit payment collections and submitted check request for payment.
- Attended ERP Pro 10 Configuration Part 1 & Part 2 for human resource management and payroll module.
- Worked with Tyler on check printing errors, MICR line not printing on checks.

Engineering

- Emails and general coordination; complaints.
- AMTRAK project coordination.
- Caboose relocation field coordination and research records.
- CDBG closeout coordination, meeting, and NOC at council meeting.
- Encroachment permits and coordination with PW staff.
- Review and comment on Draft Colfax Suburban Pines report (LAFCO).

Building/Code Enforcement

- Following up on the Notice of Violations. Majority have been completed. New complaints of various types of violations.
- Sewer lateral inspections, roof inspections and solar reviews.
- 1116 Sierra Oaks: Reviewed corrections of plans and prepared documents and sent to BV for review.
- Garage conversion to JADU at 406 N. Main St.: Another partial footing poured under the perimeter. Inspected the next footing.
- 47 Gearhart: Inspected plans and prepared documents and sent to BV for review.
- Reviewed electrical plans for the new location for the caboose.

City Council Meeting

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA

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

DRAFT REGULAR MEETING MINUTES

October 14, 2026
Open Session 6:00 PM

1 OPEN SESSION

1A. Call Open Session to Order

The October 14, 2026 City of Colfax City Council was called to order at 6:00 p.m. by Mayor McCully.

1B. Pledge of Allegiance

1C. Roll Call

Present: Councilmembers Douglass, Councilmember Lomen, Mayor Pro Tem Hillberg and Mayor McCully

Absent: Councilmember Burruss

1D. 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.

Action: With a Motion by Councilmember Lomen and a second by Councilmember Douglass, Council voted 4/0 to approve Agenda Order

Ayes: Councilmembers Douglass, Lomen, Mayor Pro Tem Hillberg and Mayor McCully

Noes: None

Abstain: None

Absent: Councilmember Burruss

1E. Statement of Conflict of Interest

No new conflicts were identified by the Council or the public.

CONSENT CALENDAR

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 May

Action: With a Motion by Councilmember Lomen and a second by Mayor Pro Tem Hillberg voted 4-0 approving the Consent Calendar 2A-2C

Ayes: Councilmembers Lomen, Douglass, Mayor Pro Tem Larry Hillberg and Mayor Caroline McCully

Noes: None

Abstain: None

Absent: Councilmember Burruss

Mayor Pro Tem Hillberg requested that Item 2D be pulled from the Consent Calendar for separate consideration. Following discussion, Council took separate action on the item

Action: With a Motion by Mayor Pro Tem Hillberg and a second by Councilmember Lomen voted 4-0 approving the Consent Calendar Item 2D, adopting Ordinance 566

Ayes: Councilmembers Lomen, Douglass, Mayor Pro Tem Larry Hillberg and Mayor Caroline McCully

Noes: None

Abstain: None

Absent: Councilmember Burruss

No comment received from members of the public.

2A. City Projects Report
Recommended Action: Accept report.

2B. Minutes – September 23, 2026 Regular Meeting
Recommended Action: Approve the Colfax City Council minutes dated September 23, 2026 (Regular Meeting)

2C. Prop 64 Evaluator Professional Services Agreement
Recommended Action: Adopt Resolution __-2026 authorizing the City Manager, or designee, to execute a Professional Services Agreement with Mulholland Research and Evaluation Services to conduct the Level One Evaluation required by the Board of State and Community Corrections (BSCC) for Proposition 64 Cohort 4 Grant.

2D. Amendment of Noise Ordinance
Recommended Action:
Consider adopting Ordinance No. of the City of Colfax Municipal Code Regarding Noise Regulations, Introduced at the City Council meeting of September 23, 2026
Recommended Action: Waive further reading and adopt Ordinance No. 566

3 AGENCY REPORTS

3A. Placer County Sheriff's Office

Sgt. Tobi Williams reported:

- 133 Calls for service; 18 were transient-related, 70 were deputy-initiated, and 66 were initiated by members of the public. Down 40 calls from last month
- 33 traffic stops, 18 received citations

Public comments received

3B. California Highway Patrol –

Officer Jason Lyman, Gold Run Public Information Officer

Friday is his last day as he is retiring. Officer Dave Lloyd will be taking his spot

- 2103 enforcement contacts. 1376 citations issued. 725 warnings
- 479 motorist services, 15 arrests of which 8 were DUI-related.
- 38 collisions, 31 property damage only, 7 had injuries related
- Continuing ongoing construction. 20/80 bridge will not be completed this year. Work will continue weather permitting.

No Public comment received

3C. Placer County Fire Department/CALFIRE

Ryan Burgard, Battalion 5311Chief of CALFIRE/Placer County Fire Department

Moving to Auburn. Battalion Chief Joshpae White will be replacing him

- Colfax station responded to 78 incidents
- Sent out 5 engines to Humboldt County to assist but backfilled immediately.

Public comment received

3D. Caltrans – No representatives in attendance

3E. Non-Profits – No non-profits reported out

4 PRESENTATIONS

- 3rd of July – Caroline Presson

5 PUBLIC HEARING –

CDGB Road Rehabilitation Project Closeout

Action: With a Motion by Councilmember Lomen and a second by Councilmember Douglass voted 4-0 approving the submittal of final report to HCD for closeout and adopt Resolution 42-2026 authorizing City Clerk to file NOC (Notice of Completion) with Placer County Recorder

Ayes: Councilmembers Lomen, Douglass, Mayor Pro Tem Larry Hillberg and Mayor Caroline McCully

Noes: None

Abstain: None

Absent: Councilmember Burruss

6 PUBLIC COMMENT

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.

- Larry Hillberg – has concerns with the skatepark.
- Travis (ZOOM) Congratulations on the skatepark
- Jane (ZOOM) advised us the public microphone was off.
- Skip Shariff commented on how well the concert series were.
- Tim Ryan also commented on how well the Concert series was

7 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.

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

Councilmember Lomen:

- Attended Placer FireWise Council meeting. General updates were received and the FireWise Community and Recertification meeting. All the fireworks communities got together to redo their annual paperwork
- Skatepark Grand Opening. It was an epic event.

- Attended Pioneer Energy Procurement Review meeting.

Councilmember Douglass:

- Did not attend any Commissions or Committees but did attend the music festival on Saturday and thoroughly enjoyed it.

Mayor Pro Tem Hillberg: Attended the music event, and it was pretty spectacular

- Bianchini board has a meeting next week and is putting together a substantial grant. It will transform the Sierra Vista Center

Councilmember Burruss: Not in attendance

Mayor McCully:

- Attended Colfax Hotels show and tell meeting. Someone brought in old pictures and they were fascinating to flip through.
- Attended the opening of the skatepark.
- Attended the Soroptimist Regional Dinner. This was a whole weekend event and had members all the way from Sacramento and further.
- Attended the American Legion First Response Dinner, which is always fun to be able to give a little break and honor our first responders.
- Attended the Placer County Air District Control Board meeting. They have a grant program that helps to change out your wood stove. Funding is available that you can get a certified wood-burning appliance or an electric heater and an electric heat pump.
- Held Town Hall meeting on November 8th.
- Attended Placer County time capsule ceremony. A 3,200-pound safe was filled with things from all over the region.

City Operations Update – City Manager

- Attended CalOES meeting for the FEMA grant
- Attended the moving the caboose meeting.
- Attended the skatepark grand opening.
- Maintenance Department spent a lot of time cleaning the City and kept up their ongoing pothole filling throughout the town.

8 UNFINISHED COUNCIL BUSINESS

8A. Draft City Policy Regarding Event Donation

Recommended Action: Review, Discuss, and Provide Direction

Direction provided to bring back to next meeting on Consent with Resolution

9 COUNCIL BUSINESS

9A. Reschedule November's Meeting

Recommended Action: Review, Discuss, and Provide Direction

Action: With a motion by Councilmember Lomen and a second by Councilmember Douglass voted 4-0 to approve Resolution 41-2026 moving the November 11, 2026 meeting to November 18, 2026

Ayes: Councilmembers Lomen, Douglass, Mayor Pro Tem Larry Hillberg and Mayor Caroline McCully

Noes: None

Abstain: None

Absent: Councilmember Burruss

9B. Request of funding for Fireworks for December 12th.

Recommended Action: Adopt Resolution No. ___-2026 authorizing the City Manager to allocate $8,000 to the Colfax 3rd of July nonprofit organization for the purchase and display of fireworks in conjunction with the City's Winterfest celebration, traditionally held in December.

Councilmember Lomen made a motion to approve allocating $8,000 for fireworks in conjunction with the City's December 12, 20206 celebrations

The motion did not receive a second and therefore was not considered by the Council. Mayor Pro Teem Hillberg and Councilmember Douglass expressed opposition to the proposed action

Motion failed.

9C. Colfax Railroad Heritage Park Non-Profit Organization's Caboose Relocation Project

Recommended Action: Adopt Resolution ___-2026 authorizing the Colfax Railroad Heritage Park nonprofit organization to relocate the caboose from its current location at the corner of Grass Valley Street and Main Street to the Depot Park area, adjacent to and parallel with the Amtrak platform, and provide staff and equipment to assist with the move

Action: With a motion by Councilmember Douglass and a second by Councilmember Lomen voted 4-0 to approve Resolution 42-2026 authorizing Colfax Railroad Heritage Park nonprofit to relocate the caboose

Ayes: Councilmembers Lomen, Douglass Mayor Pro Tem Larry Hillberg and Mayor Caroline McCully

Noes: None

Abstain: None

Absent: Councilmember Burruss

10 FUTURE ADENDA ITEM REQUESTS

None

11 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.

- Councilmember Lomen –
  - Pioneer Community Energy board meeting at new facility in Rocklin.
  - October 22nd FireWise meeting will be here at City Hall
- Councilmember Douglass –
  - Commented on fireworks.
- Mayor Pro Tem Hillberg –
  - Had a concern about fireworks back on the agenda.
- Mayor McCully –
  - Colfax Cornhole grand slam happening at the ballpark on the 24th
  - Disappointed that Item 9B did not pass.
- City Manager- Nothing for Good of the Order.

11A. 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.

Public Comment received on Good of the Order.

12 CLOSED SESSION

No closed session items

13 ADJOURNMENT

The October 14, 2026 City of Colfax City Council was adjourned at 8:30 p.m. by Mayor McCully.

_____

Gabrielle Christakes, City Clerk

Staff Report to City Council

FOR THE OCTOBER 28, 2026 REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager
Prepared by: Sara Lopez, City Attorney
Subject: Electronic Signature Policy

Budget Impact Overview:

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

RECOMMENDED ACTION: Adopt Resolution ___-2026 approving Electronic Signature Use Policy

Summary/Background

Electronic signatures are commonly used by public agencies to streamline document processing, reduce paper use, and facilitate timely execution of official documents. Recent amendments to Government Code section 36932 clarify the City Clerk's authority to attest qualifying electronic or digital signatures on ordinances.

The proposed Electronic Signature Use Policy updates and formalizes City procedures for electronically signing ordinances, resolutions, contracts, and other authorized documents. It establishes standards for approving signature methods, verifying signer identity, preserving document integrity, and retaining signed records. The policy also addresses documents requiring special execution, notarization, or recording procedures.

Recommendations

Staff recommends adopting the resolution approving the policy and authorizing the City Manager and City Clerk, in consultation with the City Attorney, to implement it.

Attachments: Resolution ___ - 2026 approving Electronic Signature Use Policy.

DRAFT

CITY OF COLFAX

RESOLUTION NO. ____-2026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX ADOPTING AN ELECTRONIC SIGNATURE USE POLICY

WHEREAS, electronic signatures are commonly used by public agencies and private parties to execute documents, reduce paper use, and facilitate timely processing of official business; and

WHEREAS, California's Uniform Electronic Transactions Act (Civil Code sections 1633.1-1633.17), Government Code section 16.5, and the federal E-SIGN Act (15 U.S.C. sections 7001 et seq.) provide for the use and legal recognition of electronic signatures, subject to applicable requirements; and

WHEREAS, Government Code section 36932, as amended by Senate Bill 1514 and Senate Bill 858, clarifies the City Clerk's authority to attest qualifying electronic or digital signatures on ordinances and to presume their genuineness and attribution when statutory requirements are met; and

WHEREAS, these legal developments and the common use of electronic signature technology warrant updating and formalizing the City's procedures for electronic execution and attestation of ordinances, resolutions, contracts, and other authorized documents; and

WHEREAS, a written policy will establish consistent standards for approved signature methods, signer authentication, document integrity, legal exceptions, and retention of signed records and supporting evidence;

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

1. Adoption. The Electronic Signature Use Policy attached as Exhibit A is adopted and incorporated into this Resolution.

2. Implementation. The City Manager and City Clerk, in consultation with the City Attorney, are authorized to implement the policy and establish administrative procedures consistent with the Policy and applicable law. Substantive amendments to the Policy shall be submitted to the City Council for approval.

3. Existing Requirements. This Resolution does not alter authority to approve or sign documents or any applicable requirements for Council action, adoption, publication, notarization, or record retention.

4. Effective Date. This Resolution takes effect immediately upon adoption.

PASSED, APPROVED, AND ADOPTED

this 28th day of October, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Caroline McCully

Mayor, City of Colfax

ATTEST:

_____

Gabrielle Christakes

City Clerk, City of Colfax

APPROVED AS TO FORM:

_____

Sara Lopez

City Attorney, City of Colfax

EXHIBIT A

City of Colfax

Electronic Signature Use Policy

I. Purpose and Authority

The City may use and accept approved electronic signatures on ordinances, resolutions, contracts, forms, and other City documents when permitted by law. This policy is governed by Government Code sections 16.5 and 36932, the California Uniform Electronic Transactions Act (Civil Code sections 1633.1–1633.17), and the federal E-SIGN Act (15 U.S.C. sections 7001 et seq.).

II. Administration

The City Manager and City Clerk, in consultation with the City Attorney, shall administer this policy. The City Manager shall approve signature technologies and vendors. DocuSign or another platform may be approved after review of its security, authentication, document integrity, and retention capabilities. Use of a particular platform does not by itself establish legal compliance. The City Clerk shall establish procedures for execution and attestation of City records. This policy does not confer authority to approve a transaction or sign a document on a person who otherwise lacks that authority.

III. Signature Requirements

The City encourages the use and acceptance of electronic signatures in internal and external activities, documents, and transactions when operationally feasible, legally permissible, and approved under this policy. Approved document categories include resolutions, ordinances, contracts, administrative forms, and clerk attestations, subject to any document-specific legal requirements.

The signer must intend to sign, and the signature must be attributable to the signer and attached to or logically associated with the signed record. Parties to transactions governed by UETA must agree to transact electronically. Required consumer disclosures and consent shall be obtained when applicable under 15 U.S.C. section 7001(c). Each signer shall use approved authentication and shall not share signing credentials or apply another person's signature. To the extent permitted by law, the City accepts approved electronic signatures as legally binding and equivalent to handwritten signatures. Parties to covered transactions must agree to transact electronically and must be able to retain an accurately reproduced signed record. The City retains the option to conduct a transaction on paper or require a handwritten signature when appropriate.

IV. Ordinances Resolutions and Attestations

The Mayor may sign ordinances electronically, and the City Clerk shall attest them. Under Government Code section 36932, the Clerk may presume an electronic or digital signature is genuine and attributable to the signer if it complies with section 16.5(a): it is unique to the signer, verifiable, under the signer's sole control, linked to the record so changes invalidate the

signature, and compliant with Secretary of State regulations. Other legally valid attestations remain permitted.

Resolutions and other authorized documents may also be signed and attested electronically. This policy does not change who may approve or sign a document or any required Council action, hearing, publication, or other adoption procedure.

V. Exceptions

Electronic signatures shall not be used where prohibited by law or where the approved method cannot meet applicable requirements. Before electronically signing deeds, easements, other instruments affecting title, or notarized documents, the City Attorney and City Clerk shall confirm applicable execution, notarization, recording, and recipient requirements. Remote notarization may be used only when authorized by applicable law. The City may require handwritten signatures when appropriate.

VI. Records

The City Clerk shall ensure that final signed documents and available completion certificates, audit trails, and authentication records are retained in an approved repository, remain accessible and reproducible, and can be retrieved if vendor services end. Retention shall comply with applicable law, the City's retention schedule, and litigation holds. This policy does not independently authorize destruction of paper originals.

Adopted October 28, 2026

Staff Report to City Council

FOR THE OCOTBER 28, 2026 REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager
Prepared by: Ron Walker, City Manager
Subject: City Policy for Event Donation

Budget Impact Overview:

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

RECOMMENDED ACTION: Adopt Resolution ___-2026 Approving Policies and Procedures for Event Donations.

Summary/Background

To ensure accountability, fairness, and consistency, City staff, under the direction of the City Council, will develop and implement a City policy governing event donations. Staff reviewed the City of Sacramento's event support program and guidelines and used the documents as a template for the city.

On October 14, 2026, the City Council completed its final review of the proposed policy and directed staff to bring the policy back for placement on the consent calendar at the October 28, 2026, City Council meeting for formal adoption.

On September 23, 2026, this item was again discussed with the City Council, and staff revived additional directions for document revisions.

On September 9, 2026, this item was discussed with the City Council, and staff revived directions for document revisions.

Attachments:

1. Special Event Support Program Guidelines
2. Special Event Support Program Application

City of Colfax
City Council

Resolution № __-2026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX APPROVING POLICIES AND PROCEDURES FOR EVENT DONOATIONS.

WHEREAS, to ensure accountability, fairness, and consistency in the allocation of event donations, City staff, under the direction of the City Council, developed a policy governing such donations; and,

WHEREAS, on September 9, September 23, and October 14, 2026, the City Council reviewed drafts of the proposed policy and provided direction regarding revisions; and,

WHEREAS, on October 14, 2026, the City Council completed its final review of the proposed policy and directed staff to bring the policy back for placement on the consent calendar at the October 28, 2026, City Council meeting for final adoption; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Colfax that the final version of the Events Policy is hereby approved and adopted.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on October 28, 2026, by the following vote of the Council:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Caroline McCully, Mayor

ATTEST:

_____
Gabrielle Christakes, City Clerk

City of Colfax
CITY SPECIAL EVENT SUPPORT PROGRAM
City Hall
33 South Main Street
Colfax Ca, 95713
530-346-2313

Application Instructions

Applications will become the property of the City of Colfax. Incomplete applications may not be processed. Email a completed application to:

city.clerk@colfax-ca.gov

Include the event name in the email subject line

Applications will be accepted on a continuous basis. Applications must be submitted no less than 20 calendar days prior to the event date for consideration by the city. The City encourages interested parties to submit applications as soon as possible.

The City of Colfax reserves the right to limit the number of program awards at its sole discretion.

Questions concerning the program may be directed to

Gabrielle Christakes
City Clerk
Gabrielle.christakes@colfax-ca.gov

STOP!

Review the program boundary map on the following page to verify that the location of your event is within the program boundary. Applications for events outside the program boundary cannot be accepted.


POUNDS CT
EPOT ST
KNEELAND ST
Y ST
S MAIN ST
MARVIN AVE
HURCH ST
Arbor Park
E CHURCH ST
S FORESTHILL ST
V OAK ST
E OAK ST
AN ST
AVE
N FORESTHIL

City of Colfax
CITY SPECIAL EVENT SUPPORT PROGRAM
City Hall
33 South Main Street
Colfax Ca, 95713
530-346-2313

Request for support application

PLEASE SUBMIT THE FOLLOWING "EVENT-ONLY" INFORMATION WITH THIS APPLICATION

1. A full and complete Revenue and Expense Budget
2. A full and complete Business Plan
3. A full and complete Marketing plan
4. A full and complete Logistics Plan
5. A full and complete list of services requested by the City of Colfax staff.
6. Copy of 501(c) (3)(6) or other not-for-profit tax status, if applicable
7. Note: Past recipients must submit a post event report before any new applications will be reviewed.
8. Note: Incomplete application may not be processed.

The undersigned hereinafter referred to as the APPLICANT, hereby makes an application to request funding support to the CITY OF COLFAX SPECIAL EVENT SUPPORT PROGRAM as noted below on the dates(s) here specified for the purpose(s) indicated. All applications are subject to approval by the presiding panel of the CITY OF COLFAX SPECIAL EVENT SUPPORT PROGRAM.

1. Funding is awarded for the following:
    a. Direct services provided by the City of Colfax staff; and/or,
    b. Eligible event costs that exceed City services support, as determined by a screening panel of the City of Colfax special event support program.
2. Funding for City Services are the first priority for funding through this program.

TODAY'S DATE: Click or tap here to enter text.
COMPANY/ORGANIZATION: Click or tap here to enter text.
CONTACT NAME: Click or tap here to enter text.
ADDRESS: Click or tap here to enter text.
TELEPHONE NUMBER: Click or tap here to enter text.
EMIAL ADDRESS: Click or tap here to enter text.

COMPANY/ORGANIZATION STATUS: FORM OF BUSINESS ENTITY: CHECK MARK BOX	INSERT INFORMATION

☐	NON-PROFIT (copy of 501 (c)(3)(6) OR OTHER NOT FOR PROFIT TAX STATUS REQUIRED		FEDERAL ID#	Click or tap here to enter text.
☐	COMPANY		STATE REGISTERED ID#	Click or tap here to enter text.
☐	PARTNERSHIP		Business Operations Tax Certificate ID# or Exempt	Click or tap here to enter text.
☐	SOLE PROPRIETORSHIP		DATE COMPANY ESTABLISHED:	Click or tap here to enter text.
☐	ASSOCIATION			Click or tap here to enter text.

CITY OF COLFAX SPECIAL EVENT SUPPORT PROGRAM
EVENT INFORMATION

Event Title: Click or tap here to enter text.	
Summary/Purpose of event: Click or tap here to enter text.	
Requested Date(s) of Event: Click or tap here to enter text.	
Days of the Week: Click or tap here to enter text.	
Event Hours: Click or tap here to enter text.	
Set-Up Time/Days: Click or tap here to enter text.	
Please list all performers and entertainment acts. Performers/entertainment acts may not be charged without prior approval of the City of Colfax Event(s) Program. Click or tap here to enter text.	
Estimated Attendance: Click or tap here to enter text.	
Tickets to be Sold Yes	Price Per Ticket: $Click or tap here to enter text.
Types of Requested City Services: Contact City Hall at 530-346-2313 or city.clerk@colfax-ca.gov for information regarding City requirements for Special Event Permits and estimated cost for City services	Estimated Cost
Parking for Street Closure, etc.	Click or tap here to enter text.
Sheriff Services	
Fire Services – CalFire	
Solid Waste for Bens, Dumpsters, Street Sweeping -	
Public Works for Electrical	
Other – Please Specify	
Sub-Total City Services Request:	Click or tap here to enter text.
Non-City Services Support Request	Estimated Costs:

CITY OF COLFAX SPECIAL EVENT SUPPORT PROGRAM REFERENCES

Please provide a list of up to four (4) of the most recent events you and/or your organization have produced in the City of Colfax in the last five (5) years; or if none within the City, outside of the City of Colfax.

EVENT NAME	BRIEFF DESCRIPTION OF EVENT	DATE/ATTENDANCE	REFERENCE NAME & CONTACT INFORMATION

Applicant hereby represents that he/she has made full and complete disclosure of all information, and that all of the above information and statements are true and correct. Applicant also hereby authorizes a representative of the City of Colfax Special Event Support Program to contact references and obtain information as related to this application. ***Please allow 20 working days for process of application.***

Applicants Name (print):
Applicants Signature:

Title:_____ Date: _____

This application form is subject to change by the City of Colfax at any time without notice.

Attached: Business Plan Logistics Plan Marketing Plan
List of Services provided by the City of Colfax Business Plan Checklist (Completed)

CITY OF COLFAX SPECIAL EVENT SUPPORT PROGRAM
Business Plan Checklist

This checklist must be submitted with the application package

FINANCIAL

Revenue Sources and Amounts for Entire Event ☐

Expense Budget ☐

Sponsorship Program ☐

Economic Impact on the Community
Hotel Room Nights (how will you measure) ☐

Visitor Spending
Tickets/Non-Ticketed Pricing ☐

Marketing

Attendance ☐

Media Plan ☐

PR Plan ☐

Marketing Plan ☐

Logistical

Location of Event ☐

Map of Event Boundaries ☐

Parking Needs

Proposed Location ☐

Partner Organizations ☐

Volunteer Program ☐

City of Colfax

Special Event Support Program Guidelines

I. Program Description

The City of Colfax Special Event Support Program is intended to incentivize the production of special events. The program assists special events from start-up through self-sufficiency within the Colfax downtown area (see Section VIII for boundaries).

Events must align with the City's goals by:

- Offering family-oriented themes, entertainment or activities;
- Showcasing Colfax's Historic Downtown, and regional identity;
- Promoting the City of Colfax, and/or;
- Generating economic benefit as determined by the City Manager, or their designee(s) in their sole discretion.

Two types of support are available:

A. City Services: Direct services provided by City staff.
B. Financial support directly related to an event.

II. Award Criteria

Applications will be evaluated on the following factors:

A. **Type of event** – New; Previous, Free or ticketed; family-oriented.
B. **Economic Impact** – Hotel room nights, visitor spending, local spending, operational spending, other.
C. **Community Involvement** – Volunteer programs, sponsorship programs, and identified partnerships.
D. **Media Exposure** – Television, print plan, internet, and social media strategies.
E. **Performance Rating** – Participants, spectators, media plan, and City support plans.
F. **Required Documents** – Business, marketing, financial, and logistics plans.
G. **Community Value** – image/recognition, spectator attendance, designation as a signature event.
H. **Event History** – Past success, reliability, delivery of comparable events.
I. **Type of Support Requested** – Financial, City Staff, or both.

III. Program Parameters

A. Only events within the designated geographic boundary (Section VII) are eligible in this program.
B. Unallocated City funds may be reserved for future application or special opportunities.
C. Priorities of Awards
    a. City Services through Program Funds;
    b. Financial support directly related to an event.
    c. Free admission events over ticketed events.
D. Funding may be revoked if:
    a. The event fails to take place on the scheduled date(s); or
    b. The event application falsifies information.
E. Additional information may be requested by the City Manager's office at any stage. Failure to provide information will result in rejection of the application for the funding cycle it was originally submitted.
F. Applicants must be registered and in good standing with the City of Colfax, California Secretary of State, Franchise Tax Board, and (if applicable) the Attorney General prior to applying. Applications will be denied if the applicant is in arrears with the City of Colfax or not current on their Business Operations Tax.
G. Funding may be awarded for one or more events depending on scale. Continued support requires demonstration of event growth and alignment with Program goals.
H. Application Review:
    a. Media advertising of event and parking will be analyzed.
    b. Marketing plans must include media/public relations and provide pre and post event reporting. The applicant is responsible for the submission of a complete media report to the City.
    c. Financial submissions will be evaluated for break-even performance, profit carryover, and City cost recovery.
I. A detailed business plan may be requested at any time during the application process. All elements will be carefully reviewed, including cost, economic impact, and traffic, among other elements.
J. The City Manager, or their designee(s), may reject an application in their sole discretion, reserve funds for events expected to deliver the greatest community or economic benefit to the City of Colfax, as determined by the City Manager, or their designee(s), in their sole discretion.

IV. Application Process

a. Applicants must submit the required documentation during the designated application period prior to the desired event date. Applicants will be notified of their status following committee review.
   Application announcements will be made via the City's webpage; https//Colfax-ca.gov

V. Post-Event Review and Analysis

a. The approved applicants must submit a detailed post-event report within 30 days after the event. The report may include, but is not limited to, the following:

   - Economic and/or social impact;
   - Hotel occupancy levels;
   - Incident logs;
   - Financial summary) actual revenues and expenses);
   - Spectator attendance

b. Approved applicants must maintain a media log and affidavit for all paid and unpaid advertising.
c. The City of Colfax may conduct an annual review/audit to confirm the event continues to meet Program criteria.

VI. Amendments. Program guidelines may be amended at any time by the City Council to improve the program delivery.

Staff Report to City Council

FOR THE OCTOBER 28, 2026 REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager
Prepared by: Sara Lopez, City Attorney
Subject: Amendment to Conditions Requiring Clearing and Testing of Building Sewer Laterals

Budget Impact Overview:

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

RECOMMENDED ACTION: Adopted Recommended Amendments to Colfax Municipal Code Chapter 13.08

Summary/Background

Colfax Municipal Code section 13.08.520(B)(2) governs testing of existing building sewer laterals. Under this section, "whenever property located in the city is remodeled or modified with an estimated or actual remodel or modification cost or value in excess of twenty thousand dollars ($20,000.00) as determined by the city. Before final building inspection, all repairs or replacements necessary to bring the building sewer lateral(s) serving the remodeled or modified premises into compliance shall be completed."

The $20,000 dollar amount that triggers a sewer lateral inspection was established in 2008 and has not been updated since. In an effort to remove some of the cost burden of remodeling and to account for inflation, staff proposes changing the applicable trigger from rough order of magnitude project valuation to remodels or improvements that impact more than 400 square feet or more of habitable space.

We recommend using square footage as the trigger for a sewer inspection because it is more closely related to sewer impacts, avoids inflation and the need for updates for changes in construction costs, is predictable for property owners, and avoids penalizing low-impact remodels. The 400 square foot threshold is consistent with sewer inspection ordinances in other cities that provide sewer services. For example, Santa Barbara uses a trigger of 400 square feet for residential additions or new improvement; Hillsborough uses remodeling or renovating of more than 1,500 square feet; and Mountain View uses 600 square feet for new ADUs. Other similar concepts include Costa Mesa Sanitary District uses a 200 square feet for additions, but retains a separate trigger project valuation trigger for remodels; and Millbrae requires new inspection when 25% of a structure's square footage is altered or enlarged. Many cities also include a separate trigger for additional plumbing fixtures, which is already encompassed in CMC Chapter 13.08.520B(1): "The installation of additional plumbing facilities that produce a major increase, in the judgment of the city, in sewage flow from the house, building, property or other structure served".

Fiscal Impact

Staff time

Recommendations

Staff recommends the City Council introduce and waive further reading of the proposed ordinance amending Colfax Municipal Code Section 13.08.520(B)(2) to replace the $20,000 project valuation threshold with a threshold of 400 square feet or more of habitable space, and schedule the ordinance for second reading and adoption at the next regular City Council meeting.

Attachments: Ordinance__ Amending Municipal Code Section 13.08.520

DRAFT

ORDINANCE NO. _____
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLFAX AMENDING SECTION 13.08.520 OF CHAPTER 13.08 OF THE COLFAX MUNICIPAL CODE RELATING TO TESTING OF EXISTING BUILDING SEWER LATERALS

WHEREAS, Municipal Code Section 13.08.520(B)(2) governs testing of existing building sewer laterals, and provides that "whenever property located in the city is remodeled or modified with an estimated or actual remodel or modification cost or value in excess of twenty thousand dollars ($20,000.00) as determined by the city";

WHEREAS, construction costs may vary substantially based upon labor costs, materials, finishes, market conditions, contractor pricing, and other factors that do not necessarily correspond to the amount of additional building area or the potential impact of the project on the City's sanitary sewer system;

WHEREAS, a square-footage threshold can be determined objectively from approved building plans and provides property owners, contractors, and City staff with a clear and predictable standard for determining when an inspection is required; and

WHEREAS, the City Council finds that requiring inspection when a residential project adds more than 400 square feet of habitable floor area provides a reasonable means of identifying substantial additions while avoiding inspection requirements for minor improvements that are unlikely, standing alone, to warrant inspection of the existing sewer lateral;

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

SECTION 1. RECITALS.

The City Council finds that the foregoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. CODE AMENDMENT.

Section 13.08.520(B)(2) of the Colfax Municipal Code is hereby amended and restated as set forth in Exhibit A attached to this ordinance and incorporated herein by reference, with additions in underline and deletions in strikethrough.

SECTION 3. SEVERABILITY.

If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance, or its application to any person or circumstance, is for any reason held invalid or unconstitutional by the final decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances. The

City Council declares that it would have adopted this ordinance and each section, subsection, paragraph, sentence, clause, phrase, and portion thereof irrespective of the invalidity of any other portion, and irrespective of the invalidity of its application to any person or circumstance.

SECTION 4. CEQA.

The City Council finds that adoption of this ordinance is not a "project" within the meaning of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the CEQA Guidelines, because it has no potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines section 15060, subdivisions (c)(2) and (c)(3).

SECTION 5. EFFECTIVE DATE AND PUBLICATION.

This ordinance shall take effect thirty (30) days after its adoption. Within fifteen (15) days after adoption, the City Clerk shall cause this ordinance, or a summary thereof, to be published once in a newspaper of general circulation published and circulated in the City, in accordance with Government Code Section 36933, or shall cause it to be posted as otherwise authorized by law.

PASSED, APPROVED, AND ADOPTED
this 28th day of October 2026, by the following vote:
AYES:
NOES:
ABSENT:
ABSTAIN:

SIGNED:

ATTEST:

_____
Caroline McCully
Mayor, City of Colfax

_____
Gabrielle Christakes
City Clerk, City of Colfax

APPROVED AS TO FORM:

_____
Sara Lopez
City Attorney, City of Colfax

EXHIBIT A

B. Conditions Requiring Cleaning and Testing of Building Sewer Laterals. All building sewer laterals, including but not limited to those serving residential, multiple residential, industrial, retail and commercial properties connected to the city's public sewer main shall be cleaned and tested, at the property owner's expense, when any of the following events occur:

1. The installation of additional plumbing facilities that produce a major increase, in the judgment of the city, in sewage flow from the house, building, property or other structure served;

2. Whenever property located in the city is remodeled or modified with an estimated or actual remodel or modification ~~cost or value~~ in excess of ~~twenty thousand dollars ($20,000.00) as determined by the city~~ 400 square feet of habitable space. Before final building inspection, all repairs or replacements necessary to bring the building sewer lateral(s) serving the remodeled or modified premises into compliance shall be completed;

3. A change of use of the house, building, property or other structure served from residential to business, commercial, or other nonresidential, or from nonresidential/nonrestaurant/nonindustrial to restaurant or industrial uses such as carwashes, cleaners and laundries;

4. Upon repair or replacement of any portion of the building sewer lateral;

5. Upon a determination by the city that the cleaning, testing, repair or replacement is required for the protection of the public health, safety and welfare;

6. Prior to the close of escrow upon a sale or other transfer of the house, building, property or other structure served or, if there is no escrow, prior to recording a deed or other document transferring title to the house, building, property or other structure served;

7. In a probate or other testamentary proceeding or in the event of a transfer pursuant to the terms of a revocable living trust, joint tenancy termination or other similar instrument, within one hundred eighty (180) days after the sale, transfer or conveyance of the house, building, property or other structure connected to the city's public sewer main.

Staff Report to City Council

FOR THE OCTOBER 28, 2026 REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager
Prepared by: Sara C Lopez, City Attorney
Subject: Increasing Council Pay

Budget Impact Overview:

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

RECOMMENDED ACTION: Review, Discuss, and Direct Staff

Summary/Background

Colfax City Council compensation has not been meaningfully adjusted since 1997. Councilmembers receive $100 per month, and the Mayor receives $150 per month ($1200 - $1800 annually). Councilmembers may also receive $100 per year for serving on regional boards or committees. Colfax currently provides the lowest Councilmember compensation among the six incorporated cities and towns in Placer County. By comparison, Councilmember compensation in Auburn, Loomis, Lincoln, Rocklin and Roseville ranges from approximately $325 to $705 per month ($3,900 to $8,460 annually).

The disparity is particularly notable given the length of time since Colfax's compensation was last adjusted and the increased complexity of municipal governance, regulatory requirements, financial oversight, infrastructure responsibilities and community expectations that have developed over the intervening decades. Councilmembers are required to dedicated significant hours towards service. Additionally, the lack of compensation for Councilmembers disincentivizes new members from seeking election and participation in City governance.

In California, a city council can increase its own compensation, but there are specific statutory limits and procedural requirements. Council salaries are governed by Colfax Municipal Code section 2.24.030, and Government Code sections 36516 to 36516.5.

1. The Council may act by ordinance or vote of electors

Under Government Code § 36516, a city council may establish or increase councilmember salaries by ordinance without voter approval. The ordinance cannot establish automatic future increases. For cities with populations up to 35,000, the current cap on Council compensation (including committee stipends) is $950 per month ($11,400 annually). The cap applies to the Mayor's salary as well — no councilmember may receive more than $950 in total compensation, though the statute does not require all councilmembers to receive the same compensation.

2. Salary increases above $950 per month are limited

A council can increase compensation beyond the $950 per month to an amount up to the greater of:

- 5% for each calendar year since the operative date of the last salary adjustment; or
- The amount of inflation since January 1, 2024, based on the California Consumer Price Index, subject to a 10% per-calendar-year cap.

3. Salary details

Certain benefits are not counted as salary for purposes of the statutory limits, including retirement, health and welfare, and Social Security benefits, provided the same benefits are available to City employees. Reimbursement of actual and necessary expenses is also excluded. (See Council Policy 1-5.)

The increase does not take effect during the Councilmembers' current term. Per Government Code § 36516.5, a change in salary cannot become effective for a councilmember for the current term of office. However, because the city has staggered terms, an increase can therefore become applicable to all members when one or more members begins a new term.

For example, if the Council were to adopt an ordinance increasing Council compensation in 2026, the ordinance would not allow the sitting Councilmembers to immediately give themselves the increased salary for their current terms; however, the salary increase would become effective for all councilmembers upon the election or reelection of members for a new term.

4. There are specific public-meeting requirements

The Council must consider the ordinance in open session at a minimum of two regular Council meetings.

At the first meeting:

- The proposed ordinance must be presented.
- The ordinance must contain findings demonstrating the need for the increased compensation.
- The ordinance cannot be adopted at that meeting.

Then:

- At least seven days must pass.
- The Council holds the second meeting.
- The Council may then adopt the ordinance.

Council may consider increasing Councilmember salaries, per the above, and determine the appropriate amount to amend by ordinance. The proposed ordinance does not permit council payment for a month during which a councilmember has two unexcused absences. This is not statutorily required, and the Council may remove such provision if desired. Additionally, the 2026 Colfax City Council Policy Manual will need to be updated to reflect any change in Council salary.

Recommendation

Staff is recommending Council review the proposed ordinance to increase Councilmember salaries; make a determination of the appropriate salary amount up to $950 (or more per statutory calculations); consider the findings for the need for increased compensation, schedule the second reading of the ordinance. This ordinance cannot be adopted at this meeting. Provide direction to update the 2026 Colfax City Council Policy Manual to reflect updated salaries.

Attachments:

1. Ordinance ___ Council Salaries

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLFAX AMENDING SECTION 2.24.030 OF CHAPTER 2.24 OF THE COLFAX MUNICIPAL CODE RELATING TO THE SALARY OF MEMBERS OF THE CITY COUNCIL, PURSUANT TO GOVERNMENT CODE SECTIONS 36516 THROUGH 36516.5

WHEREAS, under Colfax Municipal code 2.24.030, City Council salaries are currently one hundred fifty dollars ($150.00) per month for the mayor and one hundred dollars ($100.00) each per month for other councilmembers;

WHEREAS, such salaries have not been updated since adoption in 1997;

WHEREAS, Government Code Section 36516 authorizes a city council to enact an ordinance providing that each member of the city council shall receive a salary based upon the population of the city, in the amounts set forth in Government Code Section 36516(a)(2);

WHEREAS, the City of Colfax is a city with a population of approximately 2030, as most recently estimated by the California Department of Finance, placing the City within the population bracket of populations up to and including 35,000 set forth in Government Code Section 36516(a)(2), for which a maximum salary is nine hundred fifty dollars ($950.00), with limited provisions for additional increases;

WHEREAS, the salaries authorized include compensation for serving on regional boards and committees, but are exclusive of any amounts payable to each councilmember as reimbursement for actual and necessary expenses incurred in the performance of official duties for the City and are exclusive of health insurance and other benefits accruing to councilmembers;

WHEREAS, Government Code Section 36516 does not provide for automatic future increases in councilmember compensation;

WHEREAS, Government Code Section 36516(g) requires that, before adopting an ordinance to increase council compensation, the City Council consider the proposed ordinance in open session at no fewer than two regular meetings, that the ordinance not be adopted at the first such meeting, that the ordinance include findings demonstrating the need for the increased compensation, and that the second meeting be held no fewer than seven days after the first; and

WHEREAS, the City Council considered this ordinance, together with findings demonstrating the need for the proposed compensation, at a regular meeting held on October 28, 2026, and did not adopt the ordinance at that meeting; and

WHEREAS, the City Council held a second regular meeting on November 18, 2026 — AT LEAST 7 DAYS AFTER THE FIRST], not less than seven (7) days after the first meeting, at which it considered adoption of this ordinance; and

WHEREAS, the City Council finds that the increased compensation authorized by this ordinance is warranted because the existing salary has not been updated since 1997 and is not comparable to other jurisdictions within Placer County, or other nearby cities of similar size. Given the length of time since Colfax's compensation was last adjusted and the increased complexity of municipal governance, regulatory requirements, financial oversight, infrastructure responsibilities and community expectations that have developed over the intervening decades. Councilmembers are required to dedicated significant hours towards service. Additionally, the lack of compensation for Councilmembers disincentivizes new members from seeking election and deters participation in City governance; and

WHEREAS, Government Code Section 36516.5 provides that any increase or decrease in the salary of a member of the city council enacted pursuant to Section 36516 shall not become operative as to any council member until that member begins a new term of office, and that this limitation applies to every council member, including any member whose term does not expire until after the operative date of the increase; and

WHEREAS, the City Council desires to amend the Colfax Municipal Code section 2.24.030 to establish the salary of $____ per month for each councilmember and an additional $____ for the mayor in accordance with Government Code Sections 36516 through 36516.5;

NOW, THEREFORE, the City Council of the City of Colfax does hereby ordain as follows:

SECTION 1. RECITALS.

The City Council finds that the foregoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. CODE AMENDMENT.

Section 2.24.030 of the Colfax Municipal Code is hereby amended and restated as set forth in Exhibit A attached to this ordinance and incorporated herein by reference, with additions in underline and deletions in strikethrough.

SECTION 3. OPERATIVE DATE OF SALARY CHANGE.

Pursuant to Government Code Section 36516.5, the salary adjustment set forth in Section 2 of this ordinance shall become operative as to each councilmember of the City Council upon a councilmember's commencement of a new term of office following the effective date of this ordinance.

SECTION 4. SEVERABILITY.

If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance, or its application to any person or circumstance, is for any reason held invalid or unconstitutional by the final decision of any court of competent jurisdiction, that decision shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

The City Council declares that it would have adopted this ordinance and each section, subsection, paragraph, sentence, clause, phrase, and portion thereof irrespective of the invalidity of any other portion, and irrespective of the invalidity of its application to any person or circumstance.

SECTION 5. CEQA.

The City Council finds that adoption of this ordinance is not a "project" within the meaning of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the CEQA Guidelines, because it has no potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines Section 15060(c)(2) and (c)(3).

SECTION 6. EFFECTIVE DATE AND PUBLICATION.

This ordinance shall take effect thirty (30) days after its adoption. Within fifteen (15) days after adoption, the City Clerk shall cause this ordinance, or a summary thereof, to be published once in a newspaper of general circulation published and circulated in the City, in accordance with Government Code Section 36933, or shall cause it to be posted as otherwise authorized by law.

PASSED, APPROVED, AND ADOPTED

this 18th day of November 18/, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Caroline McCully
Mayor, City of Colfax

ATTEST:

_____
Gabrielle Christakes
City Clerk, City of Colfax

APPROVED AS TO FORM:

458559.1

_____
Sara Lopez
City Attorney, City of Colfax

EXHIBIT A

2.24.030 - City council salaries.

Members of the city council shall receive a salary in the following amounts: mayor, ~~one hundred fifty~~ dollars (~~$150.00~~) per month; other city councilmembers, ~~one hundred~~ dollars (~~$100.00~~) each per month. If, in any calendar month, any member of the City Council fails to attend both regular meetings without their absence having been excused by the City Council in accordance with section 2.04.020, no compensation shall be paid to such councilmember for such month.

APPROVED AS TO FORM:

_____

Sara Lopez, City Attorney

458559.1

Staff Report to City Council

FOR THE OCTOBER 28, 2026 REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager
Prepared by: Ron Walker, City Manager
Subject: Request of funding for Fireworks for December 12th.

Budget Impact Overview:

N/A:	Funded:	Un-funded:	Amount: $8,000.00	Fund(s): 100-1000-82570

RECOMMENDED ACTION: Adopt Resolution No. ___-2026 authorizing the City Manager to allocate $8,000 to the Colfax 3rd of July nonprofit organization for the purchase and display of winter celebration fireworks.

Summary/Background

A request to provide funding for a fireworks display in conjunction with the Winterfest celebration was presented to the City Council at its October 14, 2026, meeting. During public comment at the October 14 Council meeting, five speakers expressed support for the proposal. No speakers expressed opposition. The item did not receive sufficient votes for approval. During Agenda Item 10, Future Agenda Item Requests, the Council received sufficient votes to bring the item back for consideration at tonight's City Council meeting.

As it has become known, the usual Winterfest celebration is not being planned and will not occur this year. To continue to provide a community event in the holiday season, the Colfax 3rd of July nonprofit requests funding for a winter fireworks display to be held on the traditional date for the event, Saturday, December 12, 2026.

3rd of July has confirmed with Pyro Guys, the same vendor who was contracted for fireworks for the past several years, that there is availability for that date. If approved, Pyro Guys requests that the check be mailed directly, as was done for the 3rd of July.

The organization is requesting that the $3,000 previously earmarked for the Railroad Days event, along with the $5,000 allocated for the Winterfest event, be redirected toward the fireworks, for a total City contribution of $8,000. There are no new funds being requested. The Colfax 3rd of July and Railroad Days nonprofits have each pledged $1,000 toward the fireworks, bringing the total fireworks budget to **$10,000**, if Council adopts the resolution.

Recommendation

Staff recommend Council adopt resolution No. ___-2026 authorizing the City Manager to allocate $8,000 to the Colfax 3rd of July nonprofit organization for the purchase and display of winter celebration fireworks, which may be paid directly to the vendor.

Attachments:

1. Resolution __-2026
2. Request Letter

City of Colfax
City Council

Resolution № __-2026

AUTHORIZING THE CITY MANAGER TO DONATE $8,000.00 TO THE COLFAX 3RD OF JULY NONPROFIT FOR THE PURCHASE AND DISPLAY OF WINTER CELEBRATION FIREWORKS

WHEREAS, the Colfax 3rd of July nonprofit is requesting funding for a winter fireworks display on December 12, 2026 Winterfest event is not being planned this year; and,

WHEREAS, the organization is requesting that the $3,000 previously earmarked for the Railroad Days event, along with the $5,000 allocated for the Winterfest event, be redirected toward the fireworks, for a total City contribution of $8,000; and,

WHEREAS, in addition to the requested City funding, the Colfax 3rd of July and Railroad Days nonprofits have each pledged $1,000 toward the fireworks. This would bring the total fireworks budget to $10,000; and,

WHEREAS, the City of Colfax wishes to provide a donation of $8,000 to the Colfax 3rd of July nonprofit to fund a winter fireworks display on December 12, 2026;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Colfax approves and authorizes the City Manager to donate an amount not to exceed $8,000.00 to the Colfax 3rd of July nonprofit to provide winter celebration fireworks on December 12, 2026, which may be paid directly to the vendor.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on October 28, 2026, by the following vote of the Council:

AYES:
NOES:
ABSTAIN:
ABSENT:

Caroline McCully, Mayor

ATTEST:

Gabrielle Christakes, City Clerk

Staff Report to City Council

FOR THE OCTOBER 28, 2026, REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager
Prepared by: Mike Luken, 4Leaf
Subject: Response to the Cal OES Compliance Assessment (CR# 26-03819) for the FEMA Home Hardening and Defensible Space Program: Adoption of the Federal Awards Conflict of Interest and Standards of Conduct Policy, Approval of Amendment No. 2 to the 4LEAF, Inc. Agreement (Byrd Anti-Lobbying Certification), and Federal Procurement Compliance Checklist

Budget Impact Overview:

N/A: X	Funded:	Un-funded:	Amount: None	Fund(s):

RECOMMENDED ACTION: Receive a report from the City Manager on the Cal OES compliance assessment of the Home Hardening and Defensible Space Program grant subaward (CR# 26-03819) and the City's Corrective Action Plan; and (1) adopt Resolution No. ___-2026 adopting the City of Colfax Federal Awards Conflict of Interest and Standards of Conduct Policy; (2) approve Amendment No. 2 to the Agreement for Consultant Services with 4LEAF, Inc., incorporating the federally required Certification Regarding Lobbying (Byrd Anti-Lobbying Amendment), and authorize the City Manager to execute the Amendment in a form approved by the City Attorney; (3) approve the Federal Procurement Compliance Checklist and direct staff to implement it, with associated staff training, for all procurements funded in whole or in part with federal funds; and (4) ratify the City Manager's submittal of the City's Corrective Action Plan to Cal OES and authorize the City Manager to transmit the adopted Resolution, executed Amendment No. 2 and Certification, and training documentation to Cal OES and to take such further actions as are necessary to close the findings.

Summary/Background

The City of Colfax (City) administers its Home Hardening and Defensible Space Program under a FEMA Hazard Mitigation Grant Program (HMGP) subaward passed through the California Governor's Office of Emergency Services (Cal OES) (Disaster DR-4619, Cal OES Project AP00866). As a subrecipient of federal funds, the City is subject to periodic compliance monitoring by Cal OES.

As reported to the Council on September 9, 2026, Cal OES's Quality Control and Monitoring Unit has been conducting a subrecipient compliance assessment of the City's administration of the grant (Case CR# 26-03819, review period April 1 through June 30, 2025). On September 4, 2026, Cal OES issued its Compliance Assessment report. The review identified three findings, described below. None of the findings involves questioned costs, misspent funds, or any impropriety in the selection of the City's program consultant; the City's grant compliance consultant characterizes the findings as administrative in nature and readily correctable. Cal OES required the City to submit a Corrective Action Plan (CAP) within 30 days, by October 5, 2026.

Two of the corrective actions require City Council action — adoption of a policy by resolution and approval of a contract amendment. Cal OES confirmed that it does not require Council action before accepting the CAP, but that the CAP must identify Council approval as a scheduled milestone with firm dates. Staff therefore submitted the CAP to Cal OES (Attachment 5) identifying this meeting, October 28, 2026, as the date of Council action, with the adopted and executed documents to be transmitted to Cal OES by November 13, 2026 and staff training completed by December 4, 2026. The Policy and resolution were reviewed and revised by the City Attorney on September 21, 2026, and Amendment No. 2 has been reviewed by the City Attorney. Pending Council action, the City Manager has directed interim use of the Federal Procurement Compliance Checklist and the draft Policy's disclosure and recusal provisions on all federally funded procurements.

Finding #1 – Insufficient Standards of Conduct Covering Conflicts of Interest

Cal OES found that the City's existing conflict of interest and code of conduct provisions do not fully incorporate the written standards required by 2 CFR § 200.318(c) for employees engaged in the selection, award, and administration of contracts supported by federal awards, including disciplinary actions for violations.

Corrective action: Staff, working with Adams Ashby Group and the City Attorney, prepared a Federal Awards Conflict of Interest and Standards of Conduct Policy (Attachment 1, Exhibit A to the resolution). The Policy establishes uniform written standards for federally funded activities, applicable to City officers, elected and appointed officials, employees, agents, evaluation committee members, and consultants acting on behalf of the City. It covers real and apparent conflicts of interest; written disclosure (to the City Manager, or to the City Attorney and Mayor where the City Manager is involved) and recusal; gifts and gratuities; organizational conflicts of interest, including consultants that help prepare scopes or procurement documents; program-specific requirements for FEMA, CDBG, USDA, and Federal-aid Highway (23 CFR Part 172) funding; documentation and record retention; disciplinary and corrective actions; and training with signed acknowledgments. The Policy supplements, and does not replace, the City's existing local conflict of interest requirements; it applies when federal funds are involved, and the more restrictive applicable requirement governs. The resolution authorizes the City Manager to implement the Policy and establish the related forms, procedures, and training. Following adoption, staff and consultants involved in federally funded procurement and grant administration will receive training on the Policy by December 4, 2026.

Finding #2 – Inadequate Verification of Vendor Eligibility

Cal OES found that the City did not retain documentation, dated before execution of the 4LEAF, Inc. agreement, verifying the contractor's eligibility through the federal System for Award Management (SAM.gov) exclusion database, as required by 2 CFR § 200.214 and 2 CFR Part 180. 4LEAF is, and has been, in good standing — the City's 2025 and 2026 SAM.gov verifications confirm the firm has no exclusions — but the pre-award check was not documented in the procurement file.

Corrective action: Staff prepared a Federal Procurement Compliance Checklist (Attachment 3) built on the City's adopted Procurement Policies and Procedures. The Checklist must be completed before any federally funded solicitation is released and takes staff step-by-step through the public notice and solicitation content, conflict-of-interest and organizational-conflict review under the new Policy, required federal contract provisions and certifications (including the Byrd Anti-Lobbying certification), program-specific requirements for FEMA/Cal OES, HUD/CDBG, USDA, and Federal Highway funding, and a signed release authorization. It also requires that a dated SAM.gov exclusion search be completed and retained in the procurement file before any federally funded contract is awarded or executed; a contractor's own certification does not substitute for the City's verification. The Checklist is in interim use by direction of the City Manager and will be used by City staff and the City's consulting engineers and program consultants on all future federally funded procurements. The City has also completed and retained SAM.gov verifications for 4LEAF (2025 and 2026) and reviewed its open federally funded procurements and contracts as directed.

Finding #3 – Contract Did Not Contain All Federally Required Provisions

Cal OES found that the City's contract documentation with 4LEAF did not include a signed Byrd Anti-Lobbying certification. Amendment No. 1 to the 4LEAF agreement incorporated the Byrd Anti-Lobbying contract provision required by 2 CFR Part 200, Appendix II(I); however, for contracts over $100,000 the regulation also requires the contractor to file a separate signed Certification Regarding Lobbying, which had not been separately executed.

Corrective action: Staff prepared Amendment No. 2 to the Agreement for Consultant Services with 4LEAF, Inc. (Attachment 2), which incorporates the Certification Regarding Lobbying (44 CFR Part 18, Appendix A) into the agreement as an exhibit. Following Council approval, the Amendment will be executed by the City Manager and the certification by 4LEAF's authorized official, and both will be retained in the City's official contract file and transmitted to Cal OES by November 13, 2026. Review of Byrd Anti-Lobbying and other applicable federal certifications has also been added to the Federal Procurement Compliance Checklist so that required certifications are identified before future contracts are executed. Amendment No. 2 makes no change to the scope, term, or compensation of the 4LEAF agreement.

Implementation and Staff Training

Following Council action, the City Manager will transmit the adopted resolution and Policy and the executed Amendment No. 2 and certification to Cal OES by November 13, 2026, and will conduct training for City personnel and program consultants responsible for procurement, contracting, and federal grant administration by December 4, 2026, covering the new Policy, the Federal Procurement Compliance Checklist, and pre-award SAM.gov verification and documentation requirements. Each attendee will sign an acknowledgment of the Policy. The training roster and acknowledgments will be

retained with the City's federal grant administration records and transmitted to Cal OES by December 11, 2026. Cal OES is expected to close the findings upon receipt of these documents.

Fiscal Impacts

There is no direct fiscal impact from the recommended actions beyond staff and consultant time, which is supported by the grant's Subrecipient Management Cost allowance. The findings involve no questioned costs and no repayment obligation. Submission of an acceptable Corrective Action Plan and timely completion of the scheduled actions protect the City's continued eligibility for reimbursement under the HMGP subaward. Amendment No. 2 does not change the amount of the 4LEAF agreement.

Attachments:

1. Resolution No. ___-2026 Adopting the Federal Awards Conflict of Interest and Standards of Conduct Policy (with Policy as Exhibit A)

2. Amendment No. 2 to the 4LEAF, Inc. Agreement for Consultant Services, with Certification Regarding Lobbying (Exhibit A)

3. Federal Procurement Compliance Checklist

4. Cal OES Compliance Assessment Report, CR# 26-03819 (September 4, 2026)

5. Corrective Action Plan Response Letter to Cal OES, as submitted

6. SAM.gov Verifications – 4LEAF, Inc. (2025 and 2026)

CITY OF COLFAX
CITY COUNCIL

RESOLUTION № ___-2026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX ADOPTING THE FEDERAL AWARDS CONFLICT OF INTEREST AND STANDARDS OF CONDUCT POLICY

WHEREAS, the City of Colfax receives and administers federal financial assistance from various federal agencies and pass-through entities, including but not limited to funding through the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Agriculture (USDA), Federal Emergency Management Agency (FEMA), U.S. Department of Transportation/Federal Highway Administration (FHWA), California Department of Housing and Community Development (HCD), California Department of Transportation (Caltrans), and California Governor's Office of Emergency Services (Cal OES); and,

WHEREAS, the City is required to administer federal financial assistance in accordance with applicable federal statutes, regulations, grant agreements, and award requirements; and,

WHEREAS, 2 CFR Part 200 establishes Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards applicable to federal financial assistance received by the City; and,

WHEREAS, 2 CFR § 200.318(c)(1) requires the City to maintain written standards of conduct covering conflicts of interest and governing the actions of its officers, employees, and agents engaged in the selection, award, and administration of contracts supported by federal awards; and,

WHEREAS, such written standards must address actual or apparent conflicts of interest, the solicitation or acceptance of gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, and disciplinary actions for violations of the standards by the City's officers, employees, or agents; and,

WHEREAS, federal programs administered by the City may impose additional program-specific conflict of interest requirements, including requirements applicable to the Community Development Block Grant (CDBG) Program, USDA-funded activities, FWHA funded activities, and FEMA-funded activities; and,

WHEREAS, the City desires to establish a uniform policy applicable to the administration of federal awards while recognizing and requiring compliance with any additional or more restrictive conflict of interest requirements imposed by a particular federal program or award; and,

WHEREAS, City staff has prepared the City of Colfax Federal Awards Conflict of Interest and Standards of Conduct Policy, attached hereto as Exhibit A and incorporated herein by this reference, to establish written procedures for identifying, disclosing, evaluating, documenting, and addressing actual, potential, or apparent conflicts of interest associated with federally funded activities.

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

1. The City Council hereby approves and adopts the City of Colfax Federal Awards Conflict of Interest and Standards of Conduct Policy, attached hereto as Exhibit A.

2. The Policy shall apply to City officers, elected and appointed officials, employees, agents, and other persons acting on behalf of the City who participate in the administration of federal awards or in the selection, award, or administration of contracts supported in whole or in part with federal funds, as provided in the Policy.

3. The City Manager, or designee, is authorized and directed to implement and administer the Policy and to establish forms, procedures, training, and administrative practices necessary to ensure compliance with the Policy and applicable federal award requirements.

4. Where a federal statute, regulation, grant agreement, pass-through entity requirement, or other applicable requirement imposes a more restrictive conflict of interest standard, the City shall comply with the more restrictive applicable requirement.

5. This Resolution and the Federal Awards Conflict of Interest and Standards of Conduct Policy shall become effective immediately upon adoption.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the ___ day of _____, 2026, by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

EXHIBIT A

FEDERAL AWARDS CONFLICT OF INTEREST AND STANDARDS OF CONDUCT POLICY

Effective Date: _____
Adopted By: City Council Resolution No. _____

1. Purpose

The purpose of this Policy is to establish written standards of conduct governing conflicts of interest in the administration of federal financial assistance and the selection, award, and administration of contracts supported in whole or in part with federal funds.

The City of Colfax ("City") shall administer federal awards in a manner that protects the integrity of the procurement and grant administration processes and prevents actual, potential, or apparent conflicts of interest, improper personal benefit, favoritism, and the misuse of public office.

This Policy is intended to satisfy applicable federal conflict-of-interest requirements, including:

- **2 CFR § 200.318(c)** – Federal procurement standards and conflicts of interest;
- **2 CFR § 200.112** – Conflict-of-interest requirements applicable to federal awards;
- **24 CFR § 570.611** – Conflict-of-interest requirements applicable to the Community Development Block Grant ("CDBG") Program;
- applicable **USDA regulations and award requirements**, including 2 CFR Part 400; and
- applicable **FEMA grant requirements**, including the Uniform Guidance procurement standards at 2 CFR Part 200.
- **23 CFR Part 172 and 23 U.S.C. § 112** – Procurement, management, administration, and conflict-of-interest requirements applicable to engineering and design-related consultant services funded through the Federal-aid Highway Program.

Where a federal program, grant agreement, State administering agency requirement, or other applicable law imposes a more restrictive conflict-of-interest requirement, the more restrictive applicable requirement shall govern.

2. Applicability

This Policy applies to all City officers, elected and appointed officials, employees, agents, and other persons acting on behalf of the City who participate in the administration of a federal award or in the selection, award, or administration of a contract supported by a federal award.

For purposes of federally funded procurement, this Policy also applies to persons serving on evaluation or selection committees and to consultants or agents acting on behalf of the City in the procurement process.

The City shall also evaluate organizational conflicts of interest involving consultants, contractors, subcontractors, and other entities when required by federal law or the terms of the applicable federal award.

3. General Standard of Conduct

No City officer, employee, agent, or other covered person shall participate in the selection, award, or administration of a contract supported by a federal award if that person has a real or apparent conflict of interest.

A conflict of interest exists when the covered person, any member of their immediate family, their partner, or an organization that employs or is about to employ any of those persons has a financial or other interest in, or receives a tangible personal benefit from, a firm considered for a contract.

This standard applies whether or not the individual believes the relationship would actually influence their judgment.

FEMA expressly interprets § 200.318(c)(1) as prohibiting both real and apparent conflicts of interest in federally funded procurement.

4. Disclosure of Conflicts

Any covered person who becomes aware of an actual, potential, or apparent conflict of interest shall promptly disclose the matter in writing to the City Manager or the City Manager's designee.

If the potential conflict involves the City Manager, disclosure shall be made to the City Attorney and Mayor.

The disclosure shall identify, as applicable:

- the individual involved;
- the nature of the relationship or financial/personal interest;
- the procurement, contract, activity, or federal award affected; and
- any other information necessary for the City to evaluate the conflict.

The disclosure shall be made before the individual participates further in the affected decision, evaluation, selection, award, or contract administration activity.

The City shall maintain the disclosure and documentation of its determination in the applicable procurement or grant file.

USDA programs may impose additional written disclosure requirements. USDA regulations expressly require recipients under applicable programs to comply with federal conflict disclosure requirements and maintain written standards governing employees involved in federal awards.

5. Recusal

An individual with an actual or apparent conflict of interest shall not participate in the affected procurement, evaluation, recommendation, selection, award, approval, contract administration, payment determination, or other decision unless participation is specifically determined permissible under applicable law and documented by the City.

Recusal shall include, as appropriate:

1. not reviewing proposals or bids;
2. not participating in evaluation or scoring;
3. not participating in discussions concerning contractor selection;
4. not recommending or approving an award;
5. not negotiating the contract;
6. not approving contract amendments or payments when the conflict continues; and
7. not attempting to influence another person participating in the decision.

The City shall document the recusal in the procurement or grant file.

FEMA's procurement compliance materials specifically recognize recusal procedures as a means of mitigating or avoiding conflicts.

6. Gifts, Gratuities, Favors and Personal Benefits

City officers, employees, and agents shall neither solicit nor accept gratuities, favors, gifts, entertainment, loans, or anything of monetary value from contractors, prospective contractors, subcontractors, or parties to subcontracts when prohibited by federal requirements.

Nothing in this Policy authorizes acceptance of a gift or benefit prohibited by California law, the City's existing policies, or other applicable requirements.

FEMA identifies this prohibition as part of the standards required by 2 CFR § 200.318(c)(1).

7. Organizational Conflicts of Interest

The City shall take appropriate steps to identify and prevent organizational conflicts of interest that could impair fair and open competition or the objective performance of federally funded work.

An organizational conflict may exist when a consultant, contractor, or other entity is unable or appears unable to provide impartial and objective assistance because of another relationship, contract, financial interest, or role.

Examples may include circumstances in which an entity:

- prepares specifications, a scope of work, procurement documents, or other requirements and subsequently seeks to compete for the resulting contract where prohibited by federal procurement requirements;
- obtains access to nonpublic information that provides an unfair competitive advantage; or
- has other relationships or responsibilities that impair, or appear to impair, its objectivity.

FEMA identifies impaired objectivity, unequal access to information, and biased ground rules as common organizational-conflict concerns.

8. CDBG-Specific Conflict of Interest Requirements

For activities assisted with CDBG funds, the City shall also comply with 24 CFR § 570.611 and other applicable HUD/HCD requirements.

No covered person who exercises or has exercised functions or responsibilities with respect to CDBG-assisted activities, or who is in a position to participate in a decision-making process or gain inside information regarding such activities, may obtain a financial interest or benefit from a CDBG-assisted activity or have a financial interest in any contract, subcontract, or agreement relating to the activity, either for themselves or for persons with whom they have business or immediate-family ties, during their tenure or for the applicable period thereafter, except as permitted by HUD/HCD regulations.

Where an exception is available under the applicable CDBG regulations, the City shall not treat the conflict as waived unless the required process has been completed, and the applicable administering agency or HUD has provided the required approval.

9. USDA-Funded Activities

For USDA-funded projects, the City shall comply with the conflict-of-interest requirements contained in the applicable USDA program regulations, award agreement, Rural Development General Terms and Conditions, and 2 CFR Parts 200 and 400, as applicable.

Potential conflicts requiring disclosure under the applicable USDA award shall be disclosed in writing through the process required by USDA.

USDA Rural Development confirms that recipients and subrecipients must comply with the applicable General Terms and Conditions established for their federal financial assistance award.

10. FEMA-Funded Activities

For FEMA-funded projects, including Hazard Mitigation Assistance/HMGP activities, the City shall comply with the procurement standards of 2 CFR Part 200 and applicable FEMA award requirements.

No officer, employee, or agent shall participate in the selection, award, or administration of a FEMA-funded contract where a real or apparent conflict exists.

The City shall maintain sufficient documentation to demonstrate its identification, disclosure, evaluation, and resolution of conflicts associated with FEMA-funded procurement activities. FEMA's current procurement guidance expressly requires written standards of conduct addressing conflicts of interest for employees engaged in selection, award, and administration of contracts.

11. Federal Highway Administration (FHWA)-Funded Activities

For activities funded in whole or in part through the Federal-aid Highway Program, the City shall comply with applicable requirements of 2 CFR Part 200, Title 23 of the United States Code, Title 23 of the Code of Federal Regulations, and applicable California Department of Transportation requirements.

For engineering and design-related consultant services subject to 23 CFR Part 172, the City shall maintain procedures to identify and address actual, potential, and apparent conflicts of interest and organizational conflicts of interest in the procurement, management, and administration of consultant contracts.

No City officer, employee, agent, consultant, or other person acting on behalf of the City shall participate in a federally assisted highway procurement or contract administration activity where an actual or apparent conflict of interest would compromise, or appear to compromise, the integrity of the procurement or administration of the contract.

Consultants acting in a management or advisory capacity for the City shall not obtain an unfair competitive advantage or participate in other roles, contracts, or phases of a project where such participation would create an actual, potential, or apparent conflict of interest. The City shall document its evaluation and resolution of identified conflicts in the applicable procurement or project file.

12. Consultants and Procurement Assistance

Consultants or contractors assisting the City with the development of specifications, scopes of work, statements of work, procurement documents, evaluations, or other procurement-related activities shall be evaluated for potential organizational conflicts of interest.

The City shall not permit a contractor to obtain an unfair competitive advantage through its involvement in developing a federally funded procurement.

Where necessary, the City may restrict the contractor's subsequent participation in the procurement or take other appropriate measures necessary to preserve full and open competition.

13. Documentation and Record Retention

The City shall document conflict-of-interest reviews and retain applicable records in accordance with the record-retention requirements of the federal award.

Documentation may include:

- conflict-of-interest disclosure forms;
- procurement committee certifications;
- recusals;
- City Attorney and/or City Manager determinations, as applicable to the funding requirements;
- correspondence concerning disclosed conflicts;
- documentation of organizational conflict reviews;
- requests for exceptions or waivers; and
- federal or State agency determinations.

Documentation shall be maintained with the applicable procurement, contract, project, or grant file and made available for monitoring or audit as required.

14. Violations and Disciplinary Action

Failure to comply with this Policy may result in disciplinary or corrective action consistent with applicable City personnel policies, contracts, ordinances, and State and federal law.

Depending upon the circumstances, corrective or disciplinary action may include removal from a procurement or decision-making process, reassignment of responsibilities, written reprimand, suspension, termination, cancellation or other remedy affecting a contract, referral to the City Attorney, or other appropriate action.

Nothing in this section limits any civil, criminal, administrative, contractual, or grant remedy available under applicable law.

15. Training and Annual Acknowledgment

City personnel involved in federally funded procurement or grant administration shall receive training regarding this Policy upon adoption and thereafter as determined appropriate by the City.

Before participating in the evaluation or selection of contractors for a federally funded procurement, evaluation committee members and other applicable participants may be required to execute a conflict-of-interest disclosure or certification confirming that they have reviewed this Policy and disclosed any actual, potential, or apparent conflict.

16. Responsibility for Administration

The City Manager or designee shall be responsible for implementation of this Policy.

The City Manager may consult with the City Attorney when determining whether a disclosed relationship or interest constitutes an actual, potential, or apparent conflict and what corrective action, recusal, disclosure, or other measure is appropriate.

Questions involving program-specific requirements shall be referred to the applicable federal or pass-through agency when necessary.

17. Federal Requirements Control

This Policy establishes minimum City standards for federally funded activities. Nothing in this Policy supersedes a more restrictive requirement contained in federal or State law, a federal award, grant agreement, program regulation, or requirement imposed by a pass-through entity.

Where requirements differ, the City shall comply with the requirement necessary to maintain compliance with the applicable federal award.

AGREEMENT FOR CONSULTANT SERVICES - AMENDMENT NO. 2

This Amendment was made and entered into on this __day of September by and between the City of Colfax, a municipal corporation of the State of California ("City") and 4LEAF, Inc. (“Consultant").

RECITALS

A. The City and Consultant entered into an Agreement for Consultant Services for the FEMA Colfax Home Hardening/Defensible Space Project, approved by the City Council on March 12, 2025 ("Agreement").

B. The City and Consultant subsequently executed Amendment No. 1 to incorporate federal contracting provisions applicable to the Agreement, including the Byrd Anti-Lobbying Amendment requirements of 2 CFR Part 200, Appendix II(I).

C. The parties desire to further amend the Agreement to incorporate the required signed Certification Regarding Lobbying.

NOW, THEREFORE, the City and Consultant agree as follows:

1. Certification Regarding Lobbying

The Certification Regarding Lobbying, attached hereto as Exhibit A, is incorporated into and made a part of the Agreement. Consultant shall execute the Certification through an authorized official and comply with the applicable requirements of the Byrd Anti-Lobbying Amendment.

2. Continuing Effect

Except as expressly modified by this Amendment No. 2, the Agreement and Amendment No. 1 shall remain unchanged and in full force and effect. In all other respects, the original contract for services dated March 12, 2025, shall remain in effect.

IN WITNESS WHEREOF, the parties hereby have executed this Agreement on the day first above written:

CITY		**CONSULTANT**	
Signature:	_____	Signature:	_____
Printed Name:	Ron Walker	Printed Name:	Brett Gross
Title:	City Manager	Title:	Vice President
Date:	_____	Date:	_____

APPROVED AS TO FORM:

_____
City Attorney

FEDERAL REQUIREMENTS — BID/RFP/RFQ AND PUBLIC NOTICE REVIEW

Complete BEFORE advertising or releasing the solicitation.

Solicitation Type:

- ☐ Invitation for Bids (IFB)
- ☐ Request for Proposals (RFP)
- ☐ Request for Qualifications (RFQ)
- ☐ Request for Quotes
- ☐ Other: _____

Federal Funding Source: _____

Estimated Contract Amount: $_____

Reviewed By: _____

Date: _____

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1. PUBLIC BID / SOLICITATION NOTICE

Confirm the public notice contains, as applicable:

☐ **City and Project Identification** — identifies the City of Colfax, project name, and nature of the procurement.

☐ **Federal Funding Disclosure** — identifies that the project is funded in whole or in part with federal financial assistance and identifies the applicable federal program or funding agency where appropriate.

Suggested language:

This project is funded in whole or in part with federal financial assistance. The successful bidder/contractor will be required to comply with all applicable federal requirements associated with the funding source.

☐ **Scope/Description** — provides sufficient description of the goods, services, or construction being procured.

☐ **Bid/Proposal Availability** — states where and how solicitation documents may be obtained.

☐ **Submission Deadline** — identifies the date and time responses are due.

☐ **Submission Location/Method** — identifies where and how responses must be submitted.

DRAFT

☐ **Bid Opening** — for sealed bids, identifies the date, time, and location of public bid opening.

City's policy requires sealed bids to be publicly advertised, solicited from an adequate number of known suppliers, and publicly opened at the time and place specified in the invitation.

☐ **Equal Opportunity Statement** — includes applicable equal opportunity/nondiscrimination notice language required by the funding program.

☐ **DBE/MBE/WBE or Small/Minority/Women's Busines[illegible]utreach** — applicable notice or solicitation language included when requi[illegible]e federal program or pass-through agency. State requirements require compliance even with the Federal Order removing compliance.

☐ **Federal Labor Standards Notice** — if th[illegible]oject is subject to Davis-Bacon or other federal labor standards, the notice identifies the applicable federal prevailing wage requirements. The highest wage must be paid.

☐ **State Prevailing Wage** — inclu[illegible]n California prevailing wage requirements apply.

☐ **Bonding Requirements** — bid, pay[illegible]ent, a[illegible] per[illegible]ance bonding requirements identified when a[illegible]ica[illegible]

☐ **Licensing Req[illegible]ments** — applicable California contractor licensing requirements included for const[illegible]tio[illegible]

☐ **Fun[illegible]g[illegible]-Spec[illegible] Notice Language** — any mandatory FEMA/Cal OES, [illegible]/HCD, USD[illegible]FHWA/C[illegible]rans, or other funding-agency language has been [illegible]ewed and inclu[illegible]d.

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2. BID / RFP / [illegible] DOC[illegible]MENTS

Before issuing the sol[illegible]itation, confirm the documents contain the following as applicable to the procurement and funding source:

Procurement and Competition

☐ Clear and accurate scope of work/specifications. Ensure all environmental mitigations to be completed by the contractor are included.

☐ Required qualifications.

☐ Submission requirements and deadline.

☐ Evaluation criteria.

☐ Relative importance/weight of evaluation factors for competitive proposals when required.

☐ Basis of award clearly stated.

☐ Contract term and anticipated schedule.

☐ No unduly restrictive requirements.

☐ No improper geographic preference unless expres[illegible]per[illegible]ed or required.

☐ No brand-name-only specification unless ap[illegible]priately justifi[illegible]nd an equivalent is permitted where required.

☐ No organizational conflict of interest or unf[illegible]compe[illegible]e advantage exists.

These items directly implement the City's requirement[illegible]oncerning open competition and solicitation specifications.

Conflict of Interest

☐ Solicitation advises res[illegible]ants that th[illegible]pro[illegible]ement i[illegible]subject to the City's **Federal Awards Conflict of In[illegible]est an[illegible]Standards[illegible]Conduct Policy**.

☐ Appropriate conflict[illegible]interes[illegible]isclosure/c[illegible]ification is required from proposers or consultants when applica[illegible]

☐ Organi[illegible]onal co[illegible]t-of-in[illegible]st requirements are included when applicable.

Sugge[illegible]d language:

Responden[illegible]shall disclos[illegible]ny actual, potential, or apparent conflict of interest relating to this procurem[illegible]. The City[illegible]serves the right to determine whether a conflict exists and whether the confli[illegible]ma[illegible]e mitigated or requires disqualification consistent with applicable federal re[illegible]irements and City policy.

3. SUSPENSION AND DEBARMENT

☐ Solicitation advises respondents that federally excluded or disqualified parties may not participate in covered transactions.

☐ Contractor legal name and UEI are requested when applicable.

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☐ Suspension/debarment certification is included when required.

☐ City staff understands that the contractor's certification does not replace the City's SAM.gov verification under the City's implementation checklist.

Suggested solicitation language:

Suspension and Debarment. By submitting a bid or proposal, the respondent represents that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or otherwise excluded from participation in covered transactions by any federal department or agency. The City will verify applicable exclusion status through the federal System for Award Management (SAM.gov) prior to contract award.

☐ SAM.gov search will be completed and documented **before contract award/execution**.

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4. REQUIRED FEDERAL CONTRACT PROVISIONS

The solicitation should notify bidders/offerors that the resulting contract will contain applicable federal requirements.

Include the applicable federal provisions as an exhibit to the solicitation whenever practicable so bidders know the requirements before submitting their price.

Review each:

☐ **Administrative, contractual and legal remedies** for breach or violation — when applicable.

☐ **Termination for Cause and for Convenience** — when applicable.

☐ **Equal Employment Opportunity** — when applicable.

☐ **Davis-Bacon Act** — **only when applicable to the particular federal program/project.**

☐ **Copeland Anti-Kickback Act** — when applicable.

☐ **Contract Work Hours and Safety Standards Act** — when applicable.

☐ **Rights to Inventions Made Under a Contract or Agreement** — when applicable.

☐ **Clean Air Act and Federal Water Pollution Control Act** — when applicable.

☐ **Suspension and Debarment**.

☐ **Byrd Anti-Lobbying Amendment** — when applicable.

☐ **Certification Regarding Lobbying** — obtain signed certification for covered contracts exceeding the applicable federal threshold.

☐ **SF-LLL Disclosure of Lobbying Activities** — when required.

☐ **Access to Records**.

☐ **Record Retention**.

☐ **Compliance with applicable federal statutes, regulations, and award terms**.

☐ **Flow-down requirements** to applicable subcontracts/lower-tier transactions.

5. CONSTRUCTION-SPECIFIC BID DOCUMENTS

Complete for construction contracts only. Review each Funding Agency as some items to not apply to all funding sources.

☐ Applicable federal wage determination included **when the federal funding source triggers Davis-Bacon requirements**.

☐ Applicable California prevailing wage requirements included.

☐ Federal labor standards provisions included when applicable.

☐ Copeland Anti-Kickback provisions included when applicable.

☐ Contract Work Hours and Safety Standards Act provisions included when applicable.

☐ Required Equal Employment Opportunity provisions included.

☐ Required bid bond included.

☐ Required performance bond included.

☐ Required payment bond included.

☐ Contractor licensing requirements included.

☐ Applicable labor compliance reporting requirements identified.

☐ Applicable apprenticeship requirements identified.

☐ Required posters/notices addressed in contract documents.

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☐ Applicable Build America, Buy America (BABA) requirements reviewed.

☐ Applicable domestic preference requirements reviewed.

☐ Environmental conditions or mitigation requirements that must be incorporated into the construction contract have been included.

6. PROGRAM-SPECIFIC REVIEW

This is an important final check because not every federal requirement applies identically to every funding source.

FEMA / CAL OES

☐ FEMA-required contract provisions reviewed.
☐ 2 CFR Part 200 procurement requirements reviewed.
☐ Suspension/debarment requirements reviewed.
☐ Byrd certification included when applicable.
☐ BABA applicability reviewed.

HUD / CDBG / HCD

☐ HUD/HCD procurement requirements reviewed.
☐ CDBG conflict-of-interest requirements reviewed.
☐ Section 3 applicability reviewed.
☐ Davis-Bacon applicability reviewed.
☐ HUD federal labor provisions included when applicable.
☐ Environmental conditions incorporated when applicable.
☐ BABA applicability reviewed.

USDA

☐ Applicable USDA program requirements reviewed.
☐ USDA-required specification/contract language included.
☐ Federal labor requirements reviewed for applicability.
☐ BABA applicability reviewed.
☐ USDA concurrence/pre-award requirements completed when applicable.

FHWA / CALTRANS

☐ Applicable FHWA/Caltrans procurement requirements reviewed.
☐ Federal-aid contract provisions included.
☐ DBE requirements reviewed.

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☐ Consultant procurement requirements reviewed under 23 CFR Part 172 when applicable.
☐ Federal-aid construction requirements reviewed when applicable.

OTHER FEDERAL PROGRAM

Agency/Program: _____

☐ Award agreement reviewed.
☐ Program-specific solicitation requirements identified.
☐ Required provisions/certifications incorporated.

7. FINAL SOLICITATION RELEASE APPROVAL

DO NOT RELEASE THE SOLICITATION UNTIL THIS SECTION IS COMPLETE.

☐ Procurement method confirmed.

☐ Funding source confirmed.

☐ Conflict-of-interest review co[illegible]

☐ Organizational conflict review co[illegible]plete.

☐ Scope/specificati[illegible]iewed.

☐ Competition [illegible]uirement[illegible]eviewed.

☐ Public notice co[illegible]ns a[illegible] requi[illegible]information.

☐ Fed[illegible]ements [illegible]orporated into solicitation.

☐ [illegible]equired federa[illegible]ntract p[illegible]isions attached or incorporated.

☐ Re[illegible]ired certificati[illegible]s/forms included.

☐ Wage d[illegible]rminatio[illegible]ncluded when applicable.

☐ Bonding req[illegible]ents included when applicable.

☐ Program-specific requirements reviewed.

☐ Funding/pass-through agency approval obtained when required.

☐ Documented Scoring

☐ Documented Cost Reasonableness Analysis is completed

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AUTHORIZATION TO RELEASE

☐ APPROVED FOR SOLICITATION

☐ NOT APPROVED — CORRECTIONS REQUIRED

Reviewed By: _____

Title: _____

Signature/Initials: _____

Date: _____

Comments/Conditions:

_____

_____

_____

DRAFT

GAVIN NEWSOM
GOVERNOR

CAROLINE THOMAS JACOBS
DIRECTOR

Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

September 4, 2026

Ron Walker
City Manager
City of Colfax
P.O. Box 702
Colfax, CA 95713

SUBJECT: Compliance Assessment, CR# 26-03819; FIPS #061-14498
Hazard Mitigation Grant Program, Cal OES Project #AP00866
FEMA-4619-DR-CA, Community Home Hardening and Defensible Space

Dear Ron Walker:

The California Governor's Office of Emergency Services (Cal OES) has concluded its compliance assessment on the Cal OES Grant Subaward noted below. Our assessment included reviewing documentation submitted to support your expenditures and performing certain procedures as necessary to determine compliance with the Code of Federal Regulations (CFR) and program guidelines.

Disaster #	Disaster Name	Project #	Review Period
DR-4619	HMGP-Caldor Fire	AP00866	4/01/25 - 6/30/25

The following are findings resulting from the compliance review.

FINDINGS & REQUIRED ACTIONS

Finding #1: Insufficient Standards of Conduct Covering Conflicts of Interest
The City of Colfax (Subrecipient) existing conflict of interest and code of conduct do not sufficiently encompass the required language for conflict of interest written standards, including standards regarding employees engaged in the selection and administration of Federal awards, and disciplinary actions applied to violations of these standards of conduct:

Title 2 CFR 200.318(c)(1) states: "…*subrecipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, agent… with a real or apparent conflict of interest may participate in the*

selection, award, or administration of a contract supported by the Federal award..." Please refer to Title 2 CFR 200.318(c)(1) for the full language of the requirement.

Title 2 CFR 200.318(c)(2) states: "*If...subrecipient has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian Tribe, … subrecipient must also maintain written standards of conduct covering organizational conflicts of interest…*" Please refer to Title 2 CFR 200.318(c)(2) for the full language of the requirement.

Required Action: Subrecipient must develop and submit a Corrective Action Plan (CAP) within 30 days from the date of this report to update their existing conflict of interest and code of conduct to include comprehensive standards of conduct for employees around selection, award, and administration of contracts, as well as disciplinary actions for any such violations by employees of Subrecipient. The implementation of an updated conflict of interest and code of conduct will help ensure procurement decisions for federally funded Cal OES Subaward projects are fair, transparent, and free from organizational or personal conflicts of interest. The CAP must include a timeline for the update, as well as any staff training needed.

Finding #2: Inadequate Verification of Vendor Eligibility
Subrecipient reported procurement with contractor 4 Leaf, Inc. for the Cal OES Subaward under review. Subrecipient did not provide documentation dated prior to entering into contract that verified contractors' status as being eligible through the System for Award Management (SAM.gov).

Title 2 CFR 200.214 Suspension and Debarment states: "*…subrecipients are subject to the non-procurement debarment and suspension regulations implementing the Executive Orders 12549 and 12689, as well as Title 2 CFR part 180. The regulations in Title 2 CFR part 180 restrict making Federal awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from receiving or participating in Federal awards*." Please refer to Title 2 CFR 200.214 for the full language of the requirement.

Title 2 CFR 180.155 "*How do I know…* states: "*Check the System for Award Management (SAM.gov) Exclusions to determine whether a person is excluded. The General Services Administration (GSA) maintains SAM.gov Exclusions and makes it available, as detailed in subpart E.*" Please refer to Title 2 CFR 180.155 for the full language of the requirement.

Required Action: Subrecipient must develop and submit a CAP within 30 days of the date of this report to establish and implement policies and procedures to verify

contractor eligibility prior to award, and to retain the supporting documentation. This will help to ensure more stringent Subrecipient procurement oversight for Cal OES Subawards. Subrecipient must also conduct a review of all open procurements and contracts using federally funded Cal OES Subawards to ensure vendors and contractors are verified as not suspended or debarred using SAM.gov. The CAP should include the steps to be taken, the timeframe in which policies and procedures will be established and implemented, the review will be completed, and any staff training as needed.

Finding #3: Contract Did Not Contain All Federally Required Provisions
Subrecipient entered into a contract with 4 Leaf, Inc. as stated above, for an amount exceeding $2 million. However, the contract and amendment documentation provided for review did not include all federally required certifications. The following signed certificate was missing from the contract: (i) a Byrd Anti-Lobbying certification.

Title 2 CFR, Part 200, Appendix II (i) Byrd Anti-Lobbying Amendment and certificate states: "*Contractors that apply or bid for an award exceeding $100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress…*". Please refer to Title 2 CFR, Appendix II to Part 200, section (I), for the full language of the requirement.

FEMA's Contract Provisions Guide Section 10.3 states: "*Recipients or subrecipients who intend to award contracts of more than $100,000, and their contractors who intend to award subcontracts of more than $100,000, must include a contract provision prohibiting the use of federal appropriated funds to influence officers or employees of the Federal Government. Contractors that apply or bid for a contract for more than $100,000 must also file the required certification regarding lobbying.*" Please refer to FEMA Contract Provisions for the full guidance text.

Required Action: The Subrecipient must develop and submit a CAP within 30 days of this report to review existing contracts utilizing Cal OES Subaward funds and amend them to include applicable required provisions and certificates, including the Byrd Anti-Lobbying certification. The Subrecipient should review applicable CFR citations and FEMA's Contract Provisions Guide for support in developing satisfactory language. The certificates must be signed by the contractor's Authorized Official and integrated into contract language to ensure sufficient regulatory compliance and contractual integrity, as well as protection of public funds.

If you desire to challenge the findings included in this report, you must respond with your written comments and provide all supporting documentation within 30 days of the date of this report.

The enclosed document, "Subrecipient Corrective Action Plan Procedures" provides detailed instructions for developing your CAP. The CAP must be submitted via email to David.Tellez@caloes.ca.gov, within 30 days of the date of this report.

If you require technical assistance to complete your CAP and/or ensure compliance in any of the above areas, please contact David Tellez, at (916) 539-6056, or by email at the abovementioned address.

Thank you for the courtesy and cooperation you extended Cal OES in completing this review.

Sincerely,

URSULA HARELSON
Division Chief, Recovery Planning & Quality Control

Attachment: Subrecipient Corrective Action Plan Procedures

cc: Robyn Fennig, State Hazard Mitigation Officer
Heather Kearns, Unit Chief, Quality Control & Monitoring

CITY OF COLFAX

Office of the City Manager

33 South Main Street • PO Box 702 • Colfax, CA 95713 • (530) 346-2313 • colfax-ca.gov

October 13, 2026

David Tellez
Recovery Quality Control & Monitoring Unit
California Governor's Office of Emergency Services
3650 Schriever Avenue
Mather, CA 95655

RE: Corrective Action Plan Response Compliance Assessment CR# 26-03819
FIPS #061-14498 Hazard Mitigation Grant Program – Cal OES Project #AP00866
FEMA-4619-DR-CA – Community Home Hardening and Defensible Space

Dear Mr. Tellez:

The City of Colfax appreciates the opportunity to respond to the September 4, 2026, Compliance Assessment for the above-referenced Hazard Mitigation Grant Program subaward. The City has reviewed the three findings and required corrective actions identified by Cal OES, does not contest the findings, and has developed the corrective actions described in this Corrective Action Plan (CAP) to strengthen its procedures for the administration and procurement of federally funded activities.

The City submits this CAP and supporting documentation in accordance with the Cal OES Subrecipient Corrective Action Plan Procedures. Two of the corrective actions — adoption of a Federal Awards Conflict of Interest and Standards of Conduct Policy by resolution, and approval of an amendment to the City's agreement with 4LEAF, Inc. — require action by the Colfax City Council. Both items, together with the Federal Procurement Compliance Checklist, are scheduled for the Council's regular meeting of October 28, 2026. Consistent with Cal OES's guidance that the CAP may identify Council action as a scheduled milestone, this CAP describes for each finding the actions completed to date, the interim measures now in effect, the scheduled Council action, and the dates by which the City will transmit the adopted and executed documents to Cal OES.

Summary of Corrective Actions and Schedule

Finding	Corrective Action	Responsible	Target Date	Status
#1 – Standards of Conduct / Conflicts of Interest	Adopt Federal Awards Conflict of Interest and Standards of Conduct Policy by City Council resolution	City Council; City Manager	October 28, 2026	Draft complete; City Attorney review complete (Sept. 21, 2026); agendized
#1	Interim direction to staff and consultants to apply the draft Policy's disclosure and recusal provisions on federally funded procurements	City Manager	Immediately	In effect
#1	Transmit adopted Resolution and Policy to Cal OES	City Manager	November 13, 2026	Scheduled

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Finding	Corrective Action	Responsible	Target Date	Status
#1	Staff and consultant training on the Policy; signed acknowledgments	City Manager or designee	December 4, 2026	Scheduled
#2 – Vendor Eligibility Verification	Federal Procurement Compliance Checklist, including pre-award SAM.gov verification and record retention — interim use directed by City Manager; Council approval	City Manager; City Council	Immediately	Complete (interim use); Council action scheduled
#2	SAM.gov verification of 4LEAF, Inc. and review of open procurements and contracts using Cal OES subaward funds	City Manager	Complete	Complete; documentation retained in procurement files
#2	Staff training on the Checklist and pre-award SAM.gov verification	City Manager or designee	December 4, 2026	Scheduled
#3 – Required Federal Contract Provisions	Council approval of Amendment No. 2 to the 4LEAF, Inc. Agreement incorporating the Certification Regarding Lobbying	City Council	October 28, 2026	Draft complete; City Attorney reviewed; agendized
#3	Execution of Amendment No. 2 by the City Manager and of the Certification by 4LEAF's authorized official; transmit to Cal OES	City Manager; 4LEAF, Inc.	November 13, 2026	Scheduled
#3	Review of other contracts using Cal OES subaward funds for required federal provisions and certifications	City Manager	Complete	Complete
All	Transmit training roster and signed acknowledgments to Cal OES	City Manager	December 11, 2026	Scheduled

Finding #1 – Insufficient Standards of Conduct Covering Conflicts of Interest
Cal OES Required Action:
Cal OES determined that the City's existing conflict-of-interest and code-of-conduct provisions did not sufficiently encompass the federal written standards applicable to employees engaged in the selection, award, and administration of federally funded contracts, including disciplinary actions for violations. Cal OES required the City to update its standards and provide an implementation timeline and staff training.

Corrective Action:
The City, working with its grant compliance consultant, prepared a Federal Awards Conflict of Interest and Standards of Conduct Policy (Policy) and an adopting resolution. The Policy and resolution have been reviewed and revised by the City Attorney (draft dated September 21, 2026) and are scheduled for adoption by the City Council at its regular meeting of October 28, 2026.
The Policy establishes written standards of conduct, consistent with 2 CFR § 200.318(c)(1) and 2 CFR § 200.112, governing City officers, elected and appointed officials, employees, agents, evaluation committee members, and consultants acting on behalf of the City in the administration of federal awards or in the selection, award, or administration of contracts supported by federal funds. The Policy addresses:

- A general standard prohibiting participation in the selection, award, or administration of a federally funded contract where a real or apparent conflict of interest exists, including financial or other interests of the covered person's immediate family, partner, or current or prospective employer;
- Written disclosure of actual, potential, or apparent conflicts to the City Manager (or, where the City Manager is involved, to the City Attorney and Mayor) before the individual participates further in the affected activity, with the disclosure and determination retained in the procurement or grant file;

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- Recusal from proposal and bid review, evaluation and scoring, selection discussions, award recommendations and approvals, contract negotiation, and approval of amendments or payments while a conflict continues;
- A prohibition on soliciting or accepting gratuities, favors, gifts, entertainment, loans, or anything of monetary value from contractors, prospective contractors, subcontractors, or parties to subcontracts;
- Identification and prevention of organizational conflicts of interest, including restrictions on consultants or contractors that assist in developing specifications, scopes of work, or procurement documents;
- Program-specific requirements for FEMA/HMGP-funded activities (2 CFR Part 200), CDBG (24 CFR § 570.611), USDA (2 CFR Parts 200 and 400), and Federal-aid Highway consultant services (23 CFR Part 172), with the more restrictive applicable requirement controlling;
- Documentation and retention of disclosure forms, committee certifications, recusals, City Manager and City Attorney determinations, and organizational conflict reviews in the applicable procurement, contract, or grant file;
- Disciplinary and corrective actions for violations, including removal from the procurement or decision-making process, reassignment, written reprimand, suspension, termination, contract remedies, and referral to the City Attorney, without limiting any civil, criminal, administrative, or grant remedy;
- Training upon adoption, and conflict-of-interest disclosure or certification by evaluation committee members and other participants before they take part in a federally funded evaluation or selection; and
- Assignment of responsibility for administering the Policy to the City Manager, in consultation with the City Attorney, with program-specific questions referred to the applicable federal or pass-through agency.

The Policy supplements, and does not replace, the City's existing procurement policies and the conflict-of-interest requirements of State law, and establishes a uniform federal standard applicable to all City officers, employees, agents, and other covered persons participating in federally funded activities. The adopting resolution authorizes and directs the City Manager to implement and administer the Policy and to establish the forms, procedures, training, and administrative practices necessary for compliance.

Interim measure. Pending adoption of the Policy, the City Manager has directed, effective immediately that City staff and consultants participating in any federally funded procurement or contract administration activity comply with the disclosure and recusal provisions of the draft Policy, and that no federally funded solicitation be released without a documented conflict-of-interest and organizational-conflict review.

Implementation timeline and training. Following Council adoption on October 28, 2026, the City will transmit the adopted Resolution and Policy to Cal OES no later than November 13, 2026. City personnel responsible for procurement, contracting, and administration of federal awards, together with the City's program consultants, will receive training on the Policy no later than December 4, 2026 and will execute a written acknowledgment of the Policy. Conflict-of-interest review under the Policy is also incorporated into the Federal Procurement Compliance Checklist described under Finding #2, which requires a completed conflict-of-interest and organizational-conflict review before any federally funded solicitation is released.

Responsible Staff:
Ron Walker, City Manager
Scheduled Council Action: October 28, 2026
Transmittal of Adopted Resolution and Policy to Cal OES: November 13, 2026
Staff Training Completion: December 4, 2026
Supporting Documentation:
Attachment 1 – Draft Resolution No. ___-2026 Adopting the Federal Awards Conflict of Interest and Standards of Conduct Policy, with the Policy as Exhibit A (City Attorney draft dated September 21, 2026)
Attachment 6 – Draft Staff Report for the October 28, 2026 Regular City Council Meeting
The City believes these actions, upon completion on the schedule above, fully address the corrective action required under Finding #1.

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Finding #2 – Inadequate Verification of Vendor Eligibility
Cal OES Required Action:
Cal OES determined that documentation dated prior to execution of the 4LEAF, Inc. contract was not provided to demonstrate that the contractor's eligibility had been verified through SAM.gov. Cal OES required the City to establish and implement procedures for pre-award contractor eligibility verification and record retention and to review open procurements and contracts using federally funded Cal OES subawards.
Corrective Action:
The City reviewed its existing Procurement Policies and Procedures and established additional administrative controls to ensure that suspension and debarment verification is completed and documented before award or execution of any federally funded contract.
The City developed a **Federal Procurement Compliance Checklist** (Checklist) that must be completed before any federally funded solicitation is advertised or released. The Checklist requires City staff to identify the federal funding source and estimated contract amount; confirm the required content of the public notice and solicitation documents; confirm that the solicitation is subject to the City's Federal Awards Conflict of Interest and Standards of Conduct Policy and that conflict-of-interest and organizational-conflict reviews are complete; identify the federal contract provisions and certifications that will apply, including suspension and debarment, the Byrd Anti-Lobbying Amendment, and the Certification Regarding Lobbying; complete program-specific reviews for FEMA/Cal OES, HUD/CDBG, USDA, and FHWA/Caltrans funding; and obtain a signed release authorization before the solicitation is issued.
With respect to contractor and vendor eligibility, the Checklist and the City's pre-award verification procedure specifically require City staff to:

1. Identify the federal funding source and applicable procurement requirements;
2. Verify contractor/vendor identity;
3. Obtain the entity's Unique Entity Identifier (UEI), when applicable;
4. Conduct and date a SAM.gov exclusion search prior to applicable contract award or execution;
5. Review the results for active exclusions;
6. Retain a PDF, screenshot, printout, or other reproducible evidence of the SAM.gov search in the procurement file;
7. Resolve and document any potential match before proceeding with an award;
8. Obtain required suspension and debarment certifications, when applicable; and
9. Document final contractor eligibility before contract execution.

The contractor's suspension and debarment certification does not substitute for the City's own SAM.gov verification, which must be completed, dated, and retained in the procurement file before contract award or execution. The Checklist is built on the City's adopted Procurement Policies and Procedures and will be used by City staff and the City's consulting engineers and program consultants on all future federally funded procurements.
The City has also reviewed its **open procurements and contracts utilizing federally funded Cal OES subaward funds** as directed by the Compliance Assessment and has completed SAM.gov verification for applicable vendors and contractors. Documentation of the review and current verification has been retained in the applicable project and procurement files.
For the 4LEAF, Inc. contract identified in the Compliance Assessment, the City has completed and retained SAM.gov exclusion verifications in 2025 and 2026, each confirming that the firm has no active exclusions. The City recognizes that these verifications do not replace documentation of a pre-award verification that was not retained with the original procurement file; rather, they document the City's current review and form part of the corrective action implemented to prevent recurrence.
Status. The Checklist is complete and, by direction of the City Manager effective October __, 2026, is in interim use for all federally funded procurements. The Checklist is scheduled for City Council approval on October 28, 2026, together with the Policy. City employees responsible for federally funded procurement and grant administration will be trained on use of the Checklist and on the requirement that SAM.gov verification be completed and documented prior to award or execution of a federally funded contract no later than December 4, 2026.

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Responsible Staff:
Ron Walker, City Manager
Interim Implementation Date: October __, 2026
Scheduled Council Action: October 28, 2026
Staff Training Completion: December 4, 2026
Supporting Documentation:
Attachment 2 – Federal Procurement Compliance Checklist
Attachment 3 – City of Colfax Procurement Policies and Procedures
Attachment 4 – SAM.gov Exclusion Verifications – 4LEAF, Inc. (2025 and 2026)
The City believes these actions fully address the corrective action required under Finding #2.

Finding #3 – Contract Did Not Contain All Federally Required Provisions
Cal OES Required Action:
Cal OES determined that the City's contract documentation with 4LEAF, Inc. did not include a signed Byrd Anti-Lobbying Certification. Cal OES required the City to review existing contracts utilizing Cal OES subaward funds and amend applicable contracts to include required provisions and certifications. Cal OES further required that the certification be signed by the contractor's Authorized Official and integrated into the contract documentation.
Corrective Action:
The City reviewed the Agreement for Consultant Services with 4LEAF, Inc., approved by the City Council on March 12, 2025 (Agreement), and Amendment No. 1 to the Agreement.
Amendment No. 1 incorporated the Byrd Anti-Lobbying Amendment contract provision required by 2 CFR Part 200, Appendix II(I). However, because the Agreement exceeds $100,000, 31 U.S.C. § 1352 and 44 CFR Part 18 also require the contractor to file a signed Certification Regarding Lobbying, which had not been separately executed and retained as part of the contract documentation.
To correct the deficiency identified by Cal OES, the City prepared **Amendment No. 2** to the Agreement, which incorporates the Certification Regarding Lobbying (44 CFR Part 18, Appendix A) into the Agreement as Exhibit A and requires 4LEAF, Inc. to execute the Certification through its authorized official. Amendment No. 2 makes no change to the scope, term, or compensation of the Agreement. Amendment No. 2 has been reviewed by the City Attorney and is scheduled for City Council approval on October 28, 2026. Following Council approval, the Amendment will be executed by the City Manager, and the Certification will be executed by 4LEAF's authorized official. The executed Amendment No. 2 and Certification will be maintained in the City's official contract file and transmitted to Cal OES no later than November 13, 2026.
The City has also incorporated review of the Byrd Anti-Lobbying requirements, the Certification Regarding Lobbying, and the other applicable federal contract provisions and certifications into its Federal Procurement Compliance Checklist. Future federally funded procurements will therefore include a documented review to determine which federal contract provisions and certifications apply before the solicitation is released and before the contract is executed.
The City also reviewed its other existing contracts utilizing federally funded Cal OES subaward funds for the applicable required federal provisions and certifications. [Insert result of review — e.g., "No additional contracts requiring amendment were identified."]
Responsible Staff:
Ron Walker, City Manager
Scheduled Council Action: October 28, 2026
Execution and Transmittal to Cal OES: November 13, 2026
Supporting Documentation:
Attachment 5 – Draft Amendment No. 2 to the 4LEAF, Inc. Agreement for Consultant Services, with Certification Regarding Lobbying (Exhibit A)
Attachment 2 – Federal Procurement Compliance Checklist
The City believes these actions, upon completion on the schedule above, fully address the corrective action required under Finding #3.

Implementation and Staff Training
The City has incorporated the corrective actions resulting from this review into its federal procurement administration process. City personnel responsible for procurement, contract administration, and federally funded

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grant activities, together with the City's program consultants, will receive training no later than December 4, 2026 regarding:

- Federal Awards Conflict of Interest and Standards of Conduct Policy;
- Identification and disclosure of actual or apparent conflicts of interest;
- Use of the Federal Procurement Compliance Checklist;
- Pre-award SAM.gov suspension and debarment verification and documentation;
- Applicable federal provisions and certifications; and
- Maintenance of documentation within the official procurement and grant files.

Staff Training Completion Date: December 4, 2026
Responsible Staff: Ron Walker, City Manager, or designee.
Each attendee will sign an acknowledgment of the Federal Awards Conflict of Interest and Standards of Conduct Policy. The City will maintain the training roster, materials, and signed acknowledgments with its federal grant administration records and will transmit copies to Cal OES no later than December 11, 2026.

Conclusion
The City appreciates Cal OES's review and has used the Compliance Assessment to strengthen its internal controls for federally funded procurement and contract administration. The corrective actions described above are complete, in interim effect, or scheduled for completion on the dates identified, and are supported by the enclosed documentation. The City respectfully requests that Cal OES accept this Corrective Action Plan. The City will transmit the adopted Resolution and Policy and the executed Amendment No. 2 and Certification Regarding Lobbying no later than November 13, 2026, and documentation of staff training no later than December 11, 2026, and requests that Cal OES close Findings #1, #2, and #3 upon receipt of those documents. Please contact me if additional information or documentation is required.

Sincerely,

CITY OF COLFAX

DocuSigned by:
Ron Walker
2E5347EB7C5943F...

Ron Walker
City Manager

Attachments

1. Draft Resolution No. ___-2026 Adopting the Federal Awards Conflict of Interest and Standards of Conduct Policy, with the Policy as Exhibit A (City Attorney draft dated September 21, 2026; scheduled for adoption October 28, 2026)
2. Federal Procurement Compliance Checklist
3. City of Colfax Procurement Policies and Procedures
4. SAM.gov Exclusion Verifications – 4LEAF, Inc. (2025 and 2026)
5. Draft Amendment No. 2 to the 4LEAF, Inc. Agreement for Consultant Services, with Certification Regarding Lobbying (Exhibit A) (scheduled for approval October 28, 2026)
6. Draft Staff Report to the City Council for the October 28, 2026 Regular Meeting

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CITY OF COLFAX
CITY COUNCIL

RESOLUTION № ___-2026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX ADOPTING THE FEDERAL AWARDS CONFLICT OF INTEREST AND STANDARDS OF CONDUCT POLICY

WHEREAS, the City of Colfax receives and administers federal financial assistance from various federal agencies and pass-through entities, including but not limited to funding through the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Agriculture (USDA), Federal Emergency Management Agency (FEMA), U.S. Department of Transportation/Federal Highway Administration (FHWA), California Department of Housing and Community Development (HCD), California Department of Transportation (Caltrans), and California Governor's Office of Emergency Services (Cal OES); and,

WHEREAS, the City is required to administer federal financial assistance in accordance with applicable federal statutes, regulations, grant agreements, and award requirements; and,

WHEREAS, 2 CFR Part 200 establishes Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards applicable to federal financial assistance received by the City; and,

WHEREAS, 2 CFR § 200.318(c)(1) requires the City to maintain written standards of conduct covering conflicts of interest and governing the actions of its officers, employees, and agents engaged in the selection, award, and administration of contracts supported by federal awards; and,

WHEREAS, such written standards must address actual or apparent conflicts of interest, the solicitation or acceptance of gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, and disciplinary actions for violations of the standards by the City's officers, employees, or agents; and,

WHEREAS, federal programs administered by the City may impose additional program-specific conflict of interest requirements, including requirements applicable to the Community Development Block Grant (CDBG) Program, USDA-funded activities, FWHA funded activities, and FEMA-funded activities; and,

WHEREAS, the City desires to establish a uniform policy applicable to the administration of federal awards while recognizing and requiring compliance with any additional or more restrictive conflict of interest requirements imposed by a particular federal program or award; and,

WHEREAS, City staff has prepared the City of Colfax Federal Awards Conflict of Interest and Standards of Conduct Policy, attached hereto as Exhibit A and incorporated herein by this reference, to establish written procedures for identifying, disclosing, evaluating, documenting, and addressing actual, potential, or apparent conflicts of interest associated with federally funded activities.

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

1. The City Council hereby approves and adopts the City of Colfax Federal Awards Conflict of Interest and Standards of Conduct Policy, attached hereto as Exhibit A.

2. The Policy shall apply to City officers, elected and appointed officials, employees, agents, and other persons acting on behalf of the City who participate in the administration of federal awards or in the selection, award, or administration of contracts supported in whole or in part with federal funds, as provided in the Policy.

3. The City Manager, or designee, is authorized and directed to implement and administer the Policy and to establish forms, procedures, training, and administrative practices necessary to ensure compliance with the Policy and applicable federal award requirements.

4. Where a federal statute, regulation, grant agreement, pass-through entity requirement, or other applicable requirement imposes a more restrictive conflict of interest standard, the City shall comply with the more restrictive applicable requirement.

5. This Resolution and the Federal Awards Conflict of Interest and Standards of Conduct Policy shall become effective immediately upon adoption.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the ___ day of _____, 2026, by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

EXHIBIT A

FEDERAL AWARDS CONFLICT OF INTEREST AND STANDARDS OF CONDUCT POLICY

Effective Date: _____
Adopted By: City Council Resolution No. _____

1. Purpose

The purpose of this Policy is to establish written standards of conduct governing conflicts of interest in the administration of federal financial assistance and the selection, award, and administration of contracts supported in whole or in part with federal funds.

The City of Colfax ("City") shall administer federal awards in a manner that protects the integrity of the procurement and grant administration processes and prevents actual, potential, or apparent conflicts of interest, improper personal benefit, favoritism, and the misuse of public office.

This Policy is intended to satisfy applicable federal conflict-of-interest requirements, including:

- **2 CFR § 200.318(c)** – Federal procurement standards and conflicts of interest;
- **2 CFR § 200.112** – Conflict-of-interest requirements applicable to federal awards;
- **24 CFR § 570.611** – Conflict-of-interest requirements applicable to the Community Development Block Grant ("CDBG") Program;
- applicable **USDA regulations and award requirements**, including 2 CFR Part 400; and
- applicable **FEMA grant requirements**, including the Uniform Guidance procurement standards at 2 CFR Part 200.
- **23 CFR Part 172 and 23 U.S.C. § 112** – Procurement, management, administration, and conflict-of-interest requirements applicable to engineering and design-related consultant services funded through the Federal-aid Highway Program.

Where a federal program, grant agreement, State administering agency requirement, or other applicable law imposes a more restrictive conflict-of-interest requirement, the more restrictive applicable requirement shall govern.

2. Applicability

This Policy applies to all City officers, elected and appointed officials, employees, agents, and other persons acting on behalf of the City who participate in the administration of a federal award or in the selection, award, or administration of a contract supported by a federal award.

For purposes of federally funded procurement, this Policy also applies to persons serving on evaluation or selection committees and to consultants or agents acting on behalf of the City in the procurement process.

The City shall also evaluate organizational conflicts of interest involving consultants, contractors, subcontractors, and other entities when required by federal law or the terms of the applicable federal award.

3. General Standard of Conduct

No City officer, employee, agent, or other covered person shall participate in the selection, award, or administration of a contract supported by a federal award if that person has a real or apparent conflict of interest.

A conflict of interest exists when the covered person, any member of their immediate family, their partner, or an organization that employs or is about to employ any of those persons has a financial or other interest in, or receives a tangible personal benefit from, a firm considered for a contract.

This standard applies whether or not the individual believes the relationship would actually influence their judgment.

FEMA expressly interprets § 200.318(c)(1) as prohibiting both real and apparent conflicts of interest in federally funded procurement.

4. Disclosure of Conflicts

Any covered person who becomes aware of an actual, potential, or apparent conflict of interest shall promptly disclose the matter in writing to the City Manager or the City Manager's designee.

If the potential conflict involves the City Manager, disclosure shall be made to the City Attorney and Mayor.

The disclosure shall identify, as applicable:

- the individual involved;
- the nature of the relationship or financial/personal interest;
- the procurement, contract, activity, or federal award affected; and
- any other information necessary for the City to evaluate the conflict.

The disclosure shall be made before the individual participates further in the affected decision, evaluation, selection, award, or contract administration activity.

The City shall maintain the disclosure and documentation of its determination in the applicable procurement or grant file.

USDA programs may impose additional written disclosure requirements. USDA regulations expressly require recipients under applicable programs to comply with federal conflict disclosure requirements and maintain written standards governing employees involved in federal awards.

5. Recusal

An individual with an actual or apparent conflict of interest shall not participate in the affected procurement, evaluation, recommendation, selection, award, approval, contract administration, payment determination, or other decision unless participation is specifically determined permissible under applicable law and documented by the City.

Recusal shall include, as appropriate:

1. not reviewing proposals or bids;
2. not participating in evaluation or scoring;
3. not participating in discussions concerning contractor selection;
4. not recommending or approving an award;
5. not negotiating the contract;
6. not approving contract amendments or payments when the conflict continues; and
7. not attempting to influence another person participating in the decision.

The City shall document the recusal in the procurement or grant file.

FEMA's procurement compliance materials specifically recognize recusal procedures as a means of mitigating or avoiding conflicts.

6. Gifts, Gratuities, Favors and Personal Benefits

City officers, employees, and agents shall neither solicit nor accept gratuities, favors, gifts, entertainment, loans, or anything of monetary value from contractors, prospective contractors, subcontractors, or parties to subcontracts when prohibited by federal requirements.

Nothing in this Policy authorizes acceptance of a gift or benefit prohibited by California law, the City's existing policies, or other applicable requirements.

FEMA identifies this prohibition as part of the standards required by 2 CFR § 200.318(c)(1).

7. Organizational Conflicts of Interest

The City shall take appropriate steps to identify and prevent organizational conflicts of interest that could impair fair and open competition or the objective performance of federally funded work.

An organizational conflict may exist when a consultant, contractor, or other entity is unable or appears unable to provide impartial and objective assistance because of another relationship, contract, financial interest, or role.

Examples may include circumstances in which an entity:

- prepares specifications, a scope of work, procurement documents, or other requirements and subsequently seeks to compete for the resulting contract where prohibited by federal procurement requirements;
- obtains access to nonpublic information that provides an unfair competitive advantage; or
- has other relationships or responsibilities that impair, or appear to impair, its objectivity.

FEMA identifies impaired objectivity, unequal access to information, and biased ground rules as common organizational-conflict concerns.

8. CDBG-Specific Conflict of Interest Requirements

For activities assisted with CDBG funds, the City shall also comply with 24 CFR § 570.611 and other applicable HUD/HCD requirements.

No covered person who exercises or has exercised functions or responsibilities with respect to CDBG-assisted activities, or who is in a position to participate in a decision-making process or gain inside information regarding such activities, may obtain a financial interest or benefit from a CDBG-assisted activity or have a financial interest in any contract, subcontract, or agreement relating to the activity, either for themselves or for persons with whom they have business or immediate-family ties, during their tenure or for the applicable period thereafter, except as permitted by HUD/HCD regulations.

Where an exception is available under the applicable CDBG regulations, the City shall not treat the conflict as waived unless the required process has been completed, and the applicable administering agency or HUD has provided the required approval.

9. USDA-Funded Activities

For USDA-funded projects, the City shall comply with the conflict-of-interest requirements contained in the applicable USDA program regulations, award agreement, Rural Development General Terms and Conditions, and 2 CFR Parts 200 and 400, as applicable.

Potential conflicts requiring disclosure under the applicable USDA award shall be disclosed in writing through the process required by USDA.

USDA Rural Development confirms that recipients and subrecipients must comply with the applicable General Terms and Conditions established for their federal financial assistance award.

10. FEMA-Funded Activities

For FEMA-funded projects, including Hazard Mitigation Assistance/HMGP activities, the City shall comply with the procurement standards of 2 CFR Part 200 and applicable FEMA award requirements.

No officer, employee, or agent shall participate in the selection, award, or administration of a FEMA-funded contract where a real or apparent conflict exists.

The City shall maintain sufficient documentation to demonstrate its identification, disclosure, evaluation, and resolution of conflicts associated with FEMA-funded procurement activities. FEMA's current procurement guidance expressly requires written standards of conduct addressing conflicts of interest for employees engaged in selection, award, and administration of contracts.

11. Federal Highway Administration (FHWA)-Funded Activities

For activities funded in whole or in part through the Federal-aid Highway Program, the City shall comply with applicable requirements of 2 CFR Part 200, Title 23 of the United States Code, Title 23 of the Code of Federal Regulations, and applicable California Department of Transportation requirements.

For engineering and design-related consultant services subject to 23 CFR Part 172, the City shall maintain procedures to identify and address actual, potential, and apparent conflicts of interest and organizational conflicts of interest in the procurement, management, and administration of consultant contracts.

No City officer, employee, agent, consultant, or other person acting on behalf of the City shall participate in a federally assisted highway procurement or contract administration activity where an actual or apparent conflict of interest would compromise, or appear to compromise, the integrity of the procurement or administration of the contract.

Consultants acting in a management or advisory capacity for the City shall not obtain an unfair competitive advantage or participate in other roles, contracts, or phases of a project where such participation would create an actual, potential, or apparent conflict of interest. The City shall document its evaluation and resolution of identified conflicts in the applicable procurement or project file.

~~That last paragraph is particularly useful for Colfax because FHWA specifically cautions local public agencies that consultants serving in management roles may be limited from participating in other roles, contracts, or project phases because of conflict-of-interest concerns.~~

12. Consultants and Procurement Assistance

Consultants or contractors assisting the City with the development of specifications, scopes of work, statements of work, procurement documents, evaluations, or other procurement-related activities shall be evaluated for potential organizational conflicts of interest.

The City shall not permit a contractor to obtain an unfair competitive advantage through its involvement in developing a federally funded procurement.

Where necessary, the City may restrict the contractor's subsequent participation in the procurement or take other appropriate measures necessary to preserve full and open competition.

13. Documentation and Record Retention

The City shall document conflict-of-interest reviews and retain applicable records in accordance with the record-retention requirements of the federal award.

Documentation may include:

- conflict-of-interest disclosure forms;
- procurement committee certifications;
- recusals;
- City Attorney and/or City Manager determinations, as applicable to the funding requirements;
- correspondence concerning disclosed conflicts;
- documentation of organizational conflict reviews;
- requests for exceptions or waivers; and
- federal or State agency determinations.

Documentation shall be maintained with the applicable procurement, contract, project, or grant file and made available for monitoring or audit as required.

14. Violations and Disciplinary Action

Failure to comply with this Policy may result in disciplinary or corrective action consistent with applicable City personnel policies, contracts, ordinances, and State and federal law.

Depending upon the circumstances, corrective or disciplinary action may include removal from a procurement or decision-making process, reassignment of responsibilities, written reprimand, suspension, termination, cancellation or other remedy affecting a contract, referral to the City Attorney, or other appropriate action.

Nothing in this section limits any civil, criminal, administrative, contractual, or grant remedy available under applicable law.

15. Training and Annual Acknowledgment

City personnel involved in federally funded procurement or grant administration shall receive training regarding this Policy upon adoption and thereafter as determined appropriate by the City.

Before participating in the evaluation or selection of contractors for a federally funded procurement, evaluation committee members and other applicable participants may be required to execute a conflict-of-interest disclosure or certification confirming that they have reviewed this Policy and disclosed any actual, potential, or apparent conflict.

16. Responsibility for Administration

The City Manager or designee shall be responsible for implementation of this Policy.

The City Manager may consult with the City Attorney when determining whether a disclosed relationship or interest constitutes an actual, potential, or apparent conflict and what corrective action, recusal, disclosure, or other measure is appropriate.

Questions involving program-specific requirements shall be referred to the applicable federal or pass-through agency when necessary.

17. Federal Requirements Control

This Policy establishes minimum City standards for federally funded activities. Nothing in this Policy supersedes a more restrictive requirement contained in federal or State law, a federal award, grant agreement, program regulation, or requirement imposed by a pass-through entity.

Where requirements differ, the City shall comply with the requirement necessary to maintain compliance with the applicable federal award.

FEDERAL REQUIREMENTS — BID/RFP/RFQ AND PUBLIC NOTICE REVIEW

Complete BEFORE advertising or releasing the solicitation.

Solicitation Type:

- ☐ Invitation for Bids (IFB)
- ☐ Request for Proposals (RFP)
- ☐ Request for Qualifications (RFQ)
- ☐ Request for Quotes
- ☐ Other: _____

Federal Funding Source: _____

Estimated Contract Amount: $_____

Reviewed By: _____

Date: _____

---

1. PUBLIC BID / SOLICITATION N[illegible]

Confirm the public notice contains, as applic[illegible]

☐ **City and Proje[illegible]ification** — id[illegible]tifies the [illegible] of Colfa[illegible] project name, and nature of th[illegible]curem[illegible]

☐ **Federal Fundi[illegible]isclosur[illegible]** – identifies [illegible] the project is funded in whole or in part with federal financ[illegible]ssist[illegible]e and identi[illegible] the applicable federal program or f[illegible]y when a[illegible]ate.

Sug[illegible]sted language:

This proj[illegible] is funded in wh[illegible] or in p[illegible] with federal financial assistance. The successful bidder/con[illegible]tor will be requ[illegible]d to com[illegible] with all applicable federal requirements associated wit[illegible]e funding so[illegible]e.

☐ **Scope/Desc[illegible]ion** — p[illegible]des sufficient description of the goods, services, or construction be[illegible] pro[illegible]d.

☐ **Bid/Proposal Availability** — states where and how solicitation documents may be obtained.

☐ **Submission Deadline** — identifies the date and time responses are due.

☐ **Submission Location/Method** — identifies where and how responses must be submitted.

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☐ **Bid Opening** — for sealed bids, identifies the date, time, and location of public bid opening.

City's policy requires sealed bids to be publicly advertised, solicited from an adequate number of known suppliers, and publicly opened at the time and place specified in the invitation.

☐ **Equal Opportunity Statement** — includes applicable equal opportunity/nondiscrimination notice language required by the funding program.

☐ **DBE/MBE/WBE or Small/Minority/Women's Business Outreach** — applicable notice or solicitation language included when required by the federal program or pass-through agency. State requirements require compliance even with the Federal Order removing compliance.

☐ **Federal Labor Standards Notice** — if the project is subject to Davis-Bacon or other federal labor standards, the notice identifies the applicable federal prevailing wage requirements. The highest wage must be paid.

☐ **State Prevailing Wage** — included when California prevailing wage requirements apply.

☐ **Bonding Requirements** — bid, payment, and performance bonding requirements identified when applicable.

☐ **Licensing Requirements** — applicable California contractor licensing requirements identified for construction.

☐ **Funding Agency Specific Notice Language** — any mandatory FEMA/Cal OES, HUD/HCD, USDA, FHWA/Caltrans, or other funding-agency language has been reviewed and included.

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2. BID / RFP / RFQ DOCUMENTS

Before issuing the solicitation, confirm the documents contain the following as applicable to the procurement and funding source:

Procurement and Competition

☐ Clear and accurate scope of work/specifications. Ensure all environmental mitigations to be completed by the contractor are included.

☐ Required qualifications.

☐ Submission requirements and deadline.

☐ Evaluation criteria.

☐ Relative importance/weight of evaluation factors for competitive proposals when required.

☐ Basis of award clearly stated.

☐ Contract term and anticipated schedule.

☐ No unduly restrictive requirements.

☐ No improper geographic preference unless expressly permitted or required.

☐ No brand-name-only specification unless appropriately justified and an equivalent is permitted where required.

☐ No organizational conflict of interest or unfair competitive advantage exists.

These items directly implement the FAR requirements concerning open competition and solicitation specifications.

Conflict of Interest

☐ Solicitation advises respondents that the procurement is subject to the City's **Federal Awards Conflict of Interest and Standards of Conduct Policy**.

☐ Appropriate conflict-of-interest disclosure/certification is required from proposers or consultants when applicable.

☐ Organizational conflict-of-interest requirements are included when applicable.

Suggested language:

Respondents shall disclose any actual, potential, or apparent conflict of interest relating to this procurement. The City reserves the right to determine whether a conflict exists and whether the conflict may be mitigated or requires disqualification consistent with applicable federal requirements and City policy.

3. SUSPENSION AND DEBARMENT

☐ Solicitation advises respondents that federally excluded or disqualified parties may not participate in covered transactions.

☐ Contractor legal name and UEI are requested when applicable.

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☐ Suspension/debarment certification is included when required.

☐ City staff understands that the contractor's certification does not replace the City's SAM.gov verification under the City's implementation checklist.

Suggested solicitation language:

Suspension and Debarment. By submitting a bid or proposal, the respondent represents that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or otherwise excluded from participation in covered transactions by any federal department or agency. The City will verify applicable eligibility status through the federal System for Award Management (SAM.gov) prior to contract award.

☐ SAM.gov search will be completed and documented **before contract award/execution**.

4. REQUIRED FEDERAL CONTRACT PROVISIONS

The solicitation should notify bidders/proposers that the resulting contract will contain applicable federal requirements.

Include the applicable federal provisions as an exhibit to the solicitation whenever practicable so bidders know the requirements before submitting their price.

Review each:

☐ **Remedies, contractual and legal remedies** for breach or violation — when applicable.

☐ **Termination for Cause and Convenience** — when applicable.

☐ **Equal Employment Opportunity** — when applicable.

☐ **Davis-Bacon Act — only when applicable to the particular federal program/project.**

☐ **Copeland Anti-Kickback Act** — when applicable.

☐ **Contract Work Hours and Safety Standards Act** — when applicable.

☐ **Rights to Inventions Made Under a Contract or Agreement** — when applicable.

☐ **Clean Air Act and Federal Water Pollution Control Act** — when applicable.

☐ **Suspension and Debarment**.

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☐ **Byrd Anti-Lobbying Amendment** — when applicable.

☐ **Certification Regarding Lobbying** — obtain signed certification for covered contracts exceeding the applicable federal threshold.

☐ **SF-LLL Disclosure of Lobbying Activities** — when required.

☐ **Access to Records**.

☐ **Record Retention**.

☐ **Compliance with applicable federal statutes, regulations, and award terms**.

☐ **Flow-down requirements** to applicable subcontracts/lower-tier transactions.

5. CONSTRUCTION-SPECIFIC BID DOCUMENTS

Complete for construction contracts only. Review with Funding Agency — some items to not apply to all funding sources.

☐ Applicable federal wage determination included **when the federal funding source triggers Davis-Bacon requirements**.

☐ Applicable California prevailing wage requirements included.

☐ Federal labor standards provisions included when applicable.

☐ Copeland Anti-Kickback provisions included when applicable.

☐ Contract Work Hours and Safety Standards Act provisions included when applicable.

☐ Required Equal Employment Opportunity provisions included.

☐ Required bid bond included.

☐ Required performance bond included.

☐ Required payment bond included.

☐ Contractor licensing requirements included.

☐ Applicable labor compliance reporting requirements identified.

☐ Applicable apprenticeship requirements identified.

☐ Required posters/notices addressed in contract documents.

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☐ Applicable Build America, Buy America (BABA) requirements reviewed.

☐ Applicable domestic preference requirements reviewed.

☐ Environmental conditions or mitigation requirements that must be incorporated into the construction contract have been included.

6. PROGRAM-SPECIFIC REVIEW

This is an important final check because not every fed[illegible]rement applies identically to every funding source.

FEMA / CAL OES

☐ FEMA-required contract provisions reviewe[illegible]
☐ 2 CFR Part 200 procurement requirements revi[illegible]d.
☐ Suspension/debarment require[illegible]nts reviewed.
☐ Byrd certification included when [illegible]ble.
☐ BABA applicability reviewed.

HUD / CDBG / HCD

☐ HUD/HCD proc[illegible]ent req[illegible]ements re[illegible]wed.
☐ CDBG conflict-o[illegible]terest requ[illegible]ments rev[illegible]
☐ Section 3 applicabil[illegible]eviewed
☐ Davis [illegible]applicabil[illegible]ev[illegible]
☐ H[illegible]deral la[illegible]rovisio[illegible]cluded [illegible]appli[illegible]le.
☐ E[illegible]onmental cond[illegible]ns inc[illegible]rated when [illegible]licable.
☐ BAB[illegible]pplicability revie[illegible]d.

USDA

☐ Applicable US[illegible]program re[illegible]ements reviewed.
☐ USDA-required s[illegible]itation/c[illegible]ract language included.
☐ Federal labor require[illegible]nt[illegible]ewed for applicability.
☐ BABA applicability revie[illegible].
☐ USDA concurrence/pre-award requirements completed when applicable.

FHWA / CALTRANS

☐ Applicable FHWA/Caltrans procurement requirements reviewed.
☐ Federal-aid contract provisions included.
☐ DBE requirements reviewed.

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☐ Consultant procurement requirements reviewed under 23 CFR Part 172 when applicable.
☐ Federal-aid construction requirements reviewed when applicable.

OTHER FEDERAL PROGRAM

Agency/Program: _____

☐ Award agreement reviewed.
☐ Program-specific solicitation requirements identified.
☐ Required provisions/certifications incorporated.

7. FINAL SOLICITATION RELEASE APPROVAL

DO NOT RELEASE THE SOLICITATION UNTIL THIS SECTION IS COMPLETE.

☐ Procurement method confirmed.

☐ Funding source confirmed.

☐ Conflict-of-interest review complete.

☐ Organizational conflict review complete.

☐ Scope/specifications reviewed.

☐ Competition requirements reviewed.

☐ Public notice contains available required information.

☐ Federal requirements incorporated in solicitation.

☐ Required federal contract provisions attached or incorporated.

☐ Required certification forms included.

☐ Wage determination included when applicable.

☐ Bonding requirements included when applicable.

☐ Program-specific requirements reviewed.

☐ Funding/pass-through agency approval obtained when required.

☐ Documented Scoring

☐ Documented Cost Reasonableness Analysis is completed

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AUTHORIZATION TO RELEASE

☐ APPROVED FOR SOLICITATION

☐ NOT APPROVED — CORRECTIONS REQUIRED

Reviewed By: _____

Title: _____

Signature/Initials: _____

Date: _____

Comments/Conditions:

_____

_____

_____

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Policy 1-7: Conflicts of Interest Code (Financial Disclosures)

Adoption of FPPC Regulation. The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (California Code of Regulations, title 2, section 18730 ("section 18730")) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the City of Colfax (City).

Individuals holding designated positions shall file their statements of economic interests with the City, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). All statements will be retained by the City.

The version of section 18730 in effect when this policy was last amended is included in this policy manual as Appendix 1-7(A). A more recent regulation adopted by the FPPC supersedes Appendix 1-7(A). The City Clerk or his or her designee may update Appendix 1-7(A) with the current version of the FPPC's standard code.

Persons Subject to City's Conflicts Policy. The officials, employees, and contractors listed in Appendix 1-7(B) to this policy are "Designated Persons." It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

Disclosure Categories. The persons designated in Appendix 1-7(B) shall disclose the information listed in Appendix 1-7(C) to this policy to the City Clerk (persons designated under this policy) or to the FPPC (persons listed in Gov. Code, § 87200). The City Clerk shall maintain a public database of statements of economic interest for a minimum of five (5) years.

APPENDIX 1-7(A): California Code of Regulations, title 2, section 18730
(as of April 7, 2026)

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.[1]

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in the employee's statement of economic interests those economic interests the employee has which are of the kind described in the disclosure categories to which the employee is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which the employee foreseeably can affect materially through the conduct of the employee's office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code or with the Fair Political Practices Commission using the Commission's electronic filing system as required under Section 87500.[2]

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is

designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following the person's return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that the person is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of the person's military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided the person did not make or participate in the making of, or use the person's position to influence any decision and did not receive or become entitled to receive any form of payment as a result of the person's appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation the person did not make, participate in the making, or use the position to

influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements.
Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property[3] is required to be reported,[4] the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property equals or exceeds $2,000, exceeds $10,000, exceeds $100,000, or exceeds $1,000,000.

(B) Personal Income Disclosure.

When personal income is required to be reported,[5] the statement shall contain:

1. The name and address of each source of income aggregating $500 or more in value, or $50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was $1,000 or less, greater than $1,000, greater than $10,000, or greater than $100,000;

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure.

When income of a business entity, including income of a sole proprietorship, is required to be reported,[6] the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than $10,000.

(D) Business Position Disclosure.

When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which the employee is a director, officer, partner, trustee, employee, or in which the employee holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period.

In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of $630.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than $630 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on the member's or employee's statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or

local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of the election to office through the date that the officer vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while the official holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed $500 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of the officer's election to office through the date the officer vacates office, receive a personal loan of $500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of $100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than $250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph

has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use the employee's official position to influence the making of any governmental decision which the employee knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of the official's immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth $2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth $2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating $500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating $630 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent the employee's participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make the employees' participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use the official's position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of the official's immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value $1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that the employee should not make a governmental decision because the employee has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of the duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for the employee's agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

Footnotes

1. Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.
2. See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.
3. For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.
4. Investments and interests in real property which have a fair market value of less than $2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.
5. A designated employee's income includes the employee's community property interest in the income of the employee's spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.
6. Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

APPENDIX 1-7(B): Designated Persons

The following persons are subject to the City's Conflicts of Interest Code:

Government Body or City Department	Position
City Council	Councilmember
Local and Regional Boards and Commissions	All officers appointed by the City Council under policy 1-6 of this policy manual (Director, Commissioner, Board Member, etc.)
Appointed officials	Any official appointed by the City Council who, as part of their official duties, makes decisions or recommendations regarding financial administration, budgeting, or the use of public resources
City Administration	City Manager
	City Attorney
	City Clerk
	Administrative Services Officer
	Finance Director
City Planning Department	Planning Director
City Public Works Department	Public Works Director
	City Engineer
	Plant Manager

APPENDIX 1-7(C): Disclosure Categories

Each Designated Person listed in Appendix 1-7(B) shall disclose the following financial interests:

- Any business entity in which the Designated Person has a direct or indirect investment worth at least $2,000
- Any real property in which the Designated Person has a direct or indirect interest of at least $2,000, except the Designated Person's principal residence
- Any source of income amounting to a total of at least $500, provided or promised to, and received by the Designated Person within 12 months before the date of disclosure
- Any business entity in which the Designated Person is a director, officer, partner, trustee, employee, or holds any position of management
- Any donor of, or any intermediary or agent for a donor of, a gift or gifts amounting to a total of at least $630 provided to, received by, or promised to the Designated Person within 12 months before the date of disclosure

These disclosures are intended to be coextensive with the Political Reform Act's disclosure requirements for public officials under Government Code sections 87200–87211 and California Code of Regulations, title 2, sections 18722 to 18740. Any exceptions to those disclosure requirements apply equally to Designated Persons under the City's Conflict of Interest Code.

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4LEAF, INC.

Unique Entity ID	CAGE / NCAGE	Purpose of Registration
GVGEHDF5LMA9	**4LHQ2**	**All Awards**
Registration Status	Expiration Date	
Active Registration	**Oct 6, 2026**	
Physical Address	Mailing Address	
2126 Rheem DR **Pleasanton, California 94588-2775** **United States**	**2126 Rheem DR** **Pleasanton, California 94588-2775** **United States**	

Business Information

Doing Business as	Division Name	Division Number
4LEAF INC	**(blank)**	**(blank)**
Congressional District	State / Country of Incorporation	URL
California 14	**California / United States**	**http://www.4leafinc.com**

Registration Dates

Activation Date	Submission Date	Initial Registration Date
Oct 8, 2025	**Oct 6, 2025**	**Nov 17, 2006**

Entity Dates

Entity Start Date	Fiscal Year End Close Date
Mar 30, 2001	**Dec 31**

Immediate Owner

CAGE	Legal Business Name
(blank)	**(blank)**

Highest Level Owner

CAGE	Legal Business Name
(blank)	**(blank)**

Executive Compensation

Registrants in the System for Award Management (SAM) respond to the Executive Compensation questions in accordance with Section 6202 of P.L. 110-252, amending the Federal Funding Accountability and Transparency Act (P.L. 109-282). This information is not displayed in SAM. It is sent to USAspending.gov for display in association with an eligible award. Maintaining an active registration in SAM demonstrates the registrant responded to the questions.

Proceedings Questions

Registrants in the System for Award Management (SAM.gov) respond to proceedings questions in accordance with FAR 52.209-7, FAR 52.209-9, or 2. C.F.R. 200 Appendix XII. Their responses are displayed in the responsibility/qualification section of SAM.gov. Maintaining an active registration in SAM.gov demonstrates the registrant responded to the proceedings questions.

Exclusion Summary

Active Exclusions Records?

No

SAM Search Authorization

I authorize my entity's non-sensitive information to be displayed in SAM public search results:

Yes

Entity Types

Business Types

Entity Structure	Entity Type	Organization Factors
Corporate Entity (Not Tax Exempt)	**Business or Organization**	**(blank)**
Profit Structure		
For Profit Organization		

Socio-Economic Types

Check the registrant's Reps & Certs, if present, under FAR 52.212-3 or FAR 52.219-1 to determine if the entity is an SBA-certified HUBZone small business concern. Additional small business information may be found in the SBA's Dynamic Small Business Search if the entity completed the SBA supplemental pages during registration.

Financial Information

Accepts Credit Card Payments	Debt Subject To Offset
Yes	**No**

EFT Indicator	CAGE Code
0000	**4LHQ2**

Points of Contact

Electronic Business

Gene Barry, Vice President
2126 Rheem Drive
Pleasanton, California 94588
United States

Kevin Duggan, President
2126 Rheem Drive
Pleasanton, California 94588
United States

Government Business

Gene Barry, Vice President
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Pleasanton, California 94588
United States

Kevin Duggan, President
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Pleasanton, California 94588
United States

Past Performance

Gene A Barry, Vice President
2126 Rheem Drive
Pleasanton, California 94588
United States

Kevin Duggan, President
2126 Rheem Drive
Pleasanton, California 94588
United States

Service Classifications

NAICS Codes

Primary	NAICS Codes	NAICS Title
Yes	**541350**	**Building Inspection Services**
	236220	**Commercial And Institutional Building Construction**
	541330	**Engineering Services**

Disaster Response

This entity does not appear in the disaster response registry.

Docusign Envelope ID: 56D03388-9761-835F-80BF-6C7D7916F455

AGREEMENT FOR CONSULTANT SERVICES - AMENDMENT NO. 2

This Amendment was made and entered into on this __day of September by and between the City of Colfax, a municipal corporation of the State of California ("City") and 4LEAF, Inc. (“Consultant").

RECITALS

A. The City and Consultant entered into an Agreement for Consultant Services for the FEMA Colfax Home Hardening/Defensible Space Project approved by the City Council on March 12, 2025 ("Agreement").

B. The City and Consultant subsequently executed Amendment No. 1 to incorporate federal contracting provisions applicable to the Agreement, including the Byrd Anti-Lobbying Amendment requirements of 2 CFR Part 200, Appendix II(I).

C. The parties desire to further amend the Agreement to incorporate the required signed Certification Regarding Lobbying.

NOW, THEREFORE, the City and Consultant agree as follows:

1. Certification Regarding Lobbying

The Certification Regarding Lobbying, attached hereto as Exhibit A, is incorporated into and made a part of the Agreement. Consultant shall execute the Certification through an authorized official and comply with the applicable requirements of the Byrd Anti-Lobbying Amendment.

2. Continuing Effect

Except as expressly modified by this Amendment No. 2, the Agreement and Amendment No. 1 shall remain unchanged and in full force and effect. In all other respects, the original contract for services dated March 12, 2025, shall remain in effect.

DRAFT

IN WITNESS WHEREOF, the parties hereby have executed this Agreement on the day first above written:

CITY		**CONSULTANT**	
Signature:	_____	Signature:	_____
Printed Name:	Ron Walker	Printed Name:	Brett Gross
Title:	City Manager	Title:	Vice President
Date:	_____	Date:	_____

APPROVED AS TO FORM:

_____

City Attorney

DRAFT

Staff Report to City Council (***DRAFT***)

FOR THE OCTOBER 28, 2026, REGULAR CITY COUNCIL MEETING

From: Ron Walker, City Manager
Prepared by: Ron Walker, City Manager
Subject: Response to the Cal OES Compliance Assessment (CR# 26-03819) for the FEMA Home Hardening and Defensible Space Program: Adoption of the Federal Awards Conflict of Interest and Standards of Conduct Policy, Approval of Amendment No. 2 to the 4LEAF, Inc. Agreement (Byrd Anti-Lobbying Certification), and Federal Procurement Compliance Checklist

Budget Impact Overview:

N/A: X	Funded:	Un-funded:	Amount: None	Fund(s):

RECOMMENDED ACTION: Receive a report from the City Manager on the Cal OES compliance assessment of the Home Hardening and Defensible Space Program grant subaward (CR# 26-03819) and the City's Corrective Action Plan; and (1) adopt Resolution No. ___-2026 adopting the City of Colfax Federal Awards Conflict of Interest and Standards of Conduct Policy; (2) approve Amendment No. 2 to the Agreement for Consultant Services with 4LEAF, Inc., incorporating the federally required Certification Regarding Lobbying (Byrd Anti-Lobbying Amendment), and authorize the City Manager to execute the Amendment in a form approved by the City Attorney; (3) approve the Federal Procurement Compliance Checklist and direct staff to implement it, with associated staff training, for all procurements funded in whole or in part with federal funds; and (4) ratify the City Manager's submittal of the City's Corrective Action Plan to Cal OES and authorize the City Manager to transmit the adopted Resolution, executed Amendment No. 2 and Certification, and training documentation to Cal OES and to take such further actions as are necessary to close the findings.

Summary/Background

The City of Colfax (City) administers its Home Hardening and Defensible Space Program under a FEMA Hazard Mitigation Grant Program (HMGP) subaward passed through the California Governor's Office of Emergency Services (Cal OES) (Disaster DR-4619, Cal OES Project AP00866). As a subrecipient of federal funds, the City is subject to periodic compliance monitoring by Cal OES.

As reported to the Council on September 9, 2026, Cal OES's Quality Control and Monitoring Unit has been conducting a subrecipient compliance assessment of the City's administration of the grant (Case CR# 26-03819, review period April 1 through June 30, 2025). On September 4, 2026, Cal OES issued its Compliance Assessment report. The review identified three findings, described below. None of the findings involves questioned costs, misspent funds, or any impropriety in the selection of the City's program consultant; the City's grant compliance consultant characterizes the findings as administrative in nature and readily correctable. Cal OES required the City to submit a Corrective Action Plan (CAP) within 30 days, by October 5, 2026.

Two of the corrective actions require City Council action — adoption of a policy by resolution and approval of a contract amendment. Cal OES confirmed that it does not require Council action before accepting the CAP, but that the CAP must identify Council approval as a scheduled milestone with firm dates. Staff therefore submitted the CAP to Cal OES (Attachment 5) identifying this meeting, October 28, 2026, as the date of Council action, with the adopted and executed documents to be transmitted to Cal OES by November 13, 2026 and staff training completed by December 4, 2026. The Policy and resolution were reviewed and revised by the City Attorney on September 21, 2026, and Amendment No. 2 has been reviewed by the City Attorney. Pending Council action, the City Manager has directed interim use of the Federal Procurement Compliance Checklist and the draft Policy's disclosure and recusal provisions on all federally funded procurements.

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Finding #1 – Insufficient Standards of Conduct Covering Conflicts of Interest

Cal OES found that the City's existing conflict of interest and code of conduct provisions do not fully incorporate the written standards required by 2 CFR § 200.318(c) for employees engaged in the selection, award, and administration of contracts supported by federal awards, including disciplinary actions for violations.

Corrective action: Staff, working with Adams Ashby Group and the City Attorney, prepared a Federal Awards Conflict of Interest and Standards of Conduct Policy (Attachment 1, Exhibit A to the resolution). The Policy establishes uniform written standards for federally funded activities, applicable to City officers, elected and appointed officials, employees, agents, evaluation committee members, and consultants acting on behalf of the City. It covers real and apparent conflicts of interest; written disclosure (to the City Manager, or to the City Attorney and Mayor where the City Manager is involved) and recusal; gifts and gratuities; organizational conflicts of interest, including consultants that help prepare scopes or procurement documents; program-specific requirements for FEMA, CDBG, USDA, and Federal-aid Highway (23 CFR Part 172) funding; documentation and record retention; disciplinary and corrective actions; and training with signed acknowledgments. The Policy supplements, and does not replace, the City's existing local conflict of interest requirements; it applies when federal funds are involved, and the more restrictive applicable requirement governs. The resolution authorizes the City Manager to implement the Policy and establish the related forms, procedures, and training. Following adoption, staff and consultants involved in federally funded procurement and grant administration will receive training on the Policy by December 4, 2026.

Finding #2 – Inadequate Verification of Vendor Eligibility

Cal OES found that the City did not retain documentation, dated before execution of the 4LEAF, Inc. agreement, verifying the contractor's eligibility through the federal System for Award Management (SAM.gov) exclusion database, as required by 2 CFR § 200.214 and 2 CFR Part 180. 4LEAF is, and has been, in good standing — the City's 2025 and 2026 SAM.gov verifications confirm the firm has no exclusions — but the pre-award check was not documented in the procurement file.

Corrective action: Staff prepared a Federal Procurement Compliance Checklist (Attachment 3) built on the City's adopted Procurement Policies and Procedures. The Checklist must be completed before any federally funded solicitation is released and takes staff step-by-step through the public notice and solicitation content, conflict-of-interest and organizational-conflict review under the new Policy, required federal contract provisions and certifications (including the Byrd Anti-Lobbying certification), program-specific requirements for FEMA/Cal OES, HUD/CDBG, USDA, and Federal Highway funding, and a signed release authorization. It also requires that a dated SAM.gov exclusion search be completed and retained in the procurement file before any federally funded contract is awarded or executed; a contractor's own certification does not substitute for the City's verification. The Checklist is in interim use by direction of the City Manager and will be used by City staff and the City's consulting engineers and program consultants on all future federally funded procurements. The City has also completed and retained SAM.gov verifications for 4LEAF (2025 and 2026) and reviewed its open federally funded procurements and contracts as directed.

Finding #3 – Contract Did Not Contain All Federally Required Provisions

Cal OES found that the City's contract documentation with 4LEAF did not include a signed Byrd Anti-Lobbying certification. Amendment No. 1 to the 4LEAF agreement incorporated the Byrd Anti-Lobbying contract provision required by 2 CFR Part 200, Appendix II(I); however, for contracts over $100,000 the regulation also requires the contractor to file a separate signed Certification Regarding Lobbying, which had not been separately executed.

Corrective action: Staff prepared Amendment No. 2 to the Agreement for Consultant Services with 4LEAF, Inc. (Attachment 2), which incorporates the Certification Regarding Lobbying (44 CFR Part 18, Appendix A) into the agreement as an exhibit. Following Council approval, the Amendment will be executed by the City Manager and the certification by 4LEAF's authorized official, and both will be retained in the City's official contract file and transmitted to Cal OES by November 13, 2026. Review of Byrd Anti-Lobbying and other applicable federal certifications has also been added to the Federal Procurement Compliance Checklist so that required certifications are identified before future contracts are executed. Amendment No. 2 makes no change to the scope, term, or compensation of the 4LEAF agreement.

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Implementation and Staff Training

Following Council action, the City Manager will transmit the adopted resolution and Policy and the executed Amendment No. 2 and certification to Cal OES by November 13, 2026, and will conduct training for City personnel and program consultants responsible for procurement, contracting, and federal grant administration by December 4, 2026, covering the new Policy, the Federal Procurement Compliance Checklist, and pre-award SAM.gov verification and documentation requirements. Each attendee will sign an acknowledgment of the Policy. The training roster and acknowledgments will be retained with the City's federal grant administration records and transmitted to Cal OES by December 11, 2026. Cal OES is expected to close the findings upon receipt of these documents.

Fiscal Impacts

There is no direct fiscal impact from the recommended actions beyond staff and consultant time, which is supported by the grant's Subrecipient Management Cost allowance. The findings involve no questioned costs and no repayment obligation. Submission of an acceptable Corrective Action Plan and timely completion of the scheduled actions protect the City's continued eligibility for reimbursement under the HMGP subaward. Amendment No. 2 does not change the amount of the 4LEAF agreement.

Attachments:

1. Resolution No. ___-2026 Adopting the Federal Awards Conflict of Interest and Standards of Conduct Policy (with Policy as Exhibit A)
2. Amendment No. 2 to the 4LEAF, Inc. Agreement for Consultant Services, with Certification Regarding Lobbying (Exhibit A)
3. Federal Procurement Compliance Checklist
4. Cal OES Compliance Assessment Report, CR# 26-03819 (September 4, 2026)
5. Corrective Action Plan Response Letter to Cal OES, as submitted
6. SAM.gov Verifications – 4LEAF, Inc. (2025 and 2026)

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Certificate Of Completion

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Status: Completed
Subject: Complete with Docusign: Colfax CAP Response Letter Final.pdf
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Signatures: 1
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Initials: 0
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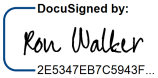
Ron Walker city.manager@colfax-ca.gov Security Level: Email, Account Authentication (None)	DocuSigned by:  2E5347EB7C5943F... Signature Adoption: Pre-selected Style Using IP Address: 68.67.80.31	Sent: 10/12/2026 11:32:46 PM Viewed: 10/13/2026 8:07:59 AM Signed: 10/13/2026 8:09:15 AM

Electronic Record and Signature Disclosure:
Not Offered via Docusign

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	10/12/2026 11:32:46 PM
Certified Delivered	Security Checked	10/13/2026 8:07:59 AM
Signing Complete	Security Checked	10/13/2026 8:09:15 AM
Completed	Security Checked	10/13/2026 8:09:15 AM

Payment Events	Status	Timestamps