



City Council Meeting

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA

Mayor Joe Fatula · Mayor Pro Tem Marnie Mendoza
Councilmembers · Kim Douglass · Sean Lomen · Trinity Burruss

REGULAR MEETING AGENDA

November 13, 2019

Closed Session: 5:30PM, Regular Session: 6:00PM

1 CLOSED SESSION

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

1B. **Roll Call**

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

1D. **Closed Session**

Conference with legal counsel - existing litigation pursuant to Government Code Section 54956.9 (d) (1): ColfaxNet vs City of Colfax, United States District for the Eastern District of California Case Number 2:19 – cv – 02167 – WBS – CKD

2 OPEN SESSION

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

2B. **Pledge of Allegiance**

2C. **Roll Call**

2D. **Approval of Agenda Order**

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

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

3 AGENCY PARTNER REPORTS

3A. **Placer County Sheriff**

3B. **CalFIRE**

3C. **CHP**

3D. **Event Liaison**

3E. **Colfax Chamber of Commerce**

3F. **Sierra Vista Community Center**

4 PRESENTATION

4A. **Letter of Recognition to Placer County Sheriff Manny Temorez**
Presented by Mayor Fatula

4B. **Proclamation in Honor of Myrtle Findley**
Presented by Mayor Fatula

4C. **Community Branding Design – Final Images**



5 PUBLIC HEARING

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

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

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

5A. **Public Hearing on Mitigation Impact Fees – Annual Report** (Pages 5-10)

Staff Presentation: Laurie Van Groningen, Finance Director

Recommendation: Conduct a Public Hearing, review annual report, consider public and staff comments, accept report and adopt Resolution __-2019 accepting and approving the Annual AB 1600 Mitigation Fee Report and making findings pursuant to Colfax Municipal Code Chapter 3.56 and the Mitigation Fee Act (Government Code Section 6600 Et Seq)

6 CONSENT CALENDAR

Matters on the Consent Agenda are routine in nature and will be approved by one blanket motion with a Council vote. No discussion of these items ensues unless specific items are pulled for discussion and separate action. If you wish to have an item pulled from the Consent Agenda for discussion, please notify the Mayor.

Recommended Action: Approve Consent Calendar

6A. **Minutes – Regular Meeting of September 25, 2019** (Pages 11-21)

Recommendation: Approve the Minutes of the Regular Meeting of September 25, 2019.

6B. **Cash Summary Report – September 2019** (Pages 22-33)

Recommendation: Accept and file.

6C. **Quarterly Investment Report – Quarter Ended September 30, 2019** (Pages 34-38)

Recommendation: Accept and file.

6D. **Fire Equipment Grant Acceptance** (Pages 39-47)

Recommendation: Adopt Resolution __-2019 approving the Department of Forestry and Fire Protection Agreement required by CalFIRE as a condition to receiving grant funds in the amount of \$2,300 for the grant application for the 2019/20 Fiscal Year.

6E. **Adopt Caltrans' Local Assistance Procedures Manual Chapter 10** (Pages 48-50)

Recommendation: Discuss and consider Resolution __-2019 authorizing the adoption of Caltrans' Local Assistance Procedures Manual Chapter 10.

6F. **Culver Street Phase II – Design and Project Management** (Pages 51-56)

Recommendation: Adopt Resolution __-2019 authorizing the City Manager to execute an agreement with GHD Engineering for the design and project management of Culver Street Phase II in an amount not to exceed \$30,272.



- 6G. **Adopt a Policy for Annual Selection of Mayor and Mayor Pro Tem** (Pages 57-61)
Recommendation: Discuss and consider Resolution __-2019 approving adopting a policy for annual selection of Mayor and Mayor Pro Tem.

7 PUBLIC COMMENT

Members of the audience are permitted to address the Council on matters of concern to the public within the subject matter jurisdiction of the City Council that are not listed on this agenda. Please make your comments as brief as possible; not to exceed three (3) minutes in length. The Council cannot act on items not included on this agenda; however, if action is required it will be referred to staff.

8 COUNCIL AND STAFF

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

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

8B. City Operations Update – City Manager

9 COUNCIL BUSINESS

9A. The City Council of the City of Colfax Denying the Colfax Net Setback Variance Application (Pages 62-65)

Staff Presentation: Wes Heathcock, City Manager

Recommendation: Adopt Resolution __-2019 approving the City Council’s findings and order denying the Colfax Net setback variance application.

9B. Proposed Location for the Colfax Skate Park (Pages 66-77)

Staff Presentation: Wes Heathcock, City Manager

Recommendation: Adopt Resolution __-2019 approving locating the Colfax Skate Park adjacent to the Splash Park.

9C. PG&E Loss Memorandum (Pages 78-84)

Staff Presentation: Wes Heathcock, City Manager

Recommendation: Discuss and provide staff direction on the PG&E Loss Memorandum.

9D. City Council Regular Session Meeting Time Change (Pages 85-86)

Staff Presentation: Wes Heathcock, City Manager

Recommendation: Provide staff direction as to future meeting times.

9E. Commercial Cannabis Microbusiness (Pages 87-89)

Staff Presentation: Wes Heathcock, City Manager & Alfred “Mick” Cabral, City Attorney

Recommendation: Discuss whether to expand the scope of permissible commercial cannabis activities in Colfax and Provide direction to staff.

9F. City Funding Support for Winterfest Event (Pages 90-91)

Staff Presentation: Wes Heathcock, City Manager

Recommendation: Discuss and consider adopting Resolution __-2019 authorizing a \$1000 donation to the Colfax Chamber of Commerce, coordinators of the 2019 Winterfest event, as the City’s contribution to the success of the Winterfest 2019 event.

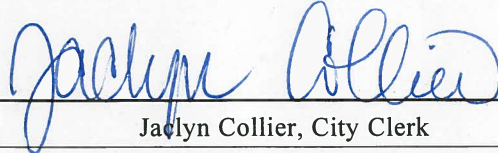


10 GOOD OF THE ORDER

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

11 ADJOURNMENT

I, Jaelyn Collier, City Clerk for the City of Colfax declare that this agenda was posted at Colfax City Hall and the Colfax Post Office. The agenda is also available on the City website at www.Colfax-ca.gov.



Jaelyn Collier, 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.





Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Laurie Van Groningen, Finance Director
Subject: Mitigation Impact Fees – Annual Report

Budget Impact Overview:

N/A:	Funded: ✓	Un-funded:	Amount:	Fund(s):
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RECOMMENDED ACTION: Conduct public hearing, review annual report, consider public and staff comments, accept report and adopt Resolution __-2019 Accepting And Approving the Annual AB 1600 Mitigation Fee Report And Making Findings Pursuant To Colfax Municipal Code Chapter 3.56 And The Mitigation Fee Act (Government Code §66000 Et Seq)

Summary/Background

The State of California, through the enactment of Government Code Section 66000 et seq. (the “Mitigation Fee Act”), conferred upon local government units authority to adopt fees imposed on a broad class of projects and fees imposed on specific projects for the purpose of defraying all or a portion of the cost of public facilities related to the development project. The City of Colfax Municipal Code Chapter 3.56 established the local authority for imposing Mitigation Impact Fees as allowed by the Mitigation Fee Act.

Colfax Municipal Code §3.56.120B requires the City to complete an annual AB1600 Mitigation report and Council to review the annual report at a noticed public hearing. At the close of the hearing, the Council must determine whether the mitigation impact fee amounts continue to be reasonably related to the impact of development and whether the described public facilities are still needed. The Council is authorized to revise the mitigation impact fees to include additional projects not previously foreseen as being needed.

The City maintains separate fund accounts for each mitigation fee type. The City has established the following Mitigation Impact Fees:

1. Fund 210 - Roads
2. Fund 211 - Drainage
3. Fund 212 - Trails
4. Fund 213 - Parks and Recreation
5. Fund 214 - City Buildings
6. Fund 215 - City Vehicles
7. Fund 217 - Downtown Parking
8. Fund 342 - Fire Construction Fees
9. Fund 343 - Recreation Construction Fees

These funds earn and accumulate interest and all expenditures from these funds have been for the purpose for which the fees were collected. A detailed financial analysis by fund and a schedule of mitigation fees are attached as part of this report.

Mitigation Fees are accounted for using the accounting method known as FIFO (first in, first out), which means the first revenue received is assumed to be the first spent. State law and the Colfax Municipal Code require the City to prepare an annual report for each fund established to account for Mitigation Impact Fees. The report must include (1) A brief description of the type of fee in the account or fund (Government Code §66006(b)(1)(A)) , (2) the amount of the fee (Government Code §66006(b)(1)(B)), (3) the beginning and ending balance of the account or fund (Government Code §66006(b)(1)(C)), (4) the amount of the fees collected and the interest earned (Government Code §66006(b)(1)(D)), (5) an identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with the fees (Government Code §66006(b)(1)(E)), (6) an identification of an approximate date by which the construction of the public improvement will commence if the city determines that sufficient funds have been collected to complete financing on an incomplete public improvement (Government Code §66006(b)(1)(F)), (7) a description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an inter-fund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan (Government Code §66006(b)(1)(G)) and (8) the amount of refunds made and allocations made if the cost of making a refund exceeds the amount to be refunded.

Public Contact

This report was available at City Hall counter by: October 2, 2019
Notice of Public Hearing was published: Auburn Journal October 30, 2019

Conclusion:

Staff recommends that Council reviews and accepts report.

Attachments

1. Resolution __-2019
2. Annual AB1600 Report
3. Mitigation Fee Schedule

The 2006 Mitigation Fee Study and 2006 Mitigation Fee Council Minutes are available at City Hall.

City of Colfax

City Council

Resolution No. __-2019

ACCEPTING AND APPROVING THE ANNUAL MITIGATION FEE REPORT AND MAKING FINDINGS PURSUANT TO COLFAX MUNICIPAL CODE CHAPTER 3.56 AND THE MITIGATION FEE ACT (GOVERNMENT CODE §66000 ET SEQ)

WHEREAS, in 1987 the California Legislature adopted the Mitigation Fee Act as Government Code §66000 et seq (the “Mitigation Fee Act”) whereby it authorized cities to impose fees in connection with the approval of development projects for the purpose of defraying all or a portion of the cost of public facilities related to the development project (“Mitigation Impact Fees”); and,

WHEREAS, in 2007 the City Council of the City of Colfax adopted Ordinance 488 pursuant to the authority of the Mitigation Fee Act; and

WHEREAS, Colfax received Mitigation Impact Fees from various developers pursuant to Ordinance 488 and deposited those fees into separate funds as required by law; and

WHEREAS, the Mitigation Fee Act and Colfax Ordinance require the preparation of a report identifying the balance of Mitigation Impact Fees in the various funds established for their deposit, the facilities constructed and the facilities to be constructed (the “Mitigation Fee Report”); and

WHEREAS, the City’s Finance Director prepared the Mitigation Fee Report, a copy of which is attached to this Resolution; and

WHEREAS, on November 13, 2019, pursuant to notice duly published and posted, the Colfax City Council opened a public hearing for the purpose of (1) reviewing the Mitigation Fee Report and the Mitigation Impact Fees and determining whether the Mitigation Impact Fee amounts continue to be reasonably related to the impact of development, (2) determining whether the described facilities are still needed, (3) determining whether the Mitigation Impact Fees should be revised to include additional projects not previously foreseen as being needed and (4) making other findings required by law; and

WHEREAS, on November 13, 2019, the public hearing was closed after all public comments were received.

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

1. The foregoing recitals are true and correct statements of fact and are incorporated into this Resolution by this reference.
2. Based upon all of the evidence in the record before it and the comments received from the public, the Colfax City Council hereby finds and determines:

- a. The purpose to which each Mitigation Impact Fee identified in the Mitigation Fee Report is adequately identified in Colfax Municipal Code §3.56.050 and the Major Projects and Mitigation Fee Study dated August 14 2006, as amended.
- b. It has been adequately demonstrated that there continues to be a reasonable relationship between each Mitigation Impact Fee and the purpose for which it is charged.
- c. To the extent any improvements to be funded by Mitigation Impact Fees remain incomplete, the sources and amount of funding are identified in the Major Projects and Mitigation Fee Study dated August 14, 2006 as amended and include without limitation future development projects in Colfax.
- d. The approximate dates on which funding for all projects to be funded by Mitigation Impact Fees will be deposited into the appropriate Mitigation Impact Fee account or fund is presently unknown because development within the City is unpredictable but is estimated to be at approximately the same time as future development occurs.
- e. The amounts of the Mitigation Impact Fees continue to be reasonably related to the impact of development.
- f. The public facilities described in the Major Projects and Mitigation Fee Study dated August 14, 2006, as amended, and as provided in Colfax Municipal Code §3.56.050 are still needed.

3. The Mitigation Fee Report is hereby approved.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 13th day of November, 2019 by the following vote of the Council:

AYES:
NOES:
ABSTAIN:
ABSENT:

Joe Fatula, Mayor

ATTEST:

Jaelyn Collier, City Clerk

Attachment 2

City of Colfax Annual Report on Mitigation Fees Per Government Code 66000 AB1600 Statement - Fiscal Year 2018-2019

Analysis of Change in Fund Balance

	Roads 210	Drainage 211	Trails 212	Parks & Rec 213	City Building 214	City Vehicle 215	Downtown Parking 217	Recreation Construction 342	Fire Construction 343	Total
Beginning Balance 07/01/18	-	\$ 3,111	\$ 43,594	\$ 68,425	\$ -	\$ -	\$ 22,041	\$ 2,479	\$ 2,479	\$ 142,129
REVENUE										
Fees Collected*	283,056	-	1,029	30,086	4,788	910	-	8,028	8,028	335,925
Interest Earnings	926	70	983	1,189	19	4	235	87	87	3,599
Other Revenue	-	-	-	-	-	-	-	-	-	-
Transfers in	-	-	-	-	-	-	-	-	-	-
	283,982	70	2,012	31,275	4,807	914	235	8,115	8,115	339,524
EXPENDITURES										
Project Expenditures	(990)	-	-	94,775	-	-	22,276	-	-	116,061
Refunds	-	-	-	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-	-	-	-
	(990)	-	-	94,775	-	-	22,276	-	-	116,061
Revenue Over/(Under) Expenditures	284,972	70	2,012	(63,500)	4,807	914	(22,041)	8,115	8,115	223,463
Ending Balance at 06/30/19	\$ 284,972	\$ 3,181	\$ 45,606	\$ 4,925	\$ 4,807	\$ 914	\$ 0	\$ 10,594	\$ 10,594	\$ 365,592

Expenditures by Project

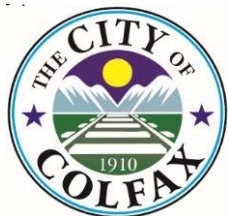
	Roads 210	Drainage 211	Trails 212	Parks & Rec 213	City Building 214	City Vehicle 215	Downtown Parking 217	Recreation Construction 342	Fire Construction 343	Total	Percentage Funded with Mitigation Fees
Project: Economic Revitalization	\$ (990)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (990)	100%
Project: Roundabout	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1%
Project: ADA 2018 Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,276	\$ -	\$ -	\$ 22,276	75%
Project: Ball Park Bleachers	\$ -	\$ -	\$ -	\$ 48,650	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 48,650	100%
Project: Art Lot Property	\$ -	\$ -	\$ -	\$ 46,125	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 46,125	100%
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Expenditures by Project	\$ (990)	\$ -	\$ -	\$ 94,775	\$ -	\$ -	\$ 22,276	\$ -	\$ -	\$ 116,061	

*Fund 210 Road Mitigation Fees - \$270,000 of fees collected in fiscal year 2018-2019 are budgeted in the Roundabout Construction project and anticipated to be drawn down in fiscal year 2019-2020.

Attachment 3

**MITIGATION FEE BY LANDUSE & TYPE
COLFAX MITIGATION FEE STUDY**

Mitigation Fee 3.56		Single	Multi	Office	Retail	Industrial
Item	Code/Ordinance Section	Family per unit	Family per unit	Building per 1000 sf	Building per 1000 sf	Building per 1000 sf
Roads	3.56.030A	\$ 1,802	\$ 1,301	\$ 5,285	\$ 6,342	\$ 1,172
Drainage Study	3.56.030B	\$ 74	\$ 48	\$ 57	\$ 68	\$ 43
Drainage systems on e-w culverts	3.56.030C	\$ 3,416	\$ 2,216	\$ 2,616	\$ 3,139	\$ 1,962
Trails	3.56.030D	\$ 1,125	\$ 787	\$ 35	\$ 31	\$ 12
Park & Rec.	3.56.030E	\$ 5,731	\$ 4,011	\$ 178	\$ 160	\$ 63
City Buildings	3.56.030F	\$ 684	\$ 494	\$ 2,007	\$ 2,409	\$ 445
City Vehicles	3.56.030G	\$ 130	\$ 94	\$ 380	\$ 456	\$ 84
Downtown Parking	3.56030H	\$ 581	\$ 420	\$ 1,705	\$ 2,046	\$ 378
Mitigation Fee Study		\$ -	\$ -	\$ -	\$ -	\$ -
				sf building, example		
		per unit	per unit	Totals for a 10,000		
Total		\$ 13,543	\$ 9,372	\$ 122,628	\$ 146,522	\$ 41,595
Totals areas not using e-w culverts		\$ 10,126	\$ 7,156	\$ 96,465	\$ 115,128	\$ 21,974



City Council Minutes

Regular Meeting of Wednesday, September 25, 2019
City Hall Council Chambers
33 S. Main Street, Colfax CA

1 CLOSED SESSION

There was no closed session at this meeting.

2 OPEN SESSION

2A. Call Open Session to Order

Mayor Fatula called the open session to order at 6:00PM

2B. Pledge of Allegiance

Abby Frye led the Pledge of Allegiance.

2C. Roll Call

Council Members present: Fatula, Mendoza, Douglass, Burruss, Lomen

2D. Approval of Agenda Order

By MOTION, approve the agenda as presented.

The motion was made by Councilmember Lomen and seconded by Councilmember Burruss and approved by the following voice vote:

AYES: Fatula, Mendoza, Douglass, Burruss, Lomen

NOES:

ABSENT:

3 AGENCY REPORTS

Placer County Sheriff – Colfax Station Commander, Ty Conners

Conners provided an update on staff, introduced Officer Jeremy Cleek and Kyle Worden. He requested residents look out for a possible suspect involved in recent gas thefts, driving a green Taurus, also talked about the Eagle Eye program and how registering devices can assist the department with investigations.

Mayor Fatula asked Conners about the homeless status.

Conners provided an update on laws and ordinances in regards to the homeless population, offered resources to keep trespassers off your property.

CalFIRE – Battalion Chief, Brian Eagan

Eagan requested the public continue to be careful, reminded everyone it is still fire season. He stated information received from neighboring areas is being shared with the city.

Mayor Fatula asked Eagan about rains reducing the risk.

Eagan confirmed only for a very short period of time, not until substantial amounts of rain occurs will the risk be lower. He stated several announcements will be made at the end of fire season, based on moisture.

CA Highway Patrol – Gold Run area, Chris Nave

Nave reported Street Vibrations is this weekend, anticipated 50,000 motorcycles on Hwy 80. He reported additional units have been added to patrol asked the public to be aware of their surroundings and not to engage.

Mayor Fatula asked Nave to provide an update on the Hwy 50 closure.

Nave stated he did not have an update. He noted the 3-mile patch paving is complete as of this date, and provided an update on recent truck fires due to brakes.

Event Liaisons – Fred & Renee Abbott

Mr. Abbott reported on the success of Railroad Days, thanked citizens and volunteers.

Mrs. Abbott thanked groups and individuals for their assistance, reported on participants and entertainers at the event.

Mr. Abbott stated he would like to form a Colfax Railroad Days committee, meeting October 1st at the Depot.

Councilmember Lomen thanked the Abbotts.

Mayor Fatula also thanked the Abbotts and estimated the crowd doubled from last year.

Sierra Vista Community Center – Foxey McCleary

McCleary provided an update on BINGO, reported the Flea Market did great during Railroad Days, Lionesses are raising money for the town. She provided an update on the Farmers' Market, VFW Breakfast, Legion Dinner and Open Studio. Requested volunteers to help winterize the SVCC property.

4 PRESENTATION

There was no presentation at this meeting.

5 PUBLIC HEARING**Public Hearing for the Colfax Net Variance to allow a reduced setback to permit installation of a 60 to 80-foot-high telecommunication tower with antennas.**

Staff Presentation: Amy Feagans, City Planner

Recommendation: Decide whether to grant, grant with modifications, or deny the requested variance.

Mayor Fatula recused himself and left the Council Chambers for this discussion due to conflict of interest.

Mayor Pro Tem Mendoza conducted the Public Hearing.

Ms. Feagans reported Colfax Net requesting the variance for the tower, current requirements 2 feet for every foot, a 66-foot tower would need approximately 132 feet. She provided information about the proposed tower with PowerPoint providing the audience a visual aid showing where the tower is proposed. In addition, Ms. Feagans provided an update on the history of the item from previous Council Meetings.

City Attorney, Alfred "Mick" Cabral confirmed Council is not required to open public comment on the matter as this step has already taken place, they are only required to receive a rebuttal from the Applicant. He explained options for receiving public comment, and

informed Council they are not able to consider proposed harmful radio frequency due to law. Mr. Cabral discussed letter received on the matter.

Councilmember Lomen took a poll of the audience for who planned to speak.

Council agreed to hear no more than 10 people in favor and 10 people in opposition.

PUBLIC COMMENT:

Reopened, limit 10 speakers per side.

Speakers IN FAVOR of approving the variance requested by Colfax Net:

- Corey Duchane – Colfax Net customer
- Mary Solomon – Colfax Net customer
- Rich Maddox – Colfax Net customer
- Ms. Frye – Colfax Net customer
- Bill Bean Sr. – Colfax Net customer
- Dillon – Colfax Net employee
- Chris Schiller – Colfax Net customer
- Linda Bating – Colfax Net customer

Speakers IN OPPOSITION of approving the variance requested by Colfax Net:

- Rose Swick – Property owner
- Tom Swick – Property owner
- David Ackerman – Property owner
- Tom Dunipace – Attorney representing the neighboring property owner

Mr. Dunipace questioned the applicant’s ability to request the variance, stating he is not the property owner.

Councilmember Lomen requested the input from City Attorney Alfred “Mick” Cabral.

Mr. Cabral confirmed the owner of the property, on which the variance is being requested, signed the application.

- Dwayne Armstrong – DACOMM owner
- Jim Stevenson – Smarter Broadband

Mr. Stevenson stated he did not represent either side but that he was interested in knowing what the final decision is made, talked about allowing other companies to build additional towers.

Mr. Cabral stated each variance is a case by case.

Mr. Stevenson stated they too are local and would like special considerations.

- Cory Juchau – Colfax Net owner and applicant requesting proposed variance

Mr. Juchau spoke in favor of approving the variance.

- Monti Reynolds – Attorney for Colfax Net

Mr. Reynolds referenced letters previously submitted, talked to Council about having the legal authority to make this decision, requested they use their knowledge to decide, not statements from either side. He requested Council review the impacts of this decision, stated the setback is a rule on the Swick

property and property owner rights are not being taken away as there is no right to keep a view or property value.

Mayor Pro Tem Mendoza closed the Public Hearing.

Mayor Pro Tem Mendoza requested input from Council Members.

Councilmember Burruss requested input from Mr. Cabral on Mr. Reynold's statements.

Mr. Cabral provided information clarifying Council having the right to make a determination either way.

Councilmember Lomen thanked everyone for their input. Talked about Colfax Net, stated he has worked with them as well as the opposed parties involved. He stated he has worked hard to research information from both sides and that there are other options available. Councilmember Lomen spoke in favor of denying the requested variance.

Councilmember Douglass requested clarification on the scenario of the applicant, Corey Juchau, leaving, and if Colfax Net internet service would continue. He inquired about putting a pole up next to the dead tree.

Councilmember Lomen spoke about what would be required to allow the pole next to the tree.

Councilmember Burruss talked about the potential of putting up a lattice tower.

Corey Juchau stated the Swicks and Amick do not support a fake tree tower. He reported a tree tower would cost \$100,000 plus foundation and additional costs. He stated there is an existing road that does not need to be cleared. Mr. Juchau stated he offered to purchase trees to block the view of most of the tower.

Councilmember Burruss confirmed the false tree is no longer an option. She stated the airport land use board she also serves on provides her experience for approval or denial of variances. Councilmember Burruss pointed out the same level of consideration should be used when making a similar decision and requested the public consider that.

Mayor Pro Tem Mendoza requests the decision be finalized.

By MOTION, deny the requested variance.

The MOTION was made by Councilmember Lomen, seconded by Councilmember Burruss and approved by the following roll call vote:

AYES: Lomen, Douglass, Burruss, Mendoza

NOES:

ABSENT: Fatula

Motion passes 4-0 – Variance Denied.

Mayor Pro Tem Mendoza called a short recess at 7:32PM

Mayor Fatula called the meeting back to order at 7:38PM

6 CONSENT CALENDAR

6A. Minutes – Regular Meeting of September 11, 2019

Recommendation: Approve the Minutes of the Regular Meeting of September 11, 2019.

6B. Cash Summary Report – August 2019

Recommendation: Accept and file.

6C. Award of Contract – Wastewater Treatment Plant Fencing

Recommendation: Adopt Resolution 43-2019 authorizing the City Manager to enter into a contract with STA-BULL Fence Company Inc. in an amount not to exceed \$33,189.

By MOTION, approve the consent calendar as presented.

The MOTION was made by Mayor Pro Tem Mendoza and seconded by Councilmember Burruss and approved by the following voice vote:

AYES: Fatula, Mendoza, Douglass, Burruss, Lomen

NOES:

ABSENT:

7 PUBLIC COMMENT

Linda Habay, Business owner

Requested the city start planning for winter months.

Mayor Pro Tem Mendoza stated she reached out to CalTrans and reported they are working on getting porta-potties in Colfax and further up the hill.

Mayor Fatula stated last year’s signs would be put out again.

8 COUNCIL AND STAFF REPORTS

Councilmember Lomen

Councilmember Lomen attended the Colfax Honor Game. He attended the WACMAC meeting. He also stated Placer County plans to revise rules at Sugar Pine which will become a no wake zone. Councilmember Lomen reports there will be public meetings in October to discuss short-term rentals, AirB&B type rentals. He stated Supervisor Gustafson will be at the library the second Tuesday of every month. Reported the County is trying to update housing codes to reflect state changes in requirements.

Councilmember Douglass

Councilmember Douglass stated Channel 13 advertised Railroad Days, reported Placer County economic development meeting on mixed housing, SACOG discussed housing plan from Washington, Middle Housing and reported Project GO funding to food closets. Councilmember Douglass attended Railroad Days, the Flea Market and the Chamber Mixer, stated Pioneer Energy rate change vote is going to happen Monday. He talked about the success of Railroad Days.

Mayor Pro Tem Mendoza

Mayor Pro Tem Mendoza attended coffee with Supervisor Gustafson and stated she talked about wildfire safety and ways to prepare the Interstate 80 corridor. She

attended and states she enjoyed Railroad Days, also attended the Mixer at Railhead Saloon.

Councilmember Burruss

Councilmember Burruss provided an update on AB 1413, the bill is on the Governor's desk. PCPTA meeting passed the 2019-2020 Local Transportation Funds and approved State Transit Assistance Funding.

Mayor Fatula

Mayor Fatula attended Railroad Days, talked about the quilt show. He stated he met with John Baggett, Principal at Colfax Elementary, about mentorships. Mayor Fatula stated he attended the Chamber Mixer and met with Channel 13 as well.

City Manager, Wes Heathcock

City Manager Heathcock provided an update on the agreement for the \$500,000 planning grant with \$6 million construction grant. He stated we need to mitigate the amount of water that gets into the system. City Manager Heathcock reported paving will start tomorrow on the West side for the roundabout, traffic will shift Sunday. He reports we are still on target for completion date of November 1st and are still \$30,000 under budget.

Mayor Fatula requested information from City Attorney Cabral on the vegetation ordinance.

City Manager Heathcock reported construction on Culver Street will begin the week of October 7th. Downtown striping is scheduled for nights of October 9th and 10th, notices have gone out.

9 COUNCIL BUSINESS

9A Planning Grants Program Funds

Staff Presentation: Amy Feagans, City Planner

Recommendation: Adopt Resolution 44-2019 authorizing the following:

SECTION 1. The City Council of the City of Colfax hereby authorizes the City Manager to apply for, receive, and submit to the Department, the 2019 Planning Grants Program (PGP) application in the amount of \$160,000.

SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the City Manager is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$160,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, City's obligation related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

SECTION 3. The City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB2 Planning Grants Program and Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. Any and all activities funded, information provided and timelines represented in the application will be enforceable through the executed Standard

Agreement. The City Council hereby agrees to pursue the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Funding Program Application.

SECTION 4. The City Manager is authorized to execute the City of Colfax Planning Grants application, the PGP Grant Documents, and any amendments thereto on behalf of the City of Colfax as required by Department upon receipt of the PGP Grant.

City Planner, Amy Feagans reported the city is entitled to \$160,000 by filling out the application, stated the funds must be used to improve housing development and provided examples of eligible projects. She stated the application is due by November 30th, 2019.

City Manager Wes Heathcock stated this is another grant funding source discovered by staff.

By MOTION, adopt Resolution 44-2019 authorizing sections 1-4 listed above.

The MOTION was made by Mayor Pro Tem Mendoza, seconded by Councilmember Lomen and approved by the following voice vote:

AYES: Fatula, Mendoza, Douglass, Burruss, Lomen

NOES:

ABSENT:

9B Proposed Location for the Colfax Skate Park

Staff Presentation: Wes Heathcock, City Manager

Recommendation: Adopt a Resolution approving locating the Colfax Skate Park adjacent to the Splash Park.

Ty Conners stated he has spearheaded this project since 2014, he provided a brief history of the skate park project, acknowledged Colfax Green Machine and thanked them for their help and support. Mr. Conners spoke about the versatility of the proposed park and that the skate park could be used by any wheeled option – bikes, rollerblades, skateboards. Mr. Conners reports he has big companies wanting to support this project, spoke about this bringing more tourism. He talked about Skate MD serving special needs children and them wanting to move up here, as well as Project Lifelong which takes at risk youth on skate trips in other communities. Mr. Conners stated skateboarding will be in the 2020 Olympics and how a brand-new skate park could bring people in. He reported finalizing a location has been a process, Sierra Vista Community Center denied the skate park, he also confirmed this project is on the Master Plan for Placer County stating they want to help support with Parks and Rec funding. Mr. Conners requested a current resolution and location to assist in receiving funds. He thanked Homie Joe's and Chevron for their support in raising funds.

Councilmember Lomen inquired about offering 2 pieces of property.

Mr. Conners talked about the City Corp Yard not being sufficient and provided examples of why – including children crossing the road between the baseball field and the Corp Yard.

City Manager Heathcock clarified the approval would allow Mr. Conners to move forward to receive funding and obtain engineered plans.

PUBLIC COMMENT:

Larry Hillberg (resident) expressed appreciation of Mr. Conners and the consideration given to the vote on the previous item. He provided a survey of Colfax youth and spoke in favor of providing a swimming pool. Mr. Hillberg talked about the City applying for grants to put in a pool, going to Placer County for funding of the pool, and read a resolution that the Splash Park was phase 1 of the pool project. He talked about previous council meetings that had the pool discussion on the agenda that he felt were not noticed properly. Mr. Hillberg spoke in opposition of a skate park near his home, and mentioned past crimes in the purposed area.

Councilmembers Burruss and Lomen talked about current safety issues with the empty lot.

Mr. Hillberg pointed out costs that could be incurred for security and lights, stated he was upset about not being notified of this discussion.

Councilmember Lomen requested input on finding mitigation.

Mayor Fatula asked Mr. Conners what is currently being done about security.

Mr. Conners provided data for call outs to the entire park, 4 since January 2018 that were initiated by citizens. He clarified this is not a Sheriff project, and stated he talked to Paul Lundberg, the Principal at Colfax High School, who is trying to get a pool at the high school.

Mayor Fatula suggested we look at the previously requested funding.

City Manager Heathcock stated we could offer a resolution of support contingent on reviewing previous funding from Placer County.

Mayor Fatula inquired about the obligation to provide notice to neighbors of the location.

Mr. Conners stated he has delivered letters to surrounding neighbors and talked to residents.

Mr. Hillberg talked about neighbors' issues with erosion and requested the question be opened up to the citizens. He again spoke in opposition of the skate park.

Linda Habay (business owner) stated she can see both sides, spoke in support of a skate park for the youth. She talked about liabilities of a pool and suggested diverting funds to assist the high school build their pool. Ms. Habay talked about the benefits of a skate park.

Will Stockwin (resident) inquired about the current population of skaters in town, the long-term costs to the City, whether or not a skate park would decrease home values and if the City would be able to mitigate that issue. He asked whether or not the skate park would deter the skater population in town and mentioned cannabis retailers are required to have a 200-foot setback.

Bill Bean Sr. (resident) spoke in support of the pool coming back. He talked about the enjoyment of the pool in that location previously, stated a skate park does not belong there and how building a pool at the high school is an extensive process.

Councilmember Burruss requested clarification on the structural integrity of the site to hold a pool.

City Manager Heathcock was unable to clarify.

Councilmember Burruss inquired on a setback requirement for the skate park.

City Manager Heathcock and City Planner Feagans stated they were not aware of a setback requirement for a skate park.

Mayor Pro Tem Mendoza asked about phase 1 and phase 2 of the pool, stated she is in support of the Skate Park but would like more information on the grant funding.

Mayor Fatula inquired about the long-term maintenance cost for a skate park and cost of security, inquired about the previous grant and noticing neighbors within 300-feet.

Councilmember Lomen requested a comparison of a skate park vs. a pool, suggested obtaining the information from another municipality.

All Council Members spoke in favor of a skate park in Colfax.

Councilmember Burruss stated she would like more information on the project and funding going forward. She clarified that approving this resolution would allow review of the site for issues but does not lock in the site, stated the first step is a long process.

Mayor Fatula requested this item be pushed to allow more research. He requested a motion in favor and a motion to obtain more information.

By MOTION, approve a skate park to be located on City property.

The MOTION was made by Councilmember Lomen, seconded by Mayor Pro Tem Mendoza and approved by the following voice vote:

AYES: Fatula, Mendoza, Douglass, Burruss, Lomen

NOES:

ABSENT:

Council voted unanimously in support of a skate park being located on City property.

By MOTION, defer the item to the next meeting.

The MOTION was made by Mayor Fatula, seconded by Councilmember Douglass and passed by the following voice vote:

AYES: Fatula, Mendoza, Douglass

NOES: Burruss

OBSTAIN: Lomen

ABSENT:

Council requested time to notice property owners and research costs and impacts a skate park at this location would have.

City Manager Heathcock requested ample time to notice.

9C Conduct Discussion and Adopt a Policy for Annual Selection of Mayor and Mayor Pro Tem

Staff Presentation: Wes Heathcock, City Manager

Recommendation: Discuss and consider adopting a policy for annual selection of Mayor and Mayor Pro Tem.

City Attorney Cabral provided information about the current selection process.

Councilmember Burruss requested the policy allow Council to have discretion.

Mayor Fatula requested Mr. Cabral read the policy.

Mr. Cabral read the policy aloud.

Councilmember Burruss requested to strike the number of votes and to allow Mayor Pro Tem to be decided by Council not tenure. She asked verbiage be added requiring public comment to be considered.

Councilmember Lomen agreed.

Mr. Cabral stated he would bring back a revised policy.

PUBLIC COMMENT:

Tom Parnham (resident) talked about the process of becoming council and being rushed to determine a Mayor. He pointed out the ability Council has to change policy and that it is a waste to set a policy that can be changed.

Mayor Fatula requested confirmation that Council currently has a guideline.

By MOTION, continue the item to the next meeting and add changes.

The MOTION was made by Councilmember Douglass, seconded by Councilmember Lomen and passed by the following voice vote:

AYES: Fatula, Douglass, Burruss, Lomen

NOES: Mendoza

ABSENT:

10 GOOD OF THE ORDER

Councilmember Douglass mentioned the City Manager becoming an alternate for Pioneer Energy.

Mayor Pro Tem Mendoza requested to look at the TOT Tax.

City Manager Heathcock asked Mayor Pro Tem Mendoza to clarify if she is considering increasing the TOT Tax.

City Attorney Cabral clarified it would have to go to an election.

Councilmember Burruss talked about the Ordinance for the business district at Whitcomb through Main Street prohibiting skating of any kind and that she would like to see that amended.

Mayor Fatula stated skating downtown is a concern, provided an example of a skater crashing into a window, talked about types of windows.

Councilmember Burruss mentioned allowing skating but not on sidewalks.

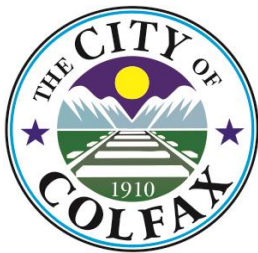
11 ADJOURNMENT

As there was no further business on the agenda, Mayor Fatula adjourned the meeting, without objection at 9:09PM.

Respectfully submitted to City Council this 13th day of November, 2019.



Jaclyn Collier, City Clerk



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Laurie Van Groningen, Finance Director
Subject: Cash Summary Report – September 2019

Budget Impact Overview:

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

Summary/Background

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

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

The attached reports reflect an overview of the financial transactions of the City of Colfax in September 2019.

- Monthly expenditures include the quarterly payment for Sheriff services.
- Negative cash fund balances are due to timing of funding allocations and reimbursements.
 - Fund 218 – Annual allocations for Support Law Enforcement funding typically begins in November of each year. The City expects to receive annual allocation of \$100,000.
 - Fund 250 – The allocations for Fiscal year funding via Placer County Transportation Agency (PCTPA) was approved by the PCTPA Board at their August Board meeting. The City submitted claim worksheets for funding in September and the first allocation of funding was received in October. Full funding of budgeted transfers from Gas Tax Fund and General Fund will be recorded in fiscal year end closing process (June 2020).
 - Fund 365 - Kneeland Street Improvements – This new project is the first of the budgeted street improvements for fiscal year 2019-2020. Funding will be transferred from Mitigation Fees and General Fund as appropriate.
 - Fund 355 – CDBG Pavement Culver – Pending fund transfer from Fund 244.
 - Fund 385 – Roundabout Project – The primary funding for this project is disbursed on a reimbursement basis, therefore, a negative balance is anticipated until the end of the project. Reimbursements are being requested as soon as possible based on Grant and

Partner agreements. The City has received all Developer share of costs, and \$270,000 of these funds are in Fund 210 – Mitigation Fees Road projects and are budgeted to be used for the project (to be transferred as necessary at project completion).

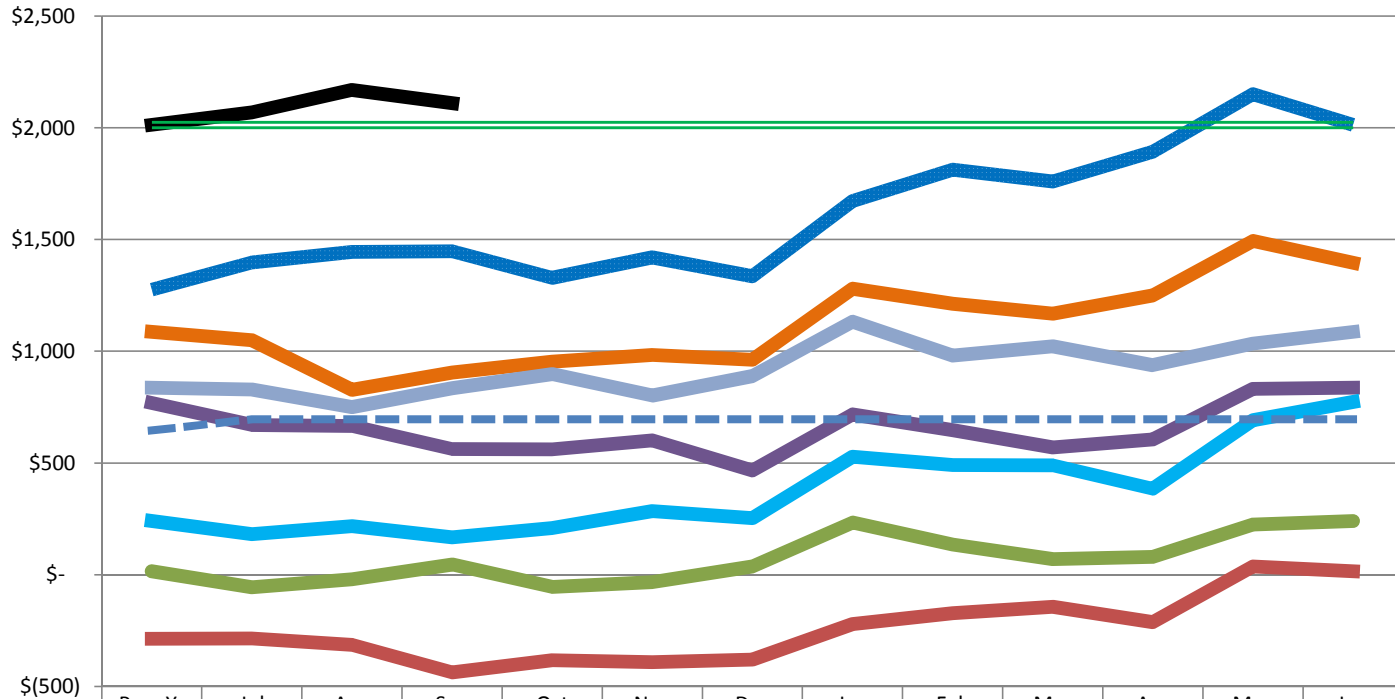
Attachments

1. General Fund Reserved Cash Analysis Graphs
 - a. Cash Analysis – Balance
 - b. Expenses by Month
 - c. Revenues by Month
2. Cash Activity Reports
 - a. Cash Summary
 - b. Cash Transactions Report – by individual fund
 - c. Check Register Report - Accounts Payable
 - d. Daily Cash Summary Report (Cash Receipts)

Attachment 1a

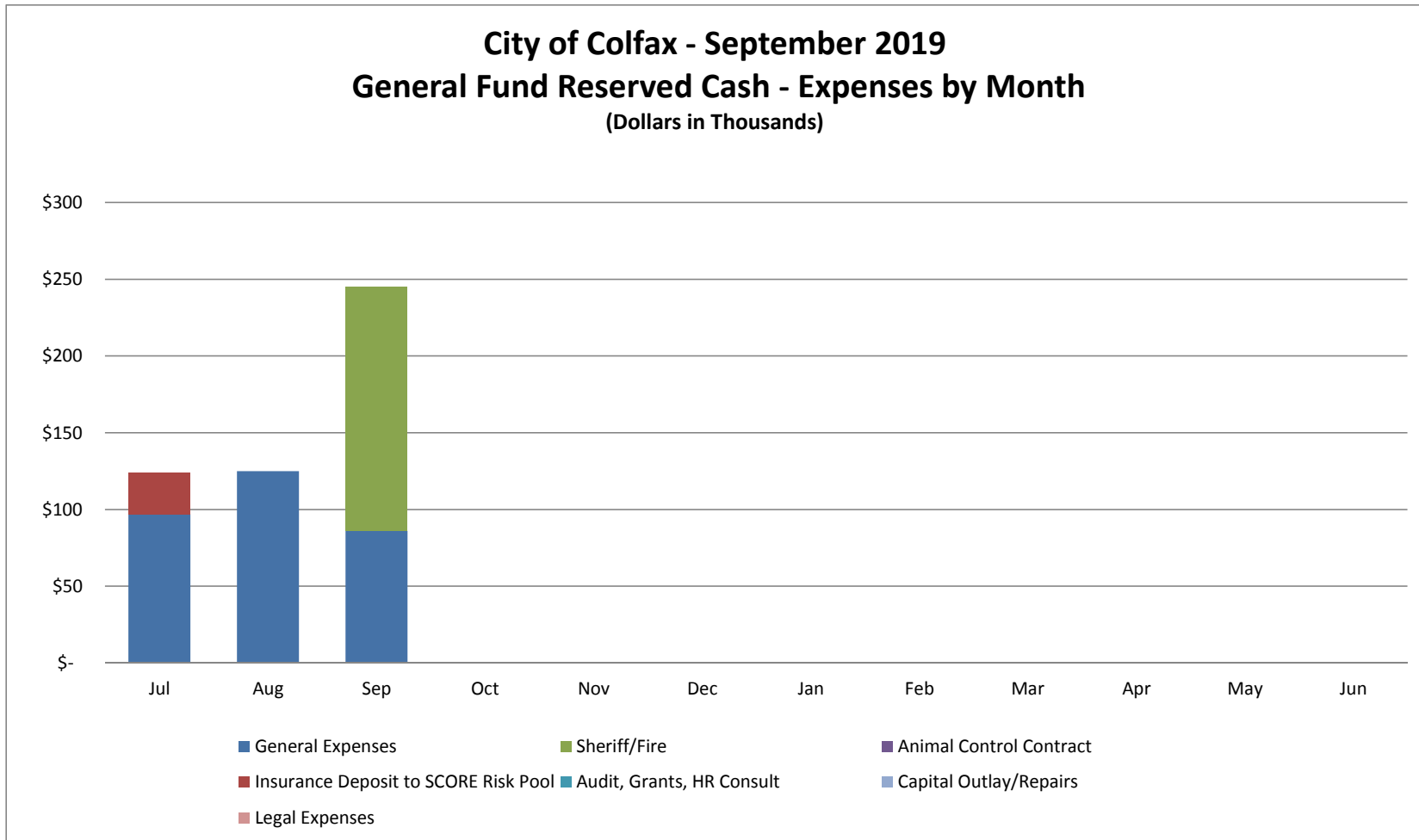
City of Colfax - September 2019
General Fund Reserved Cash Analysis
 (Dollars in Thousands)

Fiscal Year 2019-20 >>

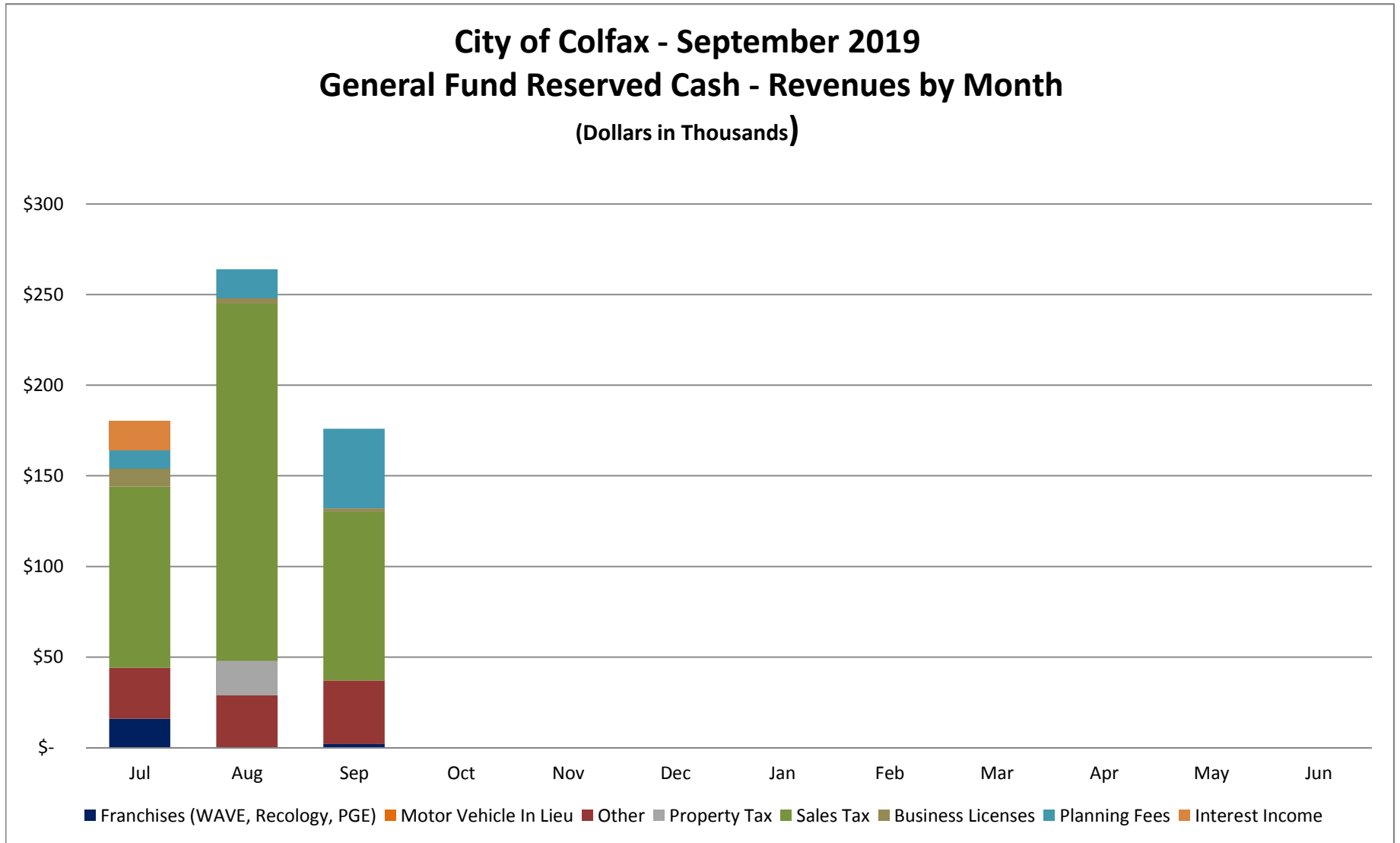


	Prev Yr	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Cash Balance FY2019-20	\$2,013	\$2,069	\$2,169	\$2,110									
Cash Balance FY2018-19	\$1,275	\$1,398	\$1,444	\$1,447	\$1,329	\$1,420	\$1,336	\$1,672	\$1,812	\$1,760	\$1,893	\$2,151	\$2,013
Cash Balance FY2017-18	\$1,086	\$1,050	\$828	\$905	\$954	\$983	\$962	\$1,280	\$1,212	\$1,168	\$1,250	\$1,493	\$1,396
Cash Balance FY2016-17	\$838	\$829	\$750	\$835	\$897	\$802	\$889	\$1,133	\$981	\$1,022	\$938	\$1,034	\$1,086
Cash Balance FY2015-16	\$768	\$670	\$666	\$562	\$561	\$601	\$466	\$717	\$647	\$569	\$605	\$831	\$838
Cash Balance FY2014-15	\$240	\$181	\$217	\$167	\$209	\$284	\$253	\$528	\$491	\$489	\$385	\$691	\$773
Cash Balance FY2013-14	\$15	\$(57)	\$(20)	\$45	\$(55)	\$(34)	\$36	\$233	\$134	\$69	\$79	\$225	\$240
Cash Balance FY2012-13	\$(287)	\$(286)	\$(314)	\$(438)	\$(383)	\$(391)	\$(380)	\$(221)	\$(173)	\$(144)	\$(212)	\$37	\$15
*Reserves (Ops, Cap, Pen)	\$645	\$695	\$695	\$695	\$695	\$695	\$695	\$695	\$695	\$695	\$695	\$695	\$695
Budget FY2018-19	\$2,013	\$2,013	\$2,013	\$2,013	\$2,013	\$2,013	\$2,013	\$2,013	\$2,013	\$2,013	\$2,013	\$2,013	\$2,013

Attachment 1b



Attachment 1c



Attachment 2a

**City of Colfax
Cash Summary
September 30, 2019**

	Balance 08/31/2019	Revenues In	Expenses Out	Transfers	Balance 09/30/19
US Bank	\$ 467,428.31	\$ 475,919.41	\$ (932,250.79)	\$ 325,000.00	\$ 336,096.93
LAIF	\$ 5,921,820.40	\$ -		\$ (325,000.00)	\$ 5,596,820.40
Total Cash - General Ledger	<u>\$ 6,389,248.71</u>	<u>\$ 475,919.41</u>	<u>\$ (932,250.79)</u>	<u>\$ -</u>	<u>\$ 5,932,917.33</u>
Petty Cash (In Safe)	\$ 300.00				\$ 300.00
Total Cash	<u>\$ 6,389,548.71</u>	<u>\$ 475,919.41</u>	<u>\$ (932,250.79)</u>	<u>\$ -</u>	<u>\$ 5,933,217.33</u>

Change in Cash Account Balance - Total \$ (456,331.38)

Attached Reports:

- 1. Cash Transactions Report (By Individual Fund)
 - 2. Check Register Report (Accounts Payable) \$ (848,659.06)
 - 3. Cash Receipts - Daily Cash Summary Report \$ 317,391.36
 - Payroll Checks and Tax Deposits \$ (70,758.64)
 - Utility Billings - Receipts \$ 141,260.04
 - Voided Check - Reissue October \$ (179.08)
 - Voided Check - Reissue September \$ 4,614.00
- \$ (456,331.38) \$

Prepared by: Laurie Van Groningen 10/14/19
Laurie Van Groningen, Finance Director

Reviewed by: Wes Heathcock 10/15/2019
Wes Heathcock, City Manager

Attachment 2b
City of Colfax

Cash Transactions Report - September 2019

	Beginning Balance	Debit Revenues	Credit (Expenditures)	Ending Balance
Fund Type: 1.11 - General Fund - Unassigned				
Fund: 100 - General Fund	\$ 2,203,406.91	\$ 136,088.63	\$ (241,792.75)	\$ 2,097,702.79
Fund: 120 - Land Development Fees	\$ 43,653.14	\$ 40,046.62	\$ (3,092.50)	\$ 80,607.26
Fund: 570 - Garbage Fund	\$ (68,755.37)	\$ -	\$ -	\$ (68,755.37)
Fund Type: 1.11 - General Fund - Unassigned	\$ 2,178,304.68	\$ 176,135.25	\$ (244,885.25)	\$ 2,109,554.68
Fund Type: 1.14 - General Fund - Restricted				
Fund: 200 - Cannabis Application	\$ 13,320.00	\$ 4,614.00	\$ (8,017.67)	\$ 9,916.33
Fund: 205 - Escrow Funds	\$ 101,626.24	\$ 0.83	\$ -	\$ 101,627.07
Fund: 571 - AB939 Landfill Diversion	\$ 26,917.26	\$ -	\$ -	\$ 26,917.26
Fund: 572 - Landfill Post Closure Maintenance	\$ 784,052.45	\$ -	\$ (3,492.74)	\$ 780,559.71
Fund Type: 1.14 - General Fund - Restricted	\$ 925,915.95	\$ 4,614.83	\$ (11,510.41)	\$ 919,020.37
Fund Type: 1.24 - Special Rev Funds - Restricted				
Fund: 210 - Mitigation Fees - Roads	\$ 284,972.23	\$ -	\$ -	\$ 284,972.23
Fund: 211 - Mitigation Fees - Drainage	\$ 3,181.62	\$ -	\$ -	\$ 3,181.62
Fund: 212 - Mitigation Fees - Trails	\$ 45,605.77	\$ -	\$ -	\$ 45,605.77
Fund: 213 - Mitigation Fees - Parks/Rec	\$ 4,925.06	\$ -	\$ -	\$ 4,925.06
Fund: 214 - Mitigation Fees - City Bldgs	\$ 4,806.55	\$ -	\$ -	\$ 4,806.55
Fund: 215 - Mitigation Fees - Vehicles	\$ 913.53	\$ -	\$ -	\$ 913.53
Fund: 217 - Mitigation Fees - DT Parking	\$ -	\$ -	\$ -	\$ -
Fund: 218 - Support Law Enforcement	\$ -	\$ -	\$ (25,000.00)	\$ (25,000.00)
Fund: 244 - CDBG Program Inc - ME Lending	\$ 203,758.80	\$ 1,000.00	\$ -	\$ 204,758.80
Fund: 250 - Streets - Roads/Transportation	\$ (32,969.30)	\$ 180.00	\$ (14,086.98)	\$ (46,876.28)
Fund: 253 - Gas Taxes/SB1 Road Maint	\$ 41,847.96	\$ 3,254.75	\$ (1,164.30)	\$ 43,938.41
Fund: 270 - Beverage Container Recycling	\$ 18,608.05	\$ -	\$ -	\$ 18,608.05
Fund: 280 - Oil Recycling	\$ 3,669.04	\$ -	\$ -	\$ 3,669.04
Fund: 292 - Fire Department Capital Funds	\$ 88,517.41	\$ -	\$ -	\$ 88,517.41
Fund: 342 - Fire Construction - Mitigation	\$ 10,593.43	\$ -	\$ -	\$ 10,593.43
Fund: 343 - Recreation Construction	\$ 10,593.90	\$ -	\$ -	\$ 10,593.90
Fund Type: 1.24 - Special Rev Funds - Restricted	\$ 689,024.05	\$ 4,434.75	\$ (40,251.28)	\$ 653,207.52
Fund Type: 1.34 - Capital Projects - Restricted				
Fund: 365 - Kneeland Street Imprpv	\$ -	\$ -	\$ (2,925.00)	\$ (2,925.00)
Fund: 355 - CDBG Pavement - Culver	\$ (7,332.50)	\$ 5,650.00	\$ (80.00)	\$ (1,762.50)
Fund: 385 - Roundabout	\$ (96,799.39)	\$ 139,958.58	\$ (541,797.90)	\$ (498,638.71)
Fund Type: 1.34 - Capital Projects - Restricted	\$ (104,131.89)	\$ 145,608.58	\$ (544,802.90)	\$ (503,326.21)
Fund Type: 2.11 - Enterprise Funds				
Fund: 560 - Sewer	\$ 1,099,281.28	\$ 89,606.04	\$ (71,420.54)	\$ 1,117,466.78
Fund: 561 - Sewer Liftstations	\$ 328,194.72	\$ 15,398.14	\$ (14,279.37)	\$ 329,313.49
Fund: 563 - Wastewater Treatment Plant	\$ 685,239.82	\$ 40,121.82	\$ -	\$ 725,361.64
Fund: 564 - Sewer Connections	\$ 55,881.90	\$ -	\$ -	\$ 55,881.90
Fund: 567 - Inflow & Infiltration	\$ 531,230.52	\$ -	\$ -	\$ 531,230.52
Fund: 573 - WWTP Planning Grant	\$ -	\$ -	\$ (5,254.88)	\$ (5,254.88)
Fund Type: 2.11 - Enterprise Funds - Unassign	\$ 2,699,828.24	\$ 145,126.00	\$ (90,954.79)	\$ 2,753,999.45
Fund Type: 9.0 - CLEARING ACCOUNT				
Fund: 998 - PAYROLL CLEARING FUND	\$ 307.68	\$ 153.84	\$ -	\$ 461.52
Fund Type: 9.0 - CLEARING ACCOUNT	\$ 307.68	\$ 153.84	\$ -	\$ 461.52
Grand Totals:	\$ 6,389,248.71	\$ 476,073.25	\$ (932,404.63)	\$ 5,932,917.33

Attachment 2c

Check Register Report

Item 6B

Checks Processed Sept 2019

Date: 10/14/2019

Time: 8:58 am

Page: 1

CITY OF COLFAX

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
US BANK Checks								
55000	09/06/2019	Reconciled		09/30/2019	03141	CALPERS	HEALTH PREMIUMS SEPT 2019	7,751.03
55001	09/03/2019	Void	10/04/2019		03552	COLFAX MARKET	PCCOA MEETING DRINKS	0.00
55002	09/03/2019	Reconciled		09/30/2019	08170	HILLS FLAT LUMBER CO	STMT 8/25/19	623.65
55003	09/03/2019	Reconciled		09/30/2019	16750	PR DIAMOND PRODUCTS, INC	ASPHALT CUTTING BLADE	175.00
55004	09/03/2019	Reconciled		09/30/2019	19065	SCI CONSULTING GROUP	CANNABIS APPLICATION REVIEW	3,403.67
55005	09/03/2019	Reconciled		09/30/2019	20054	TARGET SPECIALTY PRODUCTS	LAWN CARE SUPPLIES	212.05
55006	09/03/2019	Reconciled		09/30/2019	22240	VULCAN MATERIALS COMPANY	GRASS VALLEY ST. ASPHALT	342.93
55007	09/03/2019	Reconciled		09/30/2019	23169	WAVE BUSINESS SOLUTIONS	CITY HALL INTERNET	159.90
55008	09/03/2019	Reconciled		09/30/2019	23169	WAVE BUSINESS SOLUTIONS	DEPOT PHONE	17.21
55009	09/06/2019	Reconciled		09/30/2019	03141	CALPERS	GASB68 REPORTS	700.00
55010	09/06/2019	Reconciled		09/30/2019	03141	CALPERS	SSA ANNUAL FEE	300.00
55011	09/05/2019	Reconciled		09/30/2019	01448	AMERIGAS - COLFAX	SHERIFF DEPT PROPANE	17.18
55012	09/05/2019	Reconciled		09/30/2019	01448	AMERIGAS - COLFAX	FIRE DEPT PROPANE	15.78
55013	09/05/2019	Reconciled		09/30/2019	01460	AMERIPRIDE UNIFORM SERVICE	UNIFORM SVCS AUG 2019	865.12
55014	09/05/2019	Reconciled		09/30/2019	01500	ANDERSON'S SIERRA	IRRIGATION SUPPLIES	307.59
55015	09/05/2019	Reconciled		09/30/2019	02901	BUREAU VERITAS NORTH AMERICA	ENG SVCS MAR 2019 SHORTPAY	630.00
55016	09/05/2019	Reconciled		09/30/2019	05120	EDWARDS HEATING & COOLING	WWTP A/C REPAIR	188.00
55017	09/05/2019	Reconciled		09/30/2019	07460	GOLD COUNTRY MEDIA	CSR POSITION AD	204.00
55018	09/05/2019	Reconciled		09/30/2019	08050	HACH COMPANY	WWTP LAB SUPPLIES	374.86
55019	09/05/2019	Reconciled		09/30/2019	08070	HANSEN BROS. ENTERPRISES	ROCK	224.15
55020	09/05/2019	Reconciled		09/30/2019	08086	HBE RENTALS	CULVER ST RPR/CRACK SEALER	32.02
55021	09/05/2019	Reconciled		09/30/2019	08501	HOME DEPOT CREDIT SERVICES	STMT 8/21/19	175.10
55022	09/05/2019	Reconciled		09/30/2019	12209	LIEBERT CASSIDY WHITMORE	RECONSORTIUM MEMBERSHIP 19/20	2,115.00
55023	09/05/2019	Reconciled		09/30/2019	16011(2)	PELLETREAU, ALDERSON & CABRAL	LEGAL SVCS AUG 2019	6,931.75
55024	09/05/2019	Reconciled		09/30/2019	16040A	PITNEY BOWES	Q1 FY 19/20 POSTAGE MACH LEASE	167.84
55025	09/05/2019	Reconciled		09/30/2019	18400	RIEBES AUTO PARTS	STMT 8/31/19	75.86
55026	09/05/2019	Printed			1791	SIERRA PROPERTY DEVELOPMENT	BILLBOARD RPR	750.00
55027	09/05/2019	Reconciled		09/30/2019	19591	STANLEY CONVERGENT SECURITY	DEPOT SECURITY MONITORING	148.95
55028	09/05/2019	Reconciled		09/30/2019	19791	SUTTER MEDICAL FOUNDATION	WWTP OIT VACCINES	199.00
55029	09/05/2019	Reconciled		09/30/2019	21560	US BANK CORPORATE PMT SYSTEM	STMT 8/22/19	2,685.11
55030	09/05/2019	Reconciled		09/30/2019	22106	VAN GRONINGEN & ASSOCIATES	FINANCIAL SVCS AUG 2019	6,281.25
55031	09/05/2019	Reconciled		09/30/2019	22240	VULCAN MATERIALS COMPANY	ASPHALT	685.86
55032	09/05/2019	Reconciled		09/30/2019	23169	WAVE BUSINESS SOLUTIONS	FIRE DEPT PHONE	35.19
55033	09/05/2019	Reconciled		09/30/2019	23230	JEFF WHEELER	LOT OF ART WATER	150.21
55034	09/12/2019	Reconciled		09/30/2019	01270	ADAMS ASHBY GROUP, INC.	CDBG PROJECT REVIEW	225.00
55035	09/12/2019	Reconciled		09/30/2019	01414	ALHAMBRA & SIERRA SPRINGS	PW/WWTP WATER	292.67
55036	09/12/2019	Reconciled		09/30/2019	01448	AMERIGAS - COLFAX	DEPOT PROPANE	116.90
55037	09/12/2019	Reconciled		09/30/2019	01766	AT&T MOBILITY	CITY CELL PHONES AUG 2019	704.29
55038	09/12/2019	Reconciled		09/30/2019	03474	CLARDY, CHRIS	TOOL PURCHASE REIMBURSEMENT	150.00
55039	09/12/2019	Reconciled		09/30/2019	3555	COLFAX RAILROAD DAYS	RR DAYS EVENT CONTRIBUTION	1,000.00
55040	09/12/2019	Reconciled		09/30/2019	04234	DE LAGE LANDEN FINANCIAL	COPY MACH MAINT SEPT 2019	491.76
55041	09/12/2019	Reconciled		09/30/2019	4589	DWYER, JACOB	2019 PARTIAL BOOT ALLOWANCE	226.26
55042	09/12/2019	Reconciled		09/30/2019	7223	GEOCON CONSULTANTS INC.	POND 3 GEOTECHNICAL	990.00
55043	09/12/2019	Reconciled		09/30/2019	07465	GOLD MINER PEST CONTROL	DEPOT PEST CONTROL	75.00
55044	09/12/2019	Reconciled		09/30/2019	07570	GRAINGER	WWTP SUPPLIES	71.18
55045	09/12/2019	Reconciled		09/30/2019	08660	HUNT AND SONS, INC.	PW/WWTP FUEL	886.74
55046	09/12/2019	Reconciled		09/30/2019	16035	PG&E	ELECTRICITY	17,751.58
55047	09/12/2019	Reconciled		09/30/2019	16200	PLACER COUNTY SHERIFF DEPT.	Q1 FY 19/20 SHERIFF CONTRACT	184,082.00

Attachment 2c

Check Register Report

Item 6B

Checks Processed Sept 2019

Date: 10/14/2019

Time: 8:58 am

Page: 2

CITY OF COLFAX

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
US BANK Checks								
55048	09/12/2019	Reconciled		09/30/2019	16559	PLAZA TIRE AND AUTO SERVICE	PW VEHICLE RPR	873.58
55049	09/12/2019	Reconciled		09/30/2019	16040	PURCHASE POWER	POSTAGE REFILL	503.50
55050	09/12/2019	Printed			19037	SAFE SIDE SECURITY	CORP YARD SECURITY SEPT 2019	95.00
55051	09/12/2019	Reconciled		09/30/2019	19575	SHANNA STAHL	CLASS MILEAGE REIMBURSEMENT	88.47
55052	09/12/2019	Reconciled		09/30/2019	01790	SIERRA OFFICE PRODUCTS	OFFICE SUPPLIES	317.62
55053	09/12/2019	Reconciled		09/30/2019	19397	SIERRA SAW	CHAINSAW RPR	162.30
55054	09/12/2019	Reconciled		09/30/2019	19319	SOLACE GRAPHICS	BRANDING CONSULTANTS	600.00
55055	09/12/2019	Reconciled		09/30/2019	22134	VISION QUEST	TECH SUPPORT SVCS OCT 2019	1,494.00
55056	09/12/2019	Reconciled		09/30/2019	23169	WAVE BUSINESS SOLUTIONS	CITY HALL PHONE	220.45
55057	09/12/2019	Reconciled		09/30/2019	23301	WESTERN PLACER WASTE	SLUDGE REMOVAL AUG 2019	857.15
55058	09/23/2019	Reconciled		09/30/2019	02901	BUREAU VERITAS NORTH AMERICA	BLDG OFFICIAL SVCS AUG 2019	4,845.00
55059	09/23/2019	Reconciled		09/30/2019	03401	CHOICE BUILDER	OCT 2019 PREMIUMS	752.52
55060	09/23/2019	Reconciled		09/30/2019	03435	CITY OF AUBURN	CITY CLERK SVCS AUG 2019	1,093.99
55061	09/23/2019	Reconciled		09/30/2019	04592	DACOMM	WWTP INTERNET	99.95
55062	09/23/2019	Printed			04234	DE LAGE LANDEN FINANCIAL	COPY MACH SALES TAX	68.50
55063	09/23/2019	Reconciled		09/30/2019	05221	EOSI - ENVIRONMENT OPERATING	WWTP CHEMICALS	5,639.23
55064	09/23/2019	Reconciled		09/30/2019	06278	FRONTIER COMMUNICATIONS	WWTP PHONE	188.79
55065	09/23/2019	Reconciled		09/30/2019	14859	GHD INC.	ENG SVC AUG 2019	7,985.63
55066	09/23/2019	Printed			07268	GIULIANI & KULL - AUBURN, INC.	KNEELAND ST SURVEYING	2,925.00
55067	09/23/2019	Reconciled		09/30/2019	07465	GOLD MINER PEST CONTROL	WWTP/LIFT STATION PEST CONTROL	210.00
55068	09/23/2019	Reconciled		09/30/2019	07570	GRAINGER	WWTP SUPPLIES	275.37
55069	09/23/2019	Reconciled		09/30/2019	07575	GRANITE CONSTRUCTION	ROUNDAABOUT CONSTRUCTION	493,581.10
55070	09/23/2019	Reconciled		09/30/2019	08050	HACH COMPANY	WWTP LAB SUPPLIES	397.82
55071	09/23/2019	Reconciled		09/30/2019	08660	HUNT AND SONS, INC.	PW/WWTP FUEL	495.06
55072	09/23/2019	Reconciled		09/30/2019	09455	INLAND BUSINESS SYSTEMS	COPY MACH OVERAGES Q1 19/20	411.05
55073	09/23/2019	Reconciled		09/30/2019	12210	LIFE-ASSIST, INC.	FIRE DEPT MEDICAL SUPPLIES	867.21
55074	09/23/2019	Printed			13277	MMANC	19/20 MEMBERSHIP	75.00
55075	09/23/2019	Reconciled		09/30/2019	13567	MWG HOLDINGS	CHECK 54365 REISSUE	4,614.00
55076	09/23/2019	Reconciled		09/30/2019	14356	NORTHERN CALIFORNIA GLOVE	WWTP SUPPLIES	274.50
55077	09/23/2019	Reconciled		09/30/2019	16300	PCWA -PLACER COUNTY	WATER	3,092.95
55078	09/23/2019	Reconciled		09/30/2019	16035	PG&E	ROUNDAABOUT ELECTRICAL POLES	4,562.51
55079	09/23/2019	Reconciled		09/30/2019	16559	PLAZA TIRE AND AUTO SERVICE	BACKHOE RPRS	762.31
55080	09/23/2019	Printed			16821	PSOMAS	ROUNDAABOUT PROJECT MAN	39,374.91
55081	09/23/2019	Reconciled		09/30/2019	18194	RGS - REGIONAL GOV SERVICES	PLANNING SVCS AUG 2019	5,400.00
55082	09/23/2019	Reconciled		09/30/2019	22240	VULCAN MATERIALS COMPANY	ASPHALT	344.61
55083	09/23/2019	Reconciled		09/30/2019	23169	WAVE BUSINESS SOLUTIONS	CORP YARD PHONE	54.90
55084	09/23/2019	Reconciled		09/30/2019	18883	WAXIE SANITARY SUPPLY	PW SUPPLIES	245.83
55085	09/30/2019	Reconciled		09/30/2019	2087	BASIC PACIFIC	FSA PLAN FEES SEPT 2019	45.00
55086	09/30/2019	Printed			1204	ABBOTT, FRED	COLFAX CONNECTION SEPT 2019	900.00
55087	09/30/2019	Printed			01500	ANDERSON'S SIERRA	STORM DRAIN RPR	241.95
55088	09/30/2019	Printed			3026	BOUND TREE	FIRE DEPT SUPPLIES	818.23
55089	09/30/2019	Printed			03493	COASTLAND CIVIL ENGINEERING	ENG SVCS AUG 2019	846.25
55090	09/30/2019	Printed			3555	COLFAX RAILROAD DAYS	RAILROAD DAYS DEPOSIT REFUND	100.00
55091	09/30/2019	Printed			3499	COLFAX-TODDS VALLEY	ROUNDAABOUT CULTURAL INSP	1,235.00
55092	09/30/2019	Printed			07465	GOLD MINER PEST CONTROL	FIRE STATION 37 PEST CONTROL	148.00
55093	09/30/2019	Printed			08070	HANSEN BROS. ENTERPRISES	GRASS VALLEY ST ROCK	22.42
55094	09/30/2019	Printed			08159	HILL BROTHERS CHEMICAL	WWTP CHEMICALS	7,397.30
55095	09/30/2019	Printed			08200	HINDERLITER, DE LLAMAS & ASSOC	Q3 SALES TAX AUDIT	618.32

Attachment 2c

Check Register Report

Item 6B

Checks Processed Sept 2019

Date: 10/14/2019

Time: 8:58 am

Page: 3

CITY OF COLFAX

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
US BANK Checks								
55096	09/30/2019	Printed			08501	HOME DEPOT CREDIT SERVICES	STMT 9/20/19	71.89
55097	09/30/2019	Printed			08660	HUNT AND SONS, INC.	FIRE DEPT FUEL	91.76
55098	09/30/2019	Printed			09540	INTERSTATE SALES	PARKING BLOCK	60.06
55099	09/30/2019	Printed			10510	JOSEPH SCHWIND	BACKHOE RPR	75.00
55100	09/30/2019	Printed			16767	POWELL, JUSTIN	BALLFIELD RENTAL DEPOSIT REF	100.00
55101	09/30/2019	Printed			19397	SIERRA SAW	PW SUPPLIES/OIL	142.78
55102	09/30/2019	Printed			23169	WAVE BUSINESS SOLUTIONS	CITY HALL INTERNET	159.90
55103	09/30/2019	Printed			23169	WAVE BUSINESS SOLUTIONS	FIRE DEPT CABLE	5.22
55104	09/30/2019	Printed			23169	WAVE BUSINESS SOLUTIONS	DEPOT PHONE	17.91
55105	09/30/2019	Printed			18883	WAXIE SANITARY SUPPLY	SUPPLIES	120.23
55106	09/30/2019	Printed			23230	JEFF WHEELER	LOT OF ART WATER REIMB	146.51
55107	09/30/2019	Printed			23451	WOOD RODGERS	WWTP IMPROVEMENTS	7,436.88

Total Checks: 108

Checks Total (excluding void checks):

848,659.06

Total Payments: 108

Bank Total (excluding void checks):

848,659.06

Total Payments: 108

Grand Total (excluding void checks):

848,659.06

Attachment 2d

DAILY CASH SUMMARY REPORT

Item 6B

Page: 1
10/14/2019
9:00 am

09/01/2019 - 09/30/2019

City of Colfax

		Debit	Credit	Net Chng	
Fund: 100 - General Fund					
09/03/2019	Daily Totals	913.53	0.00	913.53	
09/04/2019	Daily Totals	743.46	0.00	743.46	
09/11/2019	Daily Totals	1,018.50	0.00	1,018.50	
09/12/2019	Daily Totals	4,089.98	0.00	4,089.98	
09/16/2019	Daily Totals	0.00	234.14	-234.14	
09/17/2019	Daily Totals	13,526.03	0.00	13,526.03	
09/20/2019	Daily Totals	350.00	0.00	350.00	
09/24/2019	Daily Totals	99,622.66	0.00	99,622.66	
09/27/2019	Daily Totals	5,380.16	0.00	5,380.16	
09/30/2019	Daily Totals	427.40	165.00	262.40	
Fund: 100 - General Fund		TOTALS:	126,071.72	399.14	125,672.58
Fund: 120 - Land Development Fees					
09/04/2019	Daily Totals	1,000.00	0.00	1,000.00	
09/12/2019	Daily Totals	31,046.62	0.00	31,046.62	
09/17/2019	Daily Totals	8,000.00	0.00	8,000.00	
Fund: 120 - Land Development Fees		TOTALS:	40,046.62	0.00	40,046.62
Fund: 205 - Escrow Account - Developers					
09/30/2019	Daily Totals	0.83	0.00	0.83	
Fund: 205 - Escrow Account - Developers		TOTALS:	0.83	0.00	0.83
Fund: 244 - CDBG MicroEnterprise Lending					
09/30/2019	Daily Totals	1,000.00	0.00	1,000.00	
Fund: 244 - CDBG MicroEnterprise Lending		TOTALS:	1,000.00	0.00	1,000.00
Fund: 250 - Streets - Roads/Transportation					
09/30/2019	Daily Totals	180.00	0.00	180.00	
Fund: 250 - Streets - Roads/Transportation		TOTALS:	180.00	0.00	180.00
Fund: 253 - Gas Taxes					
09/20/2019	Daily Totals	3,254.75	0.00	3,254.75	

Attachment 2d

DAILY CASH SUMMARY REPORT

Item 6B

Page: 2
10/14/2019
9:00 am

09/01/2019 - 09/30/2019

City of Colfax

		Debit	Credit	Net Chng
Fund: 253 - Gas Taxes				
TOTALS:		3,254.75	0.00	3,254.75
Fund: 355 - CDBG Pavement Program				
09/17/2019	Daily Totals	5,650.00	0.00	5,650.00
Fund: 355 - CDBG Pavement Program				
TOTALS:		5,650.00	0.00	5,650.00
Fund: 385 - Roundabout Project				
09/12/2019	Daily Totals	117,567.50	0.00	117,567.50
09/24/2019	Daily Totals	22,391.08	0.00	22,391.08
Fund: 385 - Roundabout Project				
TOTALS:		139,958.58	0.00	139,958.58
Fund: 561 - Sewer Liftstations				
09/11/2019	Daily Totals	407.00	0.00	407.00
09/17/2019	Daily Totals	407.00	0.00	407.00
09/20/2019	Daily Totals	814.00	0.00	814.00
Fund: 561 - Sewer Liftstations				
TOTALS:		1,628.00	0.00	1,628.00
GRAND TOTALS:		317,790.50	399.14	317,391.36



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Laurie Van Groningen, Finance Director
Subject: Quarterly Investment Report – Quarter Ended September 30, 2019
Budget Impact Overview:

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

RECOMMENDED ACTION: Accept and file.

BACKGROUND AND ANALYSIS:

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

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

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

The City’s investment policy is authorized under the California Government Code, section 53600, et. seq. as it applies to the investment of public funds. The Government Code governs the City’s allowable investments, and the lengths of those investments. Our investment policy dictates that the City should have liquid short term securities to meet six months financial obligations. The budget for fiscal year 2019-2020 reflects nearly \$4.2M in annual operating expenditures; therefore, our target for liquid short term securities would be \$2.1M.

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

- The investments held at September 30, 2019 conform to the City Investment Policy adopted by Resolution 29-2014.
- The composite yield of the City's investment pool (US Bank and LAIF) to be the rate of 2.24% for the quarter ended September 30, 2019.
- There are sufficient funds on deposit to meet all anticipated City expenditures for the period October 1, 2019 through March 31, 2020.

Historically, due to fluctuations in fund balances, investment opportunities outside the corporate checking and LAIF accounts have been somewhat limited. With several years of solid funding levels, the City staff has reviewed additional investment opportunities. We have seriously considered the process of opening an account for some short term Certificates of Deposit (CD) investments. In recent months, the rates for CD's have dropped while LAIF interest rates continue to increase creating a very narrow gap between the two investment options. Staff will continue to review for opportunities, but at this time will continue with the current investment structure.

Attachments

1. Analysis of Treasury Investment Pool
2. State of California – PMIA and LAIF Performance Report (QE 09/30/2019)
3. State of California – PMIA Average Monthly Effective Yields

Attachment 1

City of Colfax

Analysis of Treasury Investment Pool

Quarterly Analysis - FY2018-2019

Report Date: 09/30/19

Quarter Ended 09/30/2019					
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Type of Investment	Financial Institution	Date of Maturity	Investment Amount	% of Total Investment	Average Investment Yield
Investment Fund	State Local Agency Investment Fund (LAIF)	N/A	\$ 5,596,820	95%	2.34%
Corporate Checking	US Bank	N/A	\$ 298,304	5%	0.19%
Total Investment Pool			\$ 5,895,125	100%	2.24%

Attachment 2



CALIFORNIA STATE TREASURER
FIONA MA, CPA



PMIA Performance Report

Date	Daily Yield*	Quarter to Date Yield	Average Maturity (in days)
09/09/19	2.31	2.35	177
09/10/19	2.30	2.35	176
09/11/19	2.30	2.35	176
09/12/19	2.29	2.35	179
09/13/19	2.29	2.35	179
09/14/19	2.29	2.35	179
09/15/19	2.29	2.35	179
09/16/19	2.28	2.35	182
09/17/19	2.27	2.35	188
09/18/19	2.27	2.35	187
09/19/19	2.27	2.35	186
09/20/19	2.26	2.35	185
09/21/19	2.26	2.34	185
09/22/19	2.26	2.34	185
09/23/19	2.26	2.34	186
09/24/19	2.26	2.34	185
09/25/19	2.25	2.34	184
09/26/19	2.25	2.34	186
09/27/19	2.25	2.34	187
09/28/19	2.25	2.34	187
09/29/19	2.25	2.34	187
09/30/19	2.25	2.34	185
10/01/19	2.22	2.22	200
10/02/19	2.22	2.22	200
10/03/19	2.21	2.22	198
10/04/19	2.21	2.22	198
10/05/19	2.21	2.21	198
10/06/19	2.21	2.21	198
10/07/19	2.21	2.21	197
10/08/19	2.21	2.21	197
10/09/19	2.21	2.21	196

*Daily yield does not reflect capital gains or losses

[View Prior Month Daily Rates](#)

LAIF Performance Report

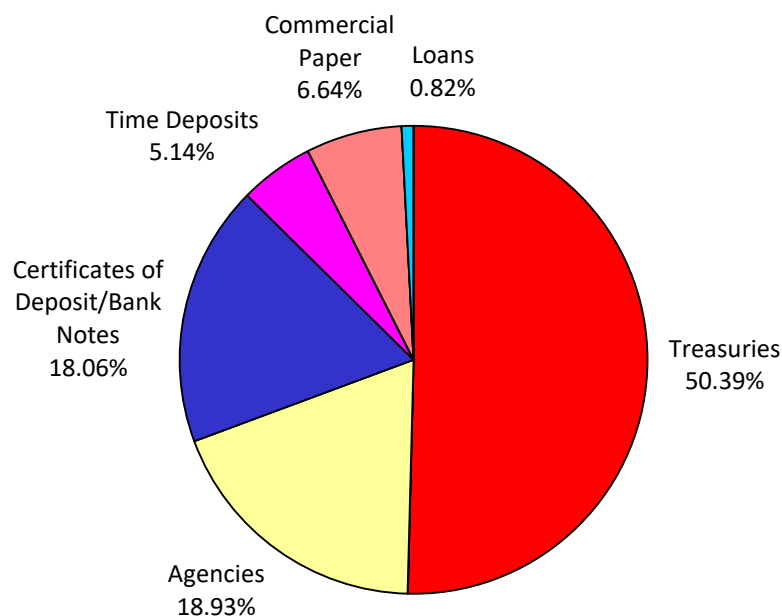
Quarter Ending 06/30/19

Apportionment Rate: 2.57
 Earnings Ratio: .00007028813234525
 Fair Value Factor: 1.001711790
 Daily: 2.39%
 Quarter to Date: 2.44%
 Average Life: 173

PMIA Average Monthly Effective Yields

Sep 2019 2.280
 Aug 2019 2.341
 July 2019 2.379

Pooled Money Investment Account
Portfolio Composition
08/31/19
\$94.8 billion



Percentages may not total 100% due to rounding

Notes: The apportionment rate includes interest earned on the CalPERS Supplemental Pension Payment pursuant to Government Code 20825 (c)(1)

Based on data available as of 10/09/2019

Attachment 3



California State Treasurer
Fiona Ma, CPA



[Home](#) | [Open Government](#) | [Careers](#) | [Contact](#)

Search



[Home](#) [PMIA Home](#) [Contacts](#) [Time Deposits](#) [LAIF](#)

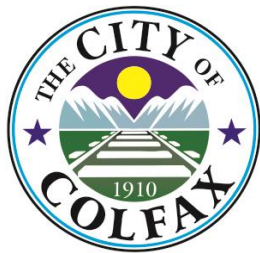
[Home](#) ->> [PMIA](#) ->> PMIA Average Monthly Effective Yields



POOLED MONEY INVESTMENT ACCOUNT

PMIA Average Monthly Effective Yields

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



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Brian Eagan, Battalion Chief
Subject: Fire Equipment Grant Acceptance

Budget Impact Overview:

N/A:	Funded: √	Un-funded:	Amount: \$2,300	Fund(s): 292
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RECOMMENDED ACTION: Adopt Resolution __-2019 approving the Department of Forestry and Fire Protection Agreement required by CalFIRE as a condition to receiving grant funds in the amount of \$2,300 for the grant application for the 2019/20 Fiscal Year.

Summary/Background:

The Volunteer Fire Assistance (VFA) Grant Program provides funding to organize, train, and equip fire departments in rural areas and rural communities to prevent and suppress fires. CalFIRE is responsible for administering these grant funds and has been authorized to make awards on a matching basis to public entities such as cities, counties, special districts and volunteer fire departments.

The City received notification from the Department of Forestry and Fire Protection that the Colfax City Fire Department has been selected for funding in the amount of \$2,300. In order to receive the funding, Council must approve a resolution which is in the State format to accept the funds and memorialize the obligation to match funds. Council approval and acceptance of the Grant Agreement package is due back to CalFIRE before December 2019.

The City will purchase the items for the fire department beginning February 2020 and submit all invoices by June 30, 2020. Reimbursement for grant funds (50% of expenditures) will be received up to eight weeks after invoices are submitted.

Fiscal Impact:

N/A

Attachments:

1. Resolution __ - 2019
2. Contract

City of Colfax

City Council

Resolution № __-2019

BEFORE THE CITY COUNCIL OF THE CITY OF COLFAX COUNTY OF PLACER, STATE OF CALIFORNIA

APPROVING THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION AGREEMENT REQUIRED BY CALFIRE AS A CONDITION TO RECEIVING GRANT FUNDS IN THE AMOUNT OF \$2,300 FOR THE GRANT APPLICATION FOR THE 2019/20 FISCAL YEAR

IN THE MATTER OF Resolution Number: __-2019 Approving the Department of Forestry and Fire Protection Agreement #7FG19014 for service from the date of last signatory on page 6 of the Agreement to November 13, 2019 under the Volunteer Fire Assistance Program of the Cooperative Forestry Assistance Act of 1978.

BE IT RESOLVED by the City Council of the City of Colfax that said City does hereby approve the Agreement with the California Department of Forestry and Fire Protection dated as of the last signatory date on page 6 of the Agreement, and any amendments thereto. This Agreement provides for an award, during the term of this Agreement, under the Volunteer Fire Assistance Program of the Cooperative Fire Assistance Act of 1978 during the State Fiscal Year 2018-19 up to and no more than the amount of \$3,970.00.

BE IT FURTHER RESOLVED that the City Manager of the City of Colfax be and hereby is authorized to sign and execute said Agreement and any amendments on behalf of the City of Colfax.

WHEREAS, the City of Colfax City Council through the Department of Public Works is responsible for the execution of State and Federal funded project(s); and

NOW THEREFORE BE IT RESOLVED, that by the City of Colfax City Council adopts Caltrans LAPM Ch.10, Consultant Selection, and any updates thereto, in the procurement of A&E services for state and federal funded projects.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 13th day of November 2019, by the following vote of the Council:

AYES:
NOES:
ABSTAIN:
ABSENT:

Joe Fatula, Mayor

-----CERTIFICATION OF RESOLUTION-----

ATTEST:

I Jaclyn Collier, City Clerk of the City of Colfax, County of Placer, California, do hereby certify that this is a true and correct copy of the original Resolution Number __-2019.

WITNESS MY HAND OR THE SEAL OF THE City of Colfax, on this 14th day of November, 2019.

Jaclyn Collier

City Clerk, City of Colfax

Attachment 2

**State of California
Dept. of Forestry and Fire Protection (CAL FIRE)
Cooperative Fire Programs
GRANT AGREEMENT**

APPLICANT:

PROJECT TITLE: Volunteer Fire Assistance Program

GRANT AGREEMENT: 7FG19014

PROJECT PERFORMANCE PERIOD IS from Upon Approval through June 30, 2020.

Under the terms and conditions of this Grant Agreement, the applicant agrees to complete the project as described in the project description, and the State of California, acting through the Dept. of Forestry & Fire Protection, agrees to fund the project up the total state grant amount indicated.

PROJECT DESCRIPTION: Cost-share funds awarded to provide assistance to rural areas in upgrading their capability to organize, train, and equip local forces for fire protection.

Total State Grant not to exceed \$2,300.00 (or project costs, whichever is less)

**The Special and General Provisions attached are made a part of and incorporated into this Grant Agreement.*

**STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY
AND FIRE PROTECTION**

Applicant

By _____
Signature of Authorized Representative

Title _____

Date _____

By _____

Title: **Gabrielle Avina**
Staff Chief, Cooperative Fire Programs

Date _____

CERTIFICATION OF FUNDING

AMOUNT OF ESTIMATE FUNDING \$2,300.00	GRANT AGREEMENT NUMBER 7FG19014	PO ID		
ADJ. INCREASING ENCUMBRANCE \$ 0.00	SUPPLIER ID			
ADJ. DECREASING ENCUMBRANCE \$ 0.00	PROJECT ID 354019DG2012128	ACTIVITY ID SUBGNT		
UNENCUMBERED BALANCE \$2,300.00	GL UNIT 3540	BUD REF 001	FUND 0001	ENY 2019
REPORTING STRUCTURE 35409206	SERVICE LOC	ACCOUNT 5340580	ALT ACC 5340580002	

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance.

SIGNATURE OF CAL FIRE ACCOUNTING OFFICER

DATE

**VOLUNTEER FIRE ASSISTANCE PROGRAM
TERMS AND CONDITIONS**

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

STATE OF CALIFORNIA
Natural Resources Agency

Agreement for the Volunteer Fire Assistance Program of the
Cooperative Forestry Assistance Act of 1978

THIS AGREEMENT, made and entered into **ON THE LAST SIGNATORY DATE ON PAGE 6**, by and between the STATE of California, acting through the Director of the Department of Forestry and Fire Protection hereinafter called "STATE", and _____

_____ hereinafter called "LOCAL AGENCY", covenants as follows:

RECITALS:

1. STATE has been approved as an agent of the United States Department of Agriculture, (USDA), Forest Service for the purpose of administering the Cooperative Forestry Assistance Act (CFAA) of 1978 (PL 95-313, United States Code, Title 16, Chapter 41, Section 2010 et seq., Volunteer Fire Assistance Program), hereinafter referred to as "VFA", and
2. The VFA has made funds available to STATE for redistribution, under certain terms and conditions, to LOCAL AGENCY to assist LOCAL AGENCY to upgrade its fire protection capability, and
3. LOCAL AGENCY desires to participate in said VFA.

NOW THEREFORE, it is mutually agreed between the parties as follows:

4. **APPROVAL: This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. LOCAL AGENCY may not commence performance until such approval has been obtained.**
5. **TIMELINESS: Time is of the essence in this Agreement.**
6. **FORFEITURE OF AWARD: LOCAL AGENCY must return this Agreement and required resolution properly signed and executed to STATE at the address specified in paragraph 11, with a postmark no later than December 1, 2019 or LOCAL AGENCY will forfeit the funds.**
7. **GRANT AND BUDGET CONTINGENCY CLAUSE: It is mutually understood between the parties that this Agreement may have been written for the mutual benefit of both parties before ascertaining the availability of congressional appropriation of funds, to avoid program and fiscal delays that would occur if the Agreement were executed after that determination was made.**

This **Agreement** is valid and enforceable only if sufficient funds are made available to the STATE by the United States Government for the State Fiscal Year 2019 for the purpose of this program. In addition, this **Agreement** is subject to any additional restrictions, limitations, or conditions enacted by the Congress or to any statute enacted by the Congress that may affect the provisions, terms, or funding of this **Agreement** in any manner.

The parties mutually agree that if the Congress does not appropriate sufficient funds for the program, this **Agreement** shall be amended to reflect any reduction in funds.

The STATE has the option to invalidate the **Agreement** under the 30-day cancellation clause or to amend the **Agreement** to reflect any reduction in funds.

8. **REIMBURSEMENT:** STATE will reimburse LOCAL AGENCY, from funds made available to STATE by the Federal Government, an amount not to exceed on a 50/50 matching funds basis, for the performance of specific projects and/or purchase of specific items identified in Proposed Project, Application for Funding, attached hereto. **Reimbursement will be only for those projects accomplished and/or items purchased between THE LAST SIGNATORY DATE ON PAGE 1 and JUNE 30, 2020.** This sum is the sole and maximum payment that STATE will make pursuant to this Agreement. **LOCAL AGENCY must bill STATE at the address specified in paragraph 11, with a postmark no later than September 1, 2020 in order to receive the funds.** The bill submitted by LOCAL AGENCY must clearly delineate the projects performed and/or items purchased. A vendor's invoice or proof of payment to vendor(s) must be included for items purchased.
9. **LIMITATIONS:** Expenditure of the funds distributed by STATE herein is subject to the same limitations as placed by the VFA, upon expenditure of United States Government Funds. Pursuant to Title 7 of the Code of Federal Regulations, Section 3016.32 subject to the obligations and conditions set forth in that section; title to any equipment and supplies acquired under this **Agreement** vests with the LOCAL AGENCY. For any equipment items over \$5,000, the federal government may retain a vested interest in accordance with paragraph 16 below.
10. **MATCHING FUNDS:** Any and all funds paid to LOCAL AGENCY under the terms of this **Agreement**, hereinafter referred to as "VFA Funds", shall be matched by LOCAL AGENCY on a dollar-for-dollar basis, for each project listed on attachment(s) hereto identified as "Proposed Project". No amount of unpaid "contributed" or "volunteer" labor or services shall be used or consigned in calculating the matching amount "actually spent" by LOCAL AGENCY.
LOCAL AGENCY shall not use VFA Funds as matching funds for other federal grants, including Department of Interior (USDI) Rural Fire Assistance grants, nor use funds from other federal grants, including USDI Rural Fire Assistance grants, as matching funds for VFA Funds.

- 11. ADDRESSES: The mailing addresses of the parties hereto, for all notices, billings, payments, repayments, or any other activity under the terms of the Agreement, are:

LOCAL AGENCY: _____

Attention: _____
Telephone Number(s): _____
FAX Number: _____
E-mail _____

**STATE: Department of Forestry and Fire Protection
 Grants Management Unit, Attn: Megan Esfandiary
 P. O. Box 944246
 Sacramento, California 94244-2460
 PHONE: (916) 653-3649**

- 12. PURPOSE: Any project to be funded hereunder must be intended to specifically assist LOCAL AGENCY to organize, train, and/or equip local firefighting forces in the aforementioned rural area and community to prevent or suppress fires which threaten life, resources, and/or improvements within the area of operation of LOCAL AGENCY.
- 13. COMBINING: In the event funds are paid for two or more separate, but closely related projects, the 50/50 cost-sharing formula will be applied to the total cost of such combined projects.
- 14. OVERRUNS: In the event that the total cost of a funded project exceeds the estimate of costs upon which this Agreement is made, LOCAL AGENCY may request additional funds to cover the **Agreement** share of the amount exceeded. However, there is no assurance that any such funds are, or may be, available for reimbursement. Any increase in funding will require an amendment.
- 15. UNDERRUNS: In the event that the total cost of a funded project is less than the estimate of costs upon which this **Agreement** is made, LOCAL AGENCY may request that additional eligible projects/items be approved by STATE for **Agreement** funding. However, there is no assurance that any such approval will be funded. Approval of additional projects/items, not listed on the Proposed Project application, made by STATE, will be in writing and will require an amendment.
- 16. FEDERAL INTEREST IN EQUIPMENT: The Federal Government has a vested interest in any item purchased with VFA funding in excess of \$5,000 regardless of the length of this **Agreement**, until such time as the fair market value is less than \$5,000. The VFA percentage used to purchase the equipment will be applied to the sale price and recovered for the Government during the sale. This percentage will remain the same even following depreciation. The Federal Government may not have to be reimbursed if the disposal sale amounts to a fair market value of less than \$5,000. LOCAL AGENCY will notify STATE of the disposal of such items.

17. EQUIPMENT INVENTORY: Any single item purchased in excess of \$5,000 will be assigned a VFA Property Number by the STATE. LOCAL AGENCY shall forward a copy of the purchase documents listing the item, brand, model, serial number, any LOCAL AGENCY property number assigned, and a LOCAL AGENCY contact and return address to STATE at the address specified in paragraph 11. The STATE will advise the LOCAL AGENCY contact of the VFA Property Number assigned.
18. AUDIT: LOCAL AGENCY agrees that the STATE, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this **Agreement**. LOCAL AGENCY agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. LOCAL AGENCY agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, LOCAL AGENCY agrees to include a similar right of the State of California to audit records and interview staff in any subcontract related to performance of this **Agreement**. (GC 8546.7, PCC 10115 et seq., CCR Title 2, Section 1896).
19. DISPUTES: In the event of any dispute over qualifying matching expenditures of LOCAL AGENCY, the dispute will be decided by STATE and its decision shall be final and binding.
20. INDEMNIFICATION: LOCAL AGENCY agrees to indemnify, defend, and save harmless, the STATE, its officers, agents, and employees, from any and all claims and losses, accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this **Agreement**, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by LOCAL AGENCY in the performance of this **Agreement**.
21. DRUG-FREE WORKPLACE REQUIREMENTS: LOCAL AGENCY will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:
 - a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
 - b. Establish a Drug-Free Awareness Program to inform employees about:
 - 1) the dangers of drug abuse in the workplace;
 - 2) the person's or organization's policy of maintaining a drug-free workplace;

- 3) any available counseling, rehabilitation and employee assistance programs; and,
- 4) penalties that may be imposed upon employees for drug abuse violations.

c. Every employee who works on the proposed **Agreement** will:

- 1) receive a copy of the company's drug-free workplace policy statement; and,
- 2) agree to abide by the terms of the company's statement as a condition of employment on the **Agreement**.

Failure to comply with these requirements may result in suspension of payments under the **Agreement** or termination of the **Agreement** or both and LOCAL AGENCY may be ineligible for funding of any future State **Agreement** if the department determines that any of the following has occurred: (1) the LOCAL AGENCY has made false certification, or violated the certification by failing to carry out the requirements as noted above. (GC 8350 et seq.)

- 22. **TERM:** The term of the Agreement SHALL COMMENCE ON THE LAST SIGNATORY DATE ON PAGE 1 and continue through June 30, 2020.
- 23. **TERMINATION:** This **Agreement** may be terminated by either party giving 30 days written notice to the other party or provisions herein amended upon mutual consent of the parties hereto.
- 24. **AMENDMENTS:** No amendment or variation of the terms of this **Agreement** shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or **Agreement** not incorporated in the **Agreement** is binding on any of the parties.
- 25. **INDEPENDENT CONTRACTOR:** LOCAL AGENCY, and the agents and employees of LOCAL AGENCY, in the performance of this **Agreement**, shall act in an independent capacity and not as officers or employees or agents of the STATE or the Federal Government.



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Wes Heathcock, City Manager
Subject: Adopt Caltrans' Local Assistance Procedures Manual Chapter 10
Budget Impact Overview:

N/A: ✓	Funded:	Un-funded:	Amount:	Fund(s):
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RECOMMENDED ACTION: Discuss and consider Resolution __-2019 authorizing the adoption of Caltrans' Local Assistance Procedures Manual Chapter 10.

Summary/Background:

Provisions of 23 CRF 172.5(b) require a subrecipients of State and Federal infrastructure funding to adopt the Caltrans' Local Assistance Procedures Manual Chapter 10 (Caltrans Manual) for procuring consulting services. Portions of the Roundabout Project funding meet the Caltrans Manual requirement, therefore, the City is required to adopt and follow the Caltrans Manual procedures. The City followed the Caltrans Manual requirement when procuring Psomas as the Roundabout Project Construction Management consultant.

The City does not currently have a resolution adopting the Caltrans Manual to meet the State and Federal funding requirements. Staff is recommending council authorize the adoption of the Caltrans' Local Assistance Procedures Manual Chapter 10, thereby, bringing the City in compliance with the State and Federal infrastructure funding requirements.

A copy of the Caltrans' Local Assistance Manual Chapter 10 is available at City Hall for review.

Fiscal Impact:

None

Attachments

1. Resolution __-2019

City of Colfax

City Council

Resolution № __-2019

AUTHORIZING THE ADOPTION OF CALTRANS' LOCAL ASSISTANCE PROCEDURES MANUAL CHAPTER 10

WHEREAS, the City of Colfax City Council through the Department of Public Works is responsible for the execution of State and Federal funded project(s); and

WHEREAS, the provision of 23 CFR 172.5(b), subrecipients shall develop and sustain organizational capacity and provide the resources necessary for the procurement, management, and administration of engineering and design related consultant services, reimbursed in whole or in part with Federal-Aid Highway Program funding as specified in 23 U.S.C. 106(g)(4)(A); and

WHEREAS, 23 CFR 172.5(b)(1) requires subrecipients to adopt written policies and procedures prescribed by the awarding State Transportation Agency for the procurement, management, and administration of engineering and design related consultant services in accordance with applicable Federal and State laws and regulations; and

WHEREAS, the State of California Department of Transportation (Caltrans) has developed the Local Assistance Procedures Manual (LAPM), Chapter 10, Consultant Selection which sets forth policies and procedures for procurements and managements of contracts for engineering and design related consultant services contracts on federal and state funded transportation projects to ensure compliance with applicable Federal and State laws and regulations; and

WHEREAS, LAPM Chapter 10, Consultant Selection, describes the consultant selection and procurement process local agencies must follow to maintain eligibility for federal and state reimbursement; and

NOW THEREFORE BE IT RESOLVED, that by the City of Colfax City Council adopts Caltrans LAPM Ch.10, Consultant Selection, and any updates thereto, in the procurement of A&E services for state and federal funded projects.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 13th day of November 2019, by the following vote of the Council:

AYES:
NOES:
ABSTAIN:
ABSENT:

Joe Fatula, Mayor

ATTEST:

Jaclyn Collier, City Clerk



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Chris J. Clardy, Community Services Director
Subject: Culver Street Phase II – Design and Project Management

Budget Impact Overview:

N/A:	Funded: ✓	Un-funded:	Amount: \$30,272	Fund(s): 357
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RECOMMENDED ACTION: Adopt Resolution __-2019 authorizing the City Manager to execute an agreement with GHD Engineering for the design and project management of Culver Street Phase II in an amount not to exceed \$30,272.

Summary/Background

On May 10, 2017 the City Council adopted Resolution 17-2017 authorizing the City Manager to approve a proposal by Coastland Engineering for developing the City's first Pavement Management Plan (PMP). The PMP systematically evaluates the current pavement conditions as well as project future pavement conditions to assist in prioritizing paving projects for all the City's maintained streets.

On May 23, 2018 City Council adopted the 2019-2020 fiscal year budgets which included TBD pavement projects. The PMP assigned this portion of Culver Street (West Oak Street to West Church Street) a Pavement Condition Index (PCI) of 22 and 26 placing it in the failed category. The current pavement is 1 inch to 1 ½ inches of asphalt/asphalt patch on top of native soil.

City staff solicited City contracted engineering firm, GHD, for a cost proposal for a design of Culver Street - Phase II (West Oak Street to West Church Street). The provided proposal scope of work would include; project management and agency coordination, topographic survey, plans specifications and engineers estimate, bid coordination and construction support. The project is estimated to go out to bid the first week of February 2020 and start construction by March 2020.

Staff recommends City Council authorize the City Manager to enter into an agreement with GHD for the design and project management of Culver Street – Phase II in an amount not to exceed \$30,272 which includes a 10% contingency above the cost estimate.

Fiscal Impact:

The agreement for services with GHD Engineering is requested in an amount not to exceed \$30,272 from fund 357.

Attachments:

1. Resolution __-2019
2. Proposal

City of Colfax

City Council

Resolution № __-2019

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH GHD ENGINEERING FOR THE DESIGN AND PROJECT MANAGEMENT OF CULVER STREET PHASE II IN AN AMOUNT NOT TO EXCEED \$30,272.

WHEREAS, the City Council of the City of Colfax adopted Resolution 17-2017 authorizing the City Manager to approved the City’s first Pavement Improvement Plan; and,

WHEREAS, the City Council of the City of Colfax adopted resolution 32-2018 approving the 2019-2020 fiscal year budget; and To Be Determined TBD pavement projects were identified; and

WHEREAS, Culver Street’s Pavement Condition Index is in the “failed” category; and

WHEREAS, City staff solicited a cost proposal from contracted City engineering firm GHD Engineering, and GHD provided a proposed scope of work to include; project management and agency coordination, topographic survey, plans specifications and engineers estimate, bid coordination and construction support; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Colfax authorizes the City Manager to execute an agreement with GHD Engineering for the Culver Street Design and Project Management - Phase II in an amount not to exceed \$30,272.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 13th day of November, 2019 by the following vote of the Council:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

Joe Fatula, Mayor

ATTEST:

Jaelyn Collier, City Clerk

Attachment 2

October 11, 2019

Wes Heathcock, City Manager
City of Colfax
33 S. main Street
Colfax, CA 95713

Dear Wes:

Re: Proposal for Culver Street Pavement Rehabilitation Project – Phase 2

GHD is pleased to provide you this proposal to prepare the plans, specifications and estimate for the Culver Street Pavement Rehabilitation Project – Phase 2 in the City of Colfax. Our Project Manager for this effort will be Heather Anderson, P.E. Heather is a registered engineer in the State of California with over 10 years technical and project management experience. You are familiar with Heather as she was the Project Manager for the So. Auburn St./Interstate 80 Interchange Roundabout Project.

1. Project Understanding

The City has already completed the design of the first phase of the Culver Street Rehabilitation project and is starting construction of this segment on October 7, 2019. The first segment of Culver Street is from Newman Street to West Oak Street. The City now desires to complete the second phase of the project, which is from West Oak Street to Church Street. The improvements in Phase 2 will be essentially the same as for Phase 1, namely: a digout and removal of approximately 6-inches of the existing material; scarifying and recompacting the top six inches of native material; placement of a total of 7-inches of new asphalt in four lift sections; drainage improvements; and placement of new AC dike to channel drainage. However, with Phase 2 PCWA desires to replace the waterline in this section rather than protect it in place. GHD assumes that the design of the waterline will be done by PCWA and only coordination efforts with PCWA are required for plan implantation for the contractor. It is also assumed that PCWA will inspect the waterline improvements portion of the construction.

GHD understands that the City will enter into a Facilities Improvement Agreement with PCWA wherein the Agreement will identify the responsibilities of each agency for the project. This will include design, bid, construction, and closeout. PCWA will be responsible for the costs of their portion of the work. GHD will keep separate accounting for PCWA coordination activities for ease in reimbursement to the City.

2. Project Approach

GHD will accomplish a topographic survey of the project to establish a control line, obtain the location of existing improvements and features, and obtain limited elevation shots. The Base Plan used in the design will consist of the topographic survey, available aerial imagery, utility base maps, and field verification of

Attachment 2



existing features. We will not be accomplishing a new Geotechnical Study for Phase 2 but rather use the information presented in the Geotechnical Study for Phase 1. The roadway condition appears to be the same for both segments so we feel that this is a reasonable approach. We will also use the same paving structural section in Phase 2 as was designed for Phase 1

GHD will coordinate early with PCWA to determine their proposed limits and types of improvements. GHD assumes that plan/profile of waterline will be designed by PCWA and information will just be displayed on GHD plans as required for the overall construction documents.

Based on the above Project Understanding and Approach, here is our basic Scope of Work for the Plans.

3. SCOPE OF WORK

Task 1 - Project Management and Agency Coordination

Project management will occur throughout the course of the project. The project team will prepare a detailed work program and submit to the City for review and discussion at the initial project meeting. This meeting will refine the work program, project schedule and budget where necessary to ensure mutual understanding of the intended process, its objectives, milestones, and products. For budgeting purposes, two additional project meetings have been included.

GHD will be available throughout the length of the project to attend meetings as needed with the City and/or PCWA. Additionally, we will coordinate with all other utilities with services in the area of the project. Coordination includes:

- Progress Reports
- Minutes of all Project Meetings
- Project Schedule Updates

Task 2 – Topographic Survey

GHD will prepare a topographic survey for use in preparing the project plans. The topographic survey will encompass the project limits from West Oak Street to Church Street. Control suitable for the design will be established. The ground based topographic survey will include back of sidewalk to back of sidewalk, water meters and valves, sewer manholes (including flowlines) and cleanouts, drainage inlets and other drainage structures, utility poles, driveways, and existing street signage. The product will be a base map in AutoCAD Civil 3D for use in design of the project.

Task 3 – Plans, Specifications, and Estimate

With use of the topographic survey outlined in Task 2 above, GHD staff will conduct a thorough field review to make certain that the base map is suitably accurate for design. We will send the base map to the existing utilities for the respective utility to plot their existing facilities, and plot this information to the

Attachment 2

base sheet. GHD will design the pavement section width to fit the existing improvements. There are a couple of mature trees near Church Street that ultimately could be in the proposed improvements limits. The City will need to decide if the trees are to be removed, or if the trees will remain and the improvements constructed around them. Current scope/fee assumes that the existing trees will remain in place and be avoided.

We propose to submit plans at the 65% to 75% stage, and then follow-up with a submittal for 95% plans. Necessary revisions to the plans at both submittal stages will be accomplished leading to the project bid set.

For the waterline, as stated above, we expect to receive the design from PCWA to display on our sheets.

Task 4 – Bid Coordination and Construction Support

GHD will assist with the bidding process and provide answers to Requests for Information during both the bidding process and during construction. GHD will prepare the project Record Drawings based on information provided to GHD from the contractor and/or inspector.

Services Not Included

- Environmental Clearance
- Geotechnical Investigation and Report
- Permitting Fees
- Public Outreach

Project Fee

Based on the Project Understanding, Project Approach, and Scope of Work, our proposed time and expense fee as shown on the attached spreadsheet is \$27,520.00.

Thank you for this opportunity to provide our services for the Culver Street Pavement Rehabilitation Project – Phase 2. If you have any questions or would like to discuss with us, please contact me.

GHD

A handwritten signature in black ink that reads "Heather Anderson". The signature is written in a cursive, flowing style.

Heather Anderson, PE

Culver Street Phase 2.xlsx.xlsx

Culver Street Pavement Rehabilitation - Phase 2

Budget Estimate

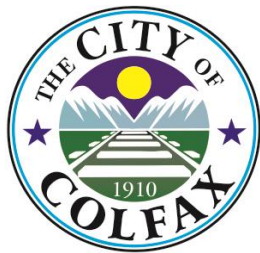
11201706 Proposal #

File No. Filename

10/12/2019



Proposal Task	Accounting Task	Task Description	GHD		City Engr.	Proj. Mgr.	Sr. Engr.	Des. Engr.	Survey	Admin	Supplies and Reimbursables	Total Hours	Total GHD \$
			Class	Rate									
Project Management; Agency Coordination; Surveys; PS&E													
A1		Project Management			2	8	8					10	\$1,850
A1.1		Project Management										16	\$2,560
A1.2		PCWA Coordination											
A2		Topographic Survey						20	24			24	\$3,040
A2.1		Field Survey										26	\$3,270
A2.2		Prepare Design Base Sheet											
A3		Plans, Specifications, and Estimate			2	4	8	32				46	\$6,190
A3.1		Preliminary PS&E; Utility Coord.			2	4	8	16				30	\$4,190
A3.2		95% PS&E										18	\$1,810
A3.3		Complete Bid Documents							12				
A4		Bid Coordination and Construction Support			2	2	2					4	\$740
A4.1		Assist With Bid Package										6	\$910
A4.2		Answer Bid Questions										16	\$2,560
A4.3		Services During Construction			4	4	8						
B1		Direct Costs									200		\$200
B1.1		Mileage									200		\$200
		Reproduction											
Subtotal Hours			Hours		12	34	46	48	44	12		196	
Subtotal Dollars			Dollars		\$2,220.00	\$6,290.00	\$6,210.00	\$6,000.00	\$5,500.00	\$900.00	400		\$27,520.00



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Alfred A. “Mick” Cabral, City Attorney
Subject: Adopt A Policy For Annual Selection Of Mayor And Mayor Pro Tem

Budget Impact Overview:

N/A: √	Funded:	Un-funded:	Amount:	Fund(s):
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RECOMMENDED ACTION: Discuss and consider Resolution ___-2019 approving adopting a policy for annual selection of Mayor and Mayor Pro Tem.

Summary/Background:

A draft policy was submitted for Council consideration at the regular Council meeting on September 25, 2019. Council asked for staff to revise the draft policy to preserve Council discretion in the selection of its Mayor and Mayor Pro Tem, to eliminate tenure on the Council and relative number of votes as a basis for rotation and to explicitly provide for public comment. All of those changes have been incorporated into the following revised draft. A provision has also been added to allow replacement of the Mayor and Mayor Pro Tem.

The Council’s general policy is that every member should have the opportunity to rotate into and serve as Mayor Pro Tem and Mayor for succeeding one-year terms in each position. The Council reserves discretion to vary from this policy and the procedures it establishes.

1. The Council will choose one of its members as Mayor and one of its members as Mayor Pro Tem as follows:

A. At the first regular Council meeting in December of each year during which there is no general election, the Council shall, by majority vote of a quorum present and voting, select its Mayor and Mayor Pro Tem for the ensuing calendar year.

B. In years during which there is an election of members of the Council, the selection shall be made following the declaration of the election results and installation of the members elected. That selection will be made at the first regular Council meeting in December provided, however, that if for any reason the declaration of election results is delayed beyond the first meeting in December, then the selection of Mayor and Mayor Pro Tem shall be made at the meeting at which the declaration of election results is made, and after the declaration and installation of the members elected.

2. This is the process the Council will follow each time a Mayor and Mayor Pro Tem is selected:

A. The Mayor Pro Tem shall be seated as Mayor.

B. The Council shall by majority vote of a quorum present and voting select one of its members to serve as Mayor Pro Tem.

C. Council members who have served as Mayor Pro Tem or Mayor since their most recent election or appointment to the Council shall serve as Mayor Pro Tem after Council Members who have not served in either position.

D. The public shall be invited to comment on the selection of Mayor and Mayor Pro Tem before a vote of the Council on either office is taken.

3. The Mayor and Mayor Pro Tem can be replaced at any time, in the Council's discretion, by majority vote of the Council.

The ceremonial nature of the first Colfax City Council meeting in December usually involves rotating the Mayor and Mayor Pro Tem chairs. To a limited extent, that process is statutory. Government Code §36801 requires the City Council to meet at the meeting at which the declaration of election results is made and choose a Mayor and a Mayor pro tempore. The statute does not otherwise address selection of a mayor or mayor pro tem in non-election years.

Government Code §36801 dictates what must be done in that a Mayor and Mayor Pro Tem must be selected but it does not dictate how the Mayor and Mayor Pro Tem are selected. In December 2002, the Colfax City Council adopted a policy whereby the rotation occurs by seniority on the Council, excepting those who have already served. That policy provides, in relevant part:

“...the Office of the Mayor is rotated yearly according to seniority on the Council with the exception of those already having served, while this Council sits.”

That policy was reiterated in the December 14, 2004 minutes and was written into the agenda for the December 12, 2006 meeting.

The only known deviations from the policy occurred in December 2005, when a resolution was adopted honoring the request of the then Mayor Pro Tem not to rotate into the Mayor's seat, and in 2017 when Ms. Mendoza was appointed Mayor Pro Tem instead of Mr. Douglass, and in 2018 when Mayor Fatula was selected as Mayor instead of Mayor Pro Tem Mendoza after the November, 2018 election .

The December 2002 action was only to adopt a policy, not an ordinance binding on future Councils. Policies by their nature provide guidance but are not binding. In the case of selection of the Mayor and Mayor Pro Tem, the Council can follow any process it chooses for selection of its Mayor and Mayor Pro Tem for 2020.

The policy adopted in 2002 is not a model of clarity. The phrase “while this Council sits” injects ambiguity into what the 2002 Council intended because the phrase “this Council” is subject to interpretation. On one hand, if “this Council” is interpreted in its narrow, literal sense to refer only to the 2002 Council that adopted the policy, then application of the policy is limited to the members of

the 2002 Council. That would make sense if, for example, there was disagreement between the 2002 Council members over who should next sit as Mayor and Mayor Pro Tem.

Aside from being a literal interpretation of the language selected, this narrow interpretation is consistent with the general proposition that a Council cannot bind future Councils on matters of policy. Each Council has the right to decide which of its members will serve as Mayor and Mayor Pro Tem. The law only requires that those offices be filled. How those offices are filled is a matter of Council policy.

On the other hand, if “this Council” is broadly interpreted to mean “the Colfax City Council”, then the policy adopted in 2002 is arguably intended to apply to future Councils. It has apparently been followed by most Councils after 2002, with limited exception. Again, however, it is only a policy, not a binding ordinance.

The rotation “according to seniority” also injects ambiguity into the process. If seniority was the only criteria, then the two Council members with the longest tenure would continue to rotate into and out of the Mayor and Mayor Pro Tem. That would not make sense and would not be in keeping with Colfax’s typical practice.

“Seniority” can refer to the total amount of time a member of the Council sits if, for example, a Council member is elected to successive terms. It can also refer to the amount of time a member sits since his or her most recent election. The latter is how the Council has historically interpreted “seniority”.

Fiscal Impact:

None

City of Colfax City Council

Resolution № __-2019

APPROVING ADOPTING A POLICY FOR ANNUAL SELECTION OF MAYOR AND
MAYOR PRO TEM

WHEREAS, The ceremonial nature of the first Colfax City Council meeting in December usually involves rotating the Mayor and Mayor Pro Tem chairs; and

WHEREAS, Government Code §36801 dictates what must be done in that a Mayor and Mayor Pro Tem must be selected but it does not dictate how the Mayor and Mayor Pro Tem are selected; and

WHEREAS, the Colfax City Council requested the Mayor and Mayor Pro Tem selection policy update; and

WHEREAS, staff provided an updated policy at the September 25th and received policy modifications reflected in the attached Mayor and Mayor Pro Tem Selection Policy.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Colfax that the attached to this Resolution reflects the City Colfax Council policy changes request and are hereby approved and adopted by the City Council.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 13th day of November 2019, by the following vote of the Council:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

Joe Fatula, Mayor

ATTEST:

Jaclyn Collier, City Clerk

The Council's general policy is that every member should have the opportunity to rotate into and serve as Mayor Pro Tem and Mayor for succeeding one-year terms in each position. The Council reserves discretion to vary from this policy and the procedures it establishes.

The Council will choose one of its members as Mayor and one of its members as Mayor Pro Tem as follows:

A. At the first regular Council meeting in December of each year during which there is no general election, the Council shall, by majority vote of a quorum present and voting, select its Mayor and Mayor Pro Tem for the ensuing calendar year.

B. In years during which there is an election of members of the Council, the selection shall be made following the declaration of the election results and installation of the members elected. That selection will be made at the first regular Council meeting in December provided, however, that if for any reason the declaration of election results is delayed beyond the first meeting in December, then the selection of Mayor and Mayor Pro Tem shall be made at the meeting at which the declaration of election results is made, and after the declaration and installation of the members elected.

This is the process the Council will follow ~~and the factors it will consider~~ each time a Mayor and Mayor Pro Tem is selected:

A. The Mayor Pro Tem shall be seated as Mayor.

B. The Council ~~Member with the longest tenure on the Council since his/her most recent election or his/her appointment, excluding the outgoing Mayor, shall be seated as Mayor Pro Tem. The outgoing Mayor shall be fourth in line for selection~~ shall by majority vote of a quorum present and voting select one of its members to serve as Mayor Pro Tem.

~~C. If multiple Council members have equal tenure, the selection of Mayor Pro Tem shall be based upon the number of votes each such Council member received at his/her most recent election, in descending order. In this case, appointees shall be deemed to have the lowest number of votes.~~

~~D.~~ Council members who have served as Mayor Pro Tem or Mayor since their most recent election or appointment to the Council shall serve as Mayor Pro Tem after Council Members who have not served in either position.

D. The public shall be invited to comment on the selection of Mayor and Mayor Pro Tem before a vote of the Council on either office is taken.



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Amy Feagans, City Planner
Subject: The City Council of the City of Colfax Denying the Colfax Net Setback Variance Application

Budget Impact Overview:

N/A: ✓	Funded:	Un-funded:	Amount:	Fund(s):
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RECOMMENDED ACTION: Adopt Resolution __-2019 approving the City Council’s findings and order denying Colfax Net setback variance application.

Summary/Background

At the September 25, 2019 meeting, after accepting public testimony, the City Council voted 4-0-1 (Mayor Fatula recused himself) to deny the side yard setback variance requested by Colfax Net and directed staff to prepare the appropriate findings of denial.

Per section 17.40.070 of the Zoning Ordinance, there are four required findings that must be made to grant a variance.

1. There are special circumstances applicable to the property, including size, shape, topography, location or surrounding, such that the strict application of the provisions of this zoning ordinance deprives the property of special privileges enjoyed by other property owners in the vicinity and under identical land use.
2. The granting of the variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located.
3. The granting of the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel
4. The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to the property or improvements in such vicinity and land use district in which the property is located.

The Council was not able to support the project as requested and voted to deny the variance. The attached resolution has been prepared with the above findings for denial. Staff recommends approving the city council’s findings and order denying Colfax Net setback variance application.

FISCAL IMPACT:

N/A

Attachments

1. Resolution __-2019

City of Colfax

City Council

Resolution № __-2019

APPROVING THE CITY COUNCIL’S FINDINGS AND ORDER DENYING COLFAX NET
SETBACK VARIANCE APPLICATION

WHEREAS, at the close of the September 25, 2019 public hearing the Colfax City Council voted unanimously, without participation by Mayor Fatula, to deny the application of Corey Juchau and Robert Amick for the Colfax Net Setback Variance on Sierra Sky Court, Placer County Assessor’s Parcel 100-100-030 and directed staff to prepare findings and an order; and

WHEREAS, the City Council’s Findings and Order attached to this Resolution adequately memorialize the action taken by the City Council and the basis for its action.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Colfax that the Findings and Order attached to this Resolution denying the subject application for a setback variance are true and correct and are hereby approved and adopted by the City Council. The City Manager is hereby directed to execute the attached Findings and Order for and on behalf of the City Council.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 13th day of November 2019, by the following vote of the Council:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

Marnie Mendoza, Mayor Pro Tem

ATTEST:

Jaclyn Collier, City Clerk

CITY COUNCIL'S FINDINGS AND ORDER

COLFAX NET VARIANCE

AFTER APRIL 24, 2019 AND SEPTEMBER 25, 2019 PUBLIC HEARINGS

(Colfax Municipal Code §§1.28.070; 17.40.070G)

Project Title: Colfax Net Setback Variance

Applicant/Owner: Corey Juchau/Robert Amick

Location: Sierra Sky Court

Assessor's Parcel #: 100-100-030

The application by ColfaxNet for a variance to allow a reduced setback on the above-referenced parcel came on regularly for hearing on April 24, 2019. The City Council closed the public hearing at the conclusion of public testimony on April 24, 2019 and continued the item to the regular May 22, 2019 City Council meeting to allow the applicant to provide additional information and to identify other available alternatives. The application was placed on the May 22, 2019 regular City Council meeting agenda but was pulled off that agenda at the applicant's request and continued to the June 26, 2019 regular City Council meeting. The application was pulled from the June 26, 2019 regular Council meeting agenda at the request of the applicant and a neighbor, Mr. Swick, to allow them to negotiate an alternative to the requested variance and was continued to the July 24, 2019 regular City Council meeting. The application was pulled from the July 24, 2019 regular City Council meeting agenda at the request of the applicant but not continued to a specific date, anticipating that a negotiated resolution would ensue. The application was duly and properly re-noticed for the September 25, 2019 regular City Council meeting for Council decision.

Mayor Fatula recused himself, was not present for any hearing, meeting or discussion regarding this application and did not participate in making the Council's decision.

Although the public hearing was closed on April 24, 2019, the Council reopened the public hearing to allow up to ten proponents and ten opponents of this variance application to provide additional testimony, to allow the applicant to make an oral rebuttal as allowed by Colfax Municipal Code §1.28.040 B and the hearing procedures listed on the Council's agenda, and to formally receive additional written information submitted after the April 24, 2019 public hearing. The additional written information received and considered by the Council after the April 24, 2019 public hearing included the staff report for the September 25, 2019 public hearing, Attachments 1 through 9, inclusive, to the staff report for the September 25, 2019 meeting, an email dated September 24, 2019 from Dwayne Armstrong/Dacomm, a September 24, 2019 letter from R. Monti Reynolds to the City Council, a September 24, 2019 letter from Ken & Cheri Wall to the Council and five color photographs of the project site submitted at the September 25, 2019 meeting.

After hearing additional testimony from proponents and opponents of the requested variance and the applicant’s rebuttal testimony, the public hearing was closed. The City Council, having heard and considered the entire record of the April 24, 2019 and September 25, 2019 public hearings, including all public testimony and all documents submitted at or before both hearings, made the following findings and took the following action based upon substantial evidence in the record before it. The Council did not consider or factor into its findings or decision the environmental effects of radio frequency emissions. (See 47 USCA §332(c)(7)).

FINDINGS

- 1. The applicant did not establish, to the Council’s satisfaction, that there are special circumstances applicable to the property such that the strict application of the provisions of the City’s zoning ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical land use, and therefore did not meet the criteria required by Colfax Municipal Code §17.40.070 G 1.
- 2. The applicant did not establish, to the Council’s satisfaction, that the granting of the variance under the circumstances presented would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located, and therefore did not meet the criteria required by Colfax Municipal Code §17.40.070 G 2.
- 3. The granting of the variance would not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel. (Colfax Municipal Code §17.40.070 G 3).
- 4. The applicant did not establish, to the Council’s satisfaction, that the granting of the variance will not be detrimental to public health, safety or welfare or injurious to the property or improvements in such vicinity and land use district in which the property is located, and therefore did not meet the criteria required by Colfax Municipal Code §17.40.070 G 4.
- 5. The variance application, if approved, would substantially change the physical dimensions of the tower or base station in which the applicant’s antennas are presently located.
- 6. To the extent that granting or denying this variance application is a discretionary act, the City Council exercised its discretion to deny the variance application based on the entire record before it.

COUNCIL’S DECISION

In light of the foregoing findings, the City Council determines that this application for a variance should be, and hereby is, denied without prejudice.

Dated: _____

Wes Heathcock, City Manager



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Wes Heathcock, City Manager
Subject: Proposed Location for the Colfax Skate Park

Budget Impact Overview:

N/A: √	Funded:	Un-funded:	Amount:	Fund(s):
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RECOMMENDED ACTION: Adopt Resolution __-2019 approving locating the Colfax Skate Park adjacent to the Splash Park.

Summary/Background

At the September 25th City Council meeting staff was directed to provide information in four areas:

1. Pool vs. Skate Park Operating Costs
2. Security
3. 300' Notification of Neighbors
4. Splash Park Funding Agreement Requirements

Information on Items 1-3 are provided in the attachments.

Staff reached out to Placer County Parks Administrator Andy Fisher to determine if there is any obligation to pursue construction of the swimming pool as a future phase identified in the “Agreement Between the City of Colfax and the County of Placer for Construction of a New Swimming Pool” Amendment No. 1 to address Item 4. Andy Fisher stated there was no obligation to construct the pool since the funding was expensed to build the Splash Park as required under Amendment No. 1. In other words, the City is not obligated to build a pool on the proposed Skate Park location as a condition of Amendment No. 1. Additionally, the \$75,000 Placer County Parks and Recreation Mitigation Fees proposed for the Skate Park is the same funding source used to build the Splash Park.

Although the area surrounding Colfax is full of outdoor recreational activities, there is not an in-town facility for teens to ride their skateboards or bikes in a safe manner without violating City Ordinances. The Sheriff’s Deputies receive numerous complaints regarding youth hanging out downtown, skateboarding and bike riding on the sidewalks etc. As a result, there has been very positive feedback and support from the community for a Skate Park. Many feel a Skate Park built in the City would be beneficial to our youth and provide a unique attraction to our community. A Skate Park would provide a safe environment for Colfax youth.

Several sites have been proposed for a Skate Park and each has been found not to be feasible. After years of considering sites and discussing options, the site next to the Colfax Splash Park seems to be the most plausible place to locate the Skate Park. It could be a great addition to the activities already offered at the park: ball field, playground and Splash Park. One drawback to this location is that it is a little out of the way and could allow kids possibly to be more mischievous. This issue would be mitigated by extra Sheriff Patrols, volunteer involvement, and a safety fence.

Staff recommends City Council approve locating the Colfax Skate Park adjacent to the Splash Park.

Fiscal Impacts:

The Colfax Skate Park funds will come from donations, County Parks Mitigation Fees, and contractor sponsors.

Attachments

1. Resolution __-2019
2. Maintenance and Law Enforcement Comparisons for Pool vs. Skate Park
3. Noise Study and Maintenance Overview
4. Skate Park 500' Survey Ring Image
5. Auburn Aquatics Budget History

City of Colfax

City Council

Resolution No. __-2019

APPROVING LOCATING THE COLFAX SKATE PARK ADJACENT TO THE SPLASH PARK

WHEREAS, the youth of Colfax would benefit from a Park Designed for Skateboarding; and,

WHEREAS, the City of Colfax owns property adjacent to the Colfax Splash Park that is not currently being used for Recreational Purposes; and

WHEREAS, Citizens and Law Enforcement of the City of Colfax have expressed support of a Skate Park and plan to raise funds to construct such a facility,

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Colfax approves locating the Colfax Skate Park adjacent to the Splash Park.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 13th day of November 2019, by the following vote of the Council:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

Joe Fatula, Mayor

ATTEST:

Jaclyn Collier, City Clerk

Attachment 2

Maintenance and Law Enforcement comparisons for Pool VS. Skate Park

The below information I gathered from two locations near Colfax. Both have a pool and a skatepark in their Park and Recreation District. I spoke with Mike Busse, Public Works Director of Operations for the City of Grass Valley and Kahl Muscott, District Administrator Auburn Area Recreation and Park District. Law Enforcement information was provided by Captain Steve Johnson - Grass Valley Police Department and Lt. Victor Pecoraro from the Auburn Police Department.

The red lettering is additional notes by me, black lettering is what information was sent to me.

Skatepark info:

Grass Valley Skatepark

Grass Valley SKATEPARK, based on one person at \$20 dollars and hour

- Approx. 5 hrs/week blowing out and removing trash \$100
- Approx. 2 hrs/week removing unauthorized/left behind equipment \$40
- Approx. 1 hr/week removing graffiti and stickers \$20
- Ongoing problems with vandalizing security fence, hard to keep up with repair or cost (Note: Their fence is a high fence making it harder to go over for after hour use, so people bend the metal fence open. My suggestion is a smaller 3-foot fence and camera system. Grass Valley has no cameras. The 3-foot fence, yes, it's easy to get over and no damage to cross, but it also provides a hard line or barrier that if crossed after hours gives us all the reason to write a citation for the violation. Camera system that is accessible at all hours with an IP address, can be monitored by not only law enforcement but concerned citizens can look at the camera system as well for extra eyes.)
- During winter, skatepark is often closed due to weather, snow removal and drain cleaning (weather permitting, the skatepark provides year-round recreation. The pool is seasonal and only open for swim team on off season and summers only)

Sergeant Conners,

Our skate park is in a fairly remote and wooded area of one of our parks (Colfax Skatepark is not even as remote as the Grass Valley location. To check on the park for Grass Valley PD, they must walk into the recreation park to get to the skatepark, the Colfax Park will be easily accessible by patrol unit and can be easily seen just driving by). In general, it has not been a significant draw on law enforcement resources. By in large, they police themselves at the skate park and trouble makers are excluded by other skaters.

Attachment 2

Here is a general list of law enforcement issues we have seen over the years at the location. If you would like more specifics, feel free to give me a call.

- Occasional calls for substance abuse – alcohol or marijuana use
- The occasional 647(f)
- The occasional fight – these have been very rare
- Occasional theft calls – usually from vehicles parked in the area, but again this has been rare
- Years ago, we had one 664/187 PC call where one guy hit another guy in the head with his skateboard and almost killed him

Our experience has been that the skate park has generated far fewer calls for service than we expected when it was first built. From Captain Johnson

Auburn Skatepark:

Per Park Director, the maintenance cost is very low. Usually they have a daily trash pickup. On occasion they must fix cracks or chips, but its very seldom, overall low maintenance cost. Kahl did say the noise disturbance complaints, was not caused by the park so much, but by the vehicles playing loud music in the parking lot. He said the noise complaints have dropped significantly. They closed the gate to the entrance of the parking lot for after hours. This has helped with the car music.

Per Auburn PD, they did a call study in 2017 for the Skatepark. They had 70 calls for service at the skatepark in one year.

SKATEPARK - 865 PACIFIC AVE	
11-46R Suicide	1
415P	1
594R	1
AAA	2
AMC	1
AREA	6
EXPAT	31
FOLLOW	3
H&S	1
LINFO	3
NOISE	8
PC	1
PROP	1
SAL Special Event	1
SC	2
SP	1
SS	1
VEH	2
W911	1
WARR	1
WELFAR	1
	70

Attachment 2

Abbreviations from top to bottom (**11-46R**: Suicide report, **415P**: Physical fight, **594R**: Vandalism report, **AAA**: Allied Agency Assist, **AMC**: Auburn Municipal Code, **AREA**: Area check, **EXPAT**: Extra Patrols (almost half of the calls was EXTRA, this is officer initiated of doing extra patrols in the area), **FOLLOW**: Follow up, **H&S**: Drugs, **LINFO**: Law Information, **NOISE**: noise (only 8 for the year), **PC**: Penal Code, **PROP**: Property, **SAL Special Event**, **SC**: Suspicious Circs, **SP**: Suspicious Person, **SS**: Suspicious Subject, **VEH**: Vehcile, **W911**: wireless 911, **WARR**: Warrant, **WELFAR**: Welfare Check.

Pool information:

For Auburn:

Please see attached report for Auburn Rec District for Pool costs. This was an aquatic 6-year study on cost. 2019 they lost \$116,000 going over budget, they take care of two pools meadow vista and Auburn, but they show the individual costs for both.

Grass Valley:

This is what I received from Grass Valley on maintenance and the chemicals they buy ever year. They did not have a breakdown like Auburn.

POOL

- Approx. 7 hrs/week general maintenance \$140
- Biannual 100 hrs/week maintenance with pool closed \$2000
- Approx. chemical useage per month
 - o 150 gals chlorine
 - o 25 gals muriatic acid
 - o 100 lbs sodium bicarbonate
 - o 50 lbs calcium chloride
 - o 10-15 lbs cyanuric acid
- Test kit for chemicals approx. \$250/year
- Approx. 6 man-hours/month for miscellaneous call-outs \$180
- Showers/restrooms cleaned by pool managers daily, and by City staff every other weekend during open swim (20 hrs/month)
- During this last year, we have spent approx. \$50,000 on new pool heaters

Depending on the event at the pool, Grass Valley also have to staff and fund 1 to 5 lifeguards.

Attachment 3**PUBLIC SKATEPARK DEVELOPMENT GUIDE**[Let's Get Started!](#)[Contact Us](#)[Home](#) › [Maintenance and Operations](#) › [Noise](#)

Noise

No concern is more vocally expressed during public meetings about skatepark locations than noise. Residents that live on busy arterials or adjacent to train tracks often rally against proposed skateparks for fear that the noise will demolish their comfort and obliterate property values. In almost every case, once the skatepark is open, these fears go unrealized and those impassioned concerns evaporate.

In some cases skateparks can be noisy, but the definition of "noise" is unclear. They're noisy like playgrounds or other recreational attractions. From skateparks you hear people applauding good tricks and the clack of skateboards popping against the ground. What you don't hear is the kind of shrill, sustained cacophony that skatepark opponents imagine. Skatepark noise, according to every study conducted on the subject, consistently falls well below ordinary recreational standards and is completely appropriate for residential areas.

One of the earliest and most comprehensive skatepark noise studies was conducted by the City of Portland, Oregon in 2001. The chief noise officer for the Portland Sheriff's department concluded in a report that skateboarding noise was negligible at 50 feet but that sharp sounds from some tricks (like ollies) could reach 65 to 71 decibels; about the sound of a bat hitting a ball. Other tricks (like grinds) reach between 54 to 65 decibels. A skatepark is about as "noisy" as a playground.

For context, here are some other average decibel readings:

- 10: Threshold of good hearing
- 40: Household noise
- 50: Office noise
- 60: Conversational speech
- 65: Skatepark**
- 70: Normal street noise
- 85: Noisy restaurant
- 100: Passing truck
- 105: Snowblower
- 115: Football game
- 125: Chainsaw
- 130: Threshold of physical pain

Some unfortunate exceptions exist, and those are the result of decisions made early in the development process. Steel ramps are notoriously loud. The nature of their forms create a sort of drum so that every landing made on their surface reverberates through the structure. Only one skatepark manufacturer in the nation is currently marketing prefabricated steel skateparks, and evidence suggests that few communities are buying them. (The communities that are unwise enough to purchase them struggle with noise, rust, and a host of other problems.)

There are several approaches to noise mitigation. They are introduced to a skatepark project often as a way of appeasing concerned neighbors. Landscaping and earthworks are a terrific way of reducing fear of noise, and can provide additional benefits by beautifying the area surrounding the skatepark. Positioning the skatepark in such a way as to orient sound-reflecting walls away from nearby residents is another. A professional skatepark designer should be experienced in managing these types of concerns.

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PUBLIC SKATEPARK DEVELOPMENT GUIDE

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Maintenance Overview

Skateparks require attention to operate at peak performance. Trash must be removed, debris blown or swept clear, and cosmetic concerns addressed. Considering that skateparks are often a Parks Department's most popular facility, the maintenance demands on them are very low. Concrete skateparks are virtually indestructible and can bear thousands of hours of use without showing signs of wear.

Skateboarders are athletes that "train" for hours on end. The length of a session for the average core skateboarder is more than an hour a day, several days a week. With a majority of the local skateboarding activity concentrated at the skatepark, some maintenance will be required.

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Attachment 4

500' SURVEY RING IMAGE



Attachment 5

Aquatics 6 Year History

	Thru July 2019	18-'19	17-'18	16-'17	15-'16	14-'15	13-'14	High	Low	Median
Revenues										
Program Revenue										
Adult Aquatic Activities	6,941	8,446	9,182	10,919	10,940	9,450	8,063	10,940	8,063	9,500
Adult Aquatic Activities Placer Hills	-	1,428	1,568	720	1,160	2,375	1,375	2,375	720	1,438
Master Swim	2,912	4,280	5,690	4,670	3,893	5,493	4,985	5,690	3,893	4,835
Public Swim	33,766	32,082	34,389	38,695	31,458	30,518	34,521	38,695	30,518	33,611
Public Swim - Placer Hills Pool	3,760	3,585	3,032	4,397	3,967	3,292	4,174	4,397	3,292	3,741
Swim Lessons	28,093	26,369	26,708	25,905	27,978	25,763	23,738	28,093	23,738	26,077
Swim Lessons - Placer Hills Pool	9,598	8,407	9,148	7,672	10,423	9,035	8,963	10,423	7,672	8,941
Swim Team	14,187	27,074	24,438	27,914	24,576	26,429	31,246	27,914	24,438	26,946
Synchro Team	8,165	10,349	10,285	11,520	11,527	11,885	8,090	11,885	8,090	10,609
Misc Income				100	-	635	30	635	-	128
Total Program Revenues	107,422	122,020	124,440	132,512	125,922	124,875	125,185			
Rents & Concessions										
Sierra/Splash Pool Rental	9,163	9,968	9,163	5,131	9,753	12,196	1,000	12,196	1,000	7,869
Placer Hills Pool rental	1,851	1,833	2,661	1,191	966	1,991	2,305	2,305	966	1,825
Total Rents & Concessions	11,014	11,801	11,824	6,322	10,719	14,187	3,305			
Miscellaneous Revenue										
Miscellaneous Revenue		225	-	1,253	-	-	-	1,253	-	246
Total Misc Revenue	-	225	-	1,253	-	-	-			
Grants & Donations										
Donation Rev - Aquatics	-	1,907	-	-	-	-	-	1,907	-	318
	-	1,907	-	-	-	-	-			
Total Revenues	118,436	135,953	136,264	140,087	136,641	139,062	128,490			

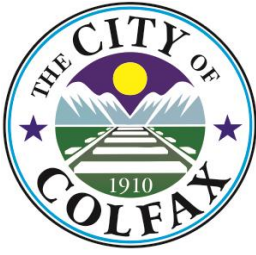
Expenditures**Program Expenditures**

Attachment 5

	thru 7/19	18/19	17/18	16/17	15/16	14/15	13/14			
Instructors - Aquatics	824	1,881	3,135	2,607	2,186	4,173	3,379	4,173	1,881	2,894
Adult Aquatic Activities Exp.	689	690	2,159	792	1,782	1,939	2,147	2,159	690	1,585
Public Swim Expenses	2,756	2,217	2,536	2,639	2,078	1,874	2,714	2,714	1,874	2,343
Public Swim Expenses PH	441	426	414	405	415	391	385	426	385	406
Swim Lessons Expenses	32	326	-	-	-	-	15	326	-	57
Swim Team Expenses	218	2,804	1,334	475	1,333	2,672	1,540	2,804	475	1,693
Synchro Team Expenses	-	576	576	1,670	324	390	(817)	1,670	(817)	453
<hr/>										
TOTAL PROGRAM EXP.	4,960	8,920	10,154	8,588	8,118	11,439	9,363			
Operating Expenditures										
Telephone - Placer Hills Pool	237	999	929	211	216	186	184	999	184	454
Telephone - Aquatics	-	96	290	40	-	-	-	290	-	71
Office Supplies	-	-	32	-	-	33	32	33	-	16
Gas Milleage - Aquatics	-	-	85	171	6	101	159	171	-	87
Professional Services	274	-	244	-	-	295	220	295	-	127
Staff Appreciation- Aquatics	-	-	-	77	-	-	-	77	-	13
Staff Development- Aquatics	-	35	130	224	405	82	106	405	35	164
Safety Supplies - Aquatics	-	341	-	104	-	-	-	341	-	74
Small Equipment	-	808	-	1,550	-	2,858	-	2,858	-	869
Small Equipment - PH Pool	-	-	-	-	-	225	227	227	-	75
Uniform Exp	-	-	-	-	-	-	-	-	-	-
<hr/>										
TOTAL OPERATING EXP	511	2,279	1,710	2,377	627	3,780	928			
Utilities										
Gas/Electric - Sierra Pool	6,130	41,086	26,966	32,561	31,949	25,112	29,173	41,086	25,112	31,141
Gas/Electric - Placer Hills	1,048	8,991	6,425	6,577	7,512	5,375	5,905	8,991	5,375	6,798
Reimbursement - Gas/Electric	(10,565)	(11,229)	(14,560)	(9,393)	(9,317)	(8,821)	(11,329)	(8,821)	(14,560)	(10,775)
Water - Sierra Pool	817	4,529	3,366	3,682	3,903	3,016	4,123	4,529	3,366	3,770
Water - Placer Hills	85	197	242	351	207	210	403	403	197	268
Reimbursement - Water	(1,270)	(1,169)	(1,358)	(825)	(524)	(1,093)	(562)	(524)	(1,358)	(922)
<hr/>										
Total Utilities	(3,755)	42,405	21,081	32,953	33,730	23,799	27,713			
Bldg and Grounds Maintenance										
Maintenance - Sierra Pool	15,144	53,282	39,459	29,151	33,040	22,895	25,823	53,282	22,895	33,942
Reimbursement - Maintenance	(4,434)	(3,753)	(8,437)	(6,576)	(4,469)	(5,789)	(6,015)	(3,753)	(8,437)	(5,840)
Maintenance - Placer Hills pool	4,441	10,373	12,314	5,636	9,660	5,354	5,436	12,314	5,354	8,129

Attachment 5

		18/19	17/18	16/17	15/16	14/15	13/14
Total Bldg and Grounds Maintenance	15,151	59,902	43,336	28,211	38,231	22,460	25,244
Salaries/Wages Expenditures							
Wages - Aquatics Coordinator	10,774	18,278	16,601	16,566	18,504	15,392	15,693
Wages - Adult aquatics	3,396	2,173	7,494	2,893	4,020	2,460	2,533
Wages - Public Swim	35,699	56,599	54,657	51,001	45,833	46,072	38,133
Wages - Public Swim - PH Pool	5,095	6,009	6,443	6,530	5,781	6,772	6,181
Wages - Swim Lessons	4,806	10,202	8,439	7,633	6,270	6,635	5,295
Wages - Swim Lessons - PH Pool	2,325	2,633	3,158	2,241	2,836	1,785	2,215
Wages - Master Swim	2,101	5,209	6,491	3,165	2,900	2,885	2,956
Wages - Coaches (Swim Team)	4,980	8,595	9,192	7,804	7,796	6,271	6,374
Wages - Coaches (Synchro)	9,381	11,488	11,490	9,285	7,465	6,055	3,961
Total Salaries/Wages Expenditures	78,557	121,186	123,965	107,118	101,405	94,327	83,341
Benefits & Payroll Expenditures							
ER -Taxes	7,140	12,979	12,535	10,918	11,467	11,359	10,603
Employment Exp- Aquatics	1,440	1,928	1,824	2,397	1,184	1,761	2,489
Fingerprinting Exp- Aquatics	440	640	492	599	398	585	396
Calpers Exp.	2,200	2,598	2,286	2,402	2,649	2,490	2,624
Worker's Comp	1,708	2,728	2,110	1,395	2,438	2,176	1,419
Totals	12,928	20,873	19,247	17,711	18,136	18,371	17,531
Total Expenditures	108,352	255,565	219,493	196,958	200,247	174,176	164,120
Total Revenues	118,436	135,953	136,264	140,087	136,641	139,062	128,490
Total Expenditures	108,352	255,565	219,493	196,958	200,247	174,176	164,120
Net Gain (Loss)	10,084	(119,612)	(83,229)	(56,871)	(63,606)	(35,114)	(35,630)
	109%	53%	62%	71%	68%	80%	78%



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Wes Heathcock, City Manager
Subject: PG&E Loss Memorandum

Budget Impact Overview:

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

RECOMMENDED ACTION: Discuss and provide staff direction on the PG&E Loss Memorandum.

Summary/Background:

The City of Colfax City Council recently adopted a state of emergency proclamation. Subsequently, members of council expressed the important is gathering loss information as a direct result of the PG&E PSPS events from residents and businesses. Several versions of a draft memorandum were provided to staff by council. Staff is requesting council consider the attached draft memorandums and provide direction.

The options generally available to Council are:

1. Direct staff at the meeting what language they want included.
2. Delegate authority a two member council ad hoc committee to establish the final memo language.
3. Establish a two member council ad hoc committee to establish a final draft to bring back to full council for consideration.
4. Decline sending a letter to the residents and businesses.
5. Otherwise direct staff.

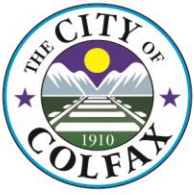
Staff is available to provide additional information or answer Council’s questions.

Fiscal Impact:

N/A

Attachments:

1. Draft PG&E Loss Memorandum Version 1
2. Draft PG&E Loss Memorandum Version 2



CITY of COLFAX

C A L I F O R N I A

CITY HALL, 33 SOUTH MAIN STREET, COLFAX, CA



Version 1

Citizens and Businesses of Colfax,

Your City Council is concerned about the high-risk situation people and businesses have experienced and repeatedly exposed to as a result of the PG&E Blackouts.

We would like to give you some background information and request that you provide the data back to the City. **DO NOT DISCARD THIS MEMO. YOUR RESPONSE IS AN IMPORTANT PIECE TO REQUESTING ASSISTANCE.**

As you are aware, we are experiencing our 4th Blackout. The outage dates thus far are as follows:

1. 10/09/19 Wednesday through 10/11/19 – 62 Hours¹
 2. 10/23/19 Wednesday through 10/24/19 – 28 Hours
 3. 10/26/19 Saturday through 10/28/19 – 47 Hours
 4. 10/29/19 Tuesday through Ongoing – 24 hours and counting
- Totaling 161+ Hours of outages in 20 days

NOTE: With unpredictable weather being the deciding factor of whether or not an outage will occur, the seriousness of the situation is further aggravated as weather cannot be perfectly forecasted.

City of Colfax residents and businesses may have incurred losses. These may include (but are not limited to):

1. Wages
2. Sales
3. Goods – freezer contents, refrigerator contents
4. Damaged Equipment – during powering down and/or powering up
5. Ability to charge devices (phones, laptops, etc.)
6. Internet service (due to carrier outages)
7. Cell phone connectivity (due to failure of multiple cell carriers)
8. Services (closures of grocery stores, gas stations, restaurants, and retail stores)
9. Cost and risk of purchasing and running a generator including fuel and equipment handling
10. Quality of life

¹ Your actual hours may vary slightly depending on your exact location in Colfax.

Version 1

More important items that you may not have thought of may include:

1. Risk of life-threatening health issues on our elderly, infants, and children due to lack of heat in your home.
2. Inability to keep medications refrigerated
3. Inability to charge and/or operate medical devices – oxygen concentrators, COPD devices, sleep apnea devices, etc.
4. Lack of heat source
5. Closed schools (incurred loss of funding)

PG&E provided inaccurate communications regarding when Blackouts will occur and when power is to be restored.

No clear plans from the State or PG&E about how this will be fixed, or when it will be fixed. The only communication we have received is the power distribution system will take 10 years to repair.

What has caused this situation? To the best of our knowledge, it has **five** parts:

1. Failure of the State to maintain the forested areas over the past 20-40 years resulting in an extreme amount of ground level fuel increasing fire risk.
2. Failure of the Federal Government to maintain the forested areas above over the past 20-40 years resulting in an extreme amount of ground level fuel increasing the fire risk.
3. Failure of the State, County, and Cities to effectively address vegetation for improved lot to improved lot as well as improved lot to unimproved lot.
4. Failure of PG&E to maintain its lines and equipment and to have a proactive plan to reduce risk of fire.
5. Failure of the California Public Utilities Commission to effectively review and oversee PG&E's field operations.

THE REQUEST:

At the end of this memo is a form that we would like you to fill out to help us get a handle on these losses. We are going to pursue all available options to try to get some recovery back for the losses. Please provide your information as accurate as you can in the following areas for the outages:

1. Actual Loss – things that have been damaged or destroyed by the outage. Example: Contents of refrigerator or freezer.
2. Costs Incurred – costs that you experienced but would not have had if the blackouts did not occur. Example – a generator, fuel for a generator, staying at a hotel because you did not have a heat source, mileage expenses for traveling to buy groceries or fuel because nothing was open in Colfax.

Version 1

3. Lost Wages – were you sent home without pay, or time taken off because school was closed.
4. Lost Revenue (for businesses) – this is revenue your business would have normally achieved but could not because you were blacked out. Example – your business had to close and, based on a prior week data, would have earned X amount of dollars in revenue from sales or services.
5. Labor Expenditures (for businesses) – when you are forced to close, did you send employees home without pay? Include the total pay including the employer’s portion.

We urge you to keep an accurate record of the losses you experience. You should file a claim with PG&E for these losses, but we expect it will be denied. If we are successful through another avenue to receive some type of recovery, you may need to provide evidence of your losses to be eligible to receive something. This is not a guarantee, but we will make a valiant effort to attempt to receive some type of recovery for our community.

For businesses, you may want to consult your insurance professional to determine if your policy covers some of these losses including lost revenue.

We also suggest that you have your tax professional review the losses when it comes time to file your taxes for this year.

Sincerely,

City Council

Your Name: _____

Business Name: _____

Address: _____, Colfax, CA

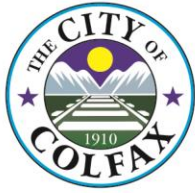
For Residents	Amount
• Actual Loss	
• Costs Incurred	
• Lost Wages	
For Businesses	
• Actual Loss	
• Costs Incurred	

Version 1

• Lost Revenue	
• Labor Expenditure	

Please return this form to City Hall or email a completed copy to: city.clerk@colfax-ca.gov

Deadline to submit the information is 11/12/2019.



CITY of COLFAX

C A L I F O R N I A

CITY HALL, 33 SOUTH MAIN STREET, COLFAX, CA



Version 2

DO NOT DISCARD THIS MEMO. YOUR RESPONSE IS IMPORTANT TO THE DISASTER PROCESS AND REQUEST FOR RESOURCES

Citizens and Businesses of Colfax,

On October 30th 2019, the City Council of Colfax, California officially issued a proclamation declaring a State of Emergency due to the PG&E Public Safety Power Shutdowns (PSPS) which left the community without electricity for 167* hours within a 20-day period as follows:

1. 10/09/19 through 10/11/19 (Wednesday through Friday)-62 hours*.
2. 10/23/19 through 10/24/19 (Wednesday through Thursday)-28 hours*.
3. 10/26/19 through 10/28/19 (Saturday through Monday)-47 hours*.
4. 10/29/19 through 10/30/19 (Tuesday through Wednesday)-30 hours*.

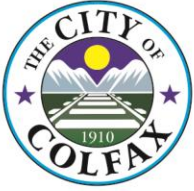
Totaling 167+ hours of outages in 20 days.

*Your actual hours may vary depending on your exact location in Colfax.

Beginning with the first PSPS on October 9th, PG&E failed to provide accurate and timely communications regarding when outages would occur and when power was to be restored. This resulted in undue hardship to their customer base.

City of Colfax residents and businesses may have incurred financial damages, loss of essential services, and a general negative impact on quality of life. These may include (but are not limited to):

- I. Financial Damages:
 - a. Loss of Wages
 - b. Loss of sales and or business revenue
 - c. Loss of household goods and or business inventory
 - d. Damages to electrically powered equipment during de-energization/re-energization of the grid
- II. Loss of Essential Services:
 - a. Loss of telephone access (due to cell tower and landline failure)
 - b. Loss of internet access (due to ISP failure)
 - c. Inhibited access to food sources (due to closure of grocery stores and restaurants)
 - d. Loss of access to running water (due to electrical well pump failure)
- III. Loss of access to fuel sources (due to fueling station closure)
- IV. Negative impact on Quality of Life:



CITY of COLFAX

C A L I F O R N I A

CITY HALL, 33 SOUTH MAIN STREET, COLFAX, CA



Version 2

- a. Inability to charge devices (phones, laptops, etc...)
- b. Inability to charge and/or operate medical devices (oxygen concentrators, COPD devices, sleep apnea devices, etc)
- c. Loss of access to heating sources (which may be life threatening to infants, children, and the elderly)
- d. Inability to keep medications refrigerated
- e. Cost and risk of purchasing and running a generator including fuel and equipment handling
- f. Closures of places of employment, education, and worship

We are asking for your feedback on these losses in order to provide an accurate estimate of the impact these PSPS events have on our community. This information will assist us in pursuing resources and aid, not only to assist in the recovery from the events, but to also better prepare our city for future PSPS events. Please take a moment to fill out this short questionnaire on the link provided at the bottom of this memo.

We urge you to keep an accurate record of the losses you have experienced. If avenues for recovery resources are identified, you may need to provide evidence of your losses to qualify for financial assistance. Although this is not a guarantee that the City of Colfax, of the Colfax City Council will be able to secure recovery funding, we will continue to pursue available options for the community and notify the public should funds be made available.

Sincerely,

Colfax City Council

Link to questionnaire: <http://forms.gle/bkzzyizGSj9LFkhyp>



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Jaclyn Collier, City Clerk
Subject: City Council Regular Session Meeting Time Change

Budget Impact Overview:

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

RECOMMENDED ACTION: Provide staff direction as to future meeting times.

Summary/Background

At the July 24, 2019 City Council meeting, Council voted to change the Regular Session meeting time from 7:00 PM to 6:00 PM. Council requested a review of the action in three months to discuss whether or not the time change is beneficial. As per Council’s request, staff is asking for direction as to future meeting times and whether or not to continue the 6:00 PM meeting time or to revert back to the 7:00 PM time.

Attachments:

1. Resolution 32-2019

City of Colfax City Council

Resolution № 32-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX CHANGING THE TIME FOR COMMENCEMENT OF REGULAR COUNCIL MEETINGS FROM 7:00PM to 6:00PM

WHEREAS, Colfax Municipal Code 2.04.010 A provides that regular meetings of the Council shall be held on the second and fourth Wednesday of each month at such times as the Council may establish by Resolution; and

WHEREAS, regular Council meetings currently begin at 7:00 p.m.; and

WHEREAS, the Council finds and determines that commencing its regular meetings at 6:00 p.m. is in the best interests of the public, the Council and City staff; and

WHEREAS, the Council will revisit this item in 3 months and direct staff to take necessary action by resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Colfax that, effective immediately, open session for regular City Council meetings, which shall continue to be held on the second and fourth Wednesday of each month, shall begin at 6:00 p.m., or as close as reasonably possible thereto. Closed sessions, if needed, shall be scheduled to precede or follow the regular meeting open sessions.

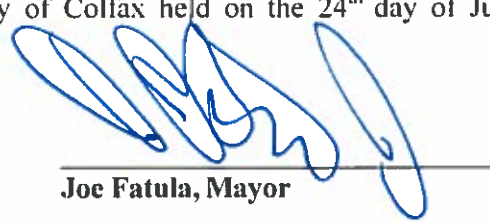
THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 24th day of July 2019, by the following vote of the Council:

AYES: Burruss, Douglass, Lomen, Fatula

NOES:

ABSTAIN:

ABSENT: Mendoza



Joe Fatula, Mayor

ATTEST:



Amy Lind, Interim City Clerk



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Wes Heathcock, City Manager
 Alfred “Mick” Cabral, City Attorney
Subject: Commercial Cannabis Microbusiness

Budget Impact Overview:

N/A: √	Funded:	Un-funded:	Amount:	Fund(s):
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RECOMMENDED ACTION: Discuss whether to expand the scope of permissible commercial cannabis activities in Colfax and provide direction to staff.

Summary/Background:

Summary.

The purpose of this agenda item is to allow the City Council to discuss and determine whether to expand the scope of permissible commercial cannabis activities in Colfax. At present, the Council has authorized issuance of one medicinal cannabis license to Golden State Patient Care. The licensee asked the City to authorize issuance of a microbusiness cannabis license that will allow it to engage in additional commercial cannabis activities that can include cultivation, manufacturing, distribution and retail sales.

The options generally available to Council are:

1. Direct staff to develop a program for expanding retail cannabis activities in Colfax and bring it to Council for approval. The program can include either all activities necessary for issuing cannabis microbusiness licenses, which require three of the four primary retail cannabis activities (cultivation, manufacturing, distribution and retail sales) to be conducted on the same premises, or it can include only limited additional commercial cannabis activities.
2. Decide not to expand retail cannabis activities in Colfax and allow things to remain as they are with only one permitted medicinal cannabis retailer.
3. Defer discussion and direction to a future meeting.
4. Otherwise direct staff.

Background

At the February 28, 2018 regular meeting, Council adopted Ordinance 536 which comprehensively regulates all commercial cannabis activities in Colfax. At the same meeting, Council adopted Resolution 12-2018 approving the application procedures for obtaining a permit to operate a commercial cannabis business in Colfax, Resolution 13-2018 establishing fees to process applications for commercial cannabis permits, and Resolution 14-2018 authorizing background checks for cannabis permit applicants.

City staff established an application acceptance period that opened April 2, 2018 and was scheduled to close on June 4, 2018. Applications were received from Golden State Patient Care, River City Phoenix, Colfax Wellness, and Elevation 2425. The June 4, 2018 application closure date was extended to allow one applicant, Elevation 2425, to propose a substitute location because its initial location did not conform to the City's zoning requirements.

The regulations adopted by Resolution 12-2018 require a four-phase process. Phase 1 involves a preliminary determination of eligibility for issuance of a commercial cannabis permit, and includes a criminal history check, confirming that the application is complete, verifying that the proposed location conforms with City requirements, and executing an agreement whereby the applicant agrees to indemnify the City. Phase 2 requires an initial ranking of applicants. Phase 3 provides for a second ranking of applicants. Phase 4 includes the City Manager's recommendation of which, if any, successful applicants should receive a commercial cannabis permit, and the City Council's approval. All commercial cannabis permits require City Council approval.

HdL was the City's consultant that drafted Ordinance 536 and Resolutions 12-2018, 13-018 and 14-018 and was retained to process commercial cannabis permit applications. Staff forwarded all applications to HdL for the Phase 1 Preliminary Determination of Eligibility.

On August 8, 2018, shortly before the Phase 1 application process was completed, Council directed staff to stop the application process until further direction from Council. Staff stopped the process as directed and refunded all fees to the applicants. Council separately directed staff to allow Golden State Patient Care to continue operating under a temporary business license pending further Council direction.

On February 13, 2019, Council unanimously directed staff as follows: (1) Staff shall resume the commercial cannabis application process by accepting one application for a medicinal cannabis permit and no others without further direction from the Council. (2) Golden State Patient Care shall be allowed to submit the only application for a medicinal cannabis permit at this time. (3) Since there will be only one application, staff will implement only Phase 1 of the required application process. If Golden State Patient Care successfully qualifies during the application process, its annual permit shall be submitted to the Council for approval. (4) Any medicinal cannabis permit issued to Golden State Patient Care shall expire one year after it is issued, unless it is renewed or revoked as allowed by Colfax Municipal Code Chapter 5.32, shall be for medicinal cannabis only, and shall be valid only for Golden State Patient Care's current location. (5) Golden State Patient Care's temporary business license shall remain valid until it is issued, or fails to qualify for, a medicinal cannabis license under Colfax Municipal Code Chapter 5.32, whichever is earlier. Golden State Patient Care has since been issued the medicinal cannabis license it requested.

Golden State Patient Care recently asked staff and the Council to expand the permissible scope of commercial cannabis activities and consider issuing a microbusiness cannabis license. This was discussed at a public workshop on October 23, 2019. At the conclusion of the workshop, staff was directed to present this issue to the full City Council for policy direction.

The fundamental impediment to issuing microbusiness licenses in Colfax is that they are not allowed under the City's Municipal Code. Moreover, the primary regulation under which microbusinesses operate, 42 CCR §5500(a), requires a microbusiness licensee to engage in three of the following commercial cannabis activities: cultivation, manufacturing, distribution and retail sales. All cultivation, manufacturing, distribution, and retail activities performed by a licensee under a microbusiness license must occur on the same licensed premises.

These are among the issues that will need to be addressed in order to permit a cannabis microbusiness:

1. Ordinance 536, which provides for medicinal cannabis sales, will have to be amended to allow the additional activities. At present, Ordinance 536 prohibits the commercial manufacture, processing, storing, testing, labeling, sale, delivery, distribution or transportation of cannabis or cannabis products. See CMC 5.32.030.
2. Adult use retail cannabis activities are not allowed in Colfax. The Council was very clear in its direction to allow only one medicinal cannabis dispensary. The current ordinances will have to be changed to allow adult use cannabis activities and define their scope.
3. Ordinance 535 outlaws commercial cultivation of cannabis. See CMC 17.162.060, which incorporates cultivation in the definition of commercial cannabis activity. CMC 17.162.060 and Chapter 5.32 will have to be amended to allow limited commercial cannabis cultivation.
4. The cannabis regulations the City adopted after Ordinances 535 and 536 do not address microbusinesses, cannabis cultivation, manufacture, retail cannabis stores or cannabis delivery. Regulations will have to be developed and adopted simultaneously with the changes to the City's ordinance. This will include adopting an updated fee structure and enforcement process.
5. Colfax has limited staff and resources available to develop the comprehensive ordinances, regulations and enforcement mechanisms necessary to implement an expanded cannabis micro business program. The Council will have to consider either expanding its staff or retaining consultants to undertake the necessary effort.
6. Golden State Patient Care is presently the only permissible licensee. If the Council wants to expand the permissible scope of commercial cannabis activities, it may also want to consider reopening the application process to other potential licensees.

Counsel is not bound to considering only the suggested cannabis microbusiness licensing program. It could, for example, expand the permissible scope of commercial cannabis activities to include different types of licenses without issuing "microbusiness" licenses. Doing so may allow for additional commercial cannabis activities without having to meet the strict requirements applicable to micro-businesses.

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

Fiscal Impact:

N/A



Staff Report to City Council

FOR THE NOVEMBER 13, 2019 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Jaclyn Collier, City Clerk
Subject: City Funding Support for Winterfest Event

Budget Impact Overview:

N/A:	Funded: √	Un-funded:	Amount: \$1000	Fund(s): 100-110
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RECOMMENDED ACTION: Discuss and consider adopting Resolution __-2019 authorizing a \$1000 donation to Colfax Chamber of Commerce, coordinators of the 2019 Winterfest event, as the City’s contribution to the success of the Winterfest event.

Summary/Background

The City Council of the City of Colfax traditionally donates \$500 per City sponsored event (3rd of July, Railroad Days, and Winterfest). The Colfax Chamber of Commerce, organizers of the 2019 Winterfest event, has requested \$1000 as the City’s contribution to the success of the event which is scheduled for December 14th, 2019. Staff requests Council discuss the donation amount and determine what is appropriate.

FISCAL IMPACT:

Funding is within City Council’s budget for Economic Development from Fund 100-110.

Attachments

1. Resolution __-2019

City of Colfax

City Council

Resolution No. __-2019

AUTHORIZING A \$1000 DONATION TO COLFAX CHAMBER OF COMMERCE, COORDINATORS OF THE 2019 WINTERFEST EVENT, AS THE CITY’S CONTRIBUTION TO THE SUCCESS OF THE WINTERFEST 2019 EVENT

WHEREAS, the City Council of the City of Colfax traditionally donates \$500 to support certain City- wide events each year; and,

WHEREAS, the City requires the organizer to request the funding amount and how the money will be spent; and,

WHEREAS, the Colfax Chamber of Commerce, organizers of the 2019 Winterfest event, have requested \$1000 as the City’s contribution to the success of the event which is scheduled for December 14th, 2019.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Colfax, approves a donation of \$1000 to Colfax Chamber of Commerce, as the City’s contribution to the success of the Winterfest event in 2019.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 13th of November 2019 by the following vote of the Council:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

Joe Fatula, Mayor

ATTEST:

Jaclyn Collier, City Clerk