



CITY COUNCIL MEETING

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA

MAYOR TOM PARNHAM • MAYOR PRO-TEM STEVE HARVEY
COUNCILMEMBERS • KIM DOUGLASS • TONY HESCH • WILL STOCKWIN



REGULAR MEETING AGENDA

June 8, 2016

Regular Session 7:00 PM

1) OPEN REGULAR MEETING

- 1A. Call to Order
- 1B. Pledge of Allegiance
- 1C. Roll Call
- 1D. Approval of Agenda Order

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

RECOMMENDED ACTION: By motion, accept the agenda as presented or amended.

2) 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 City staff.

RECOMMENDED ACTION: Approve Consent Calendar

- 2A. **Minutes City Council Meeting of May 25, 2016**
Recommendation: Approve the Minutes of the Regular Meeting of May 25, 2016.
- 2B. **Minutes Special City Council Meeting of May 24 and May 25, 2016**
Recommendation: Approve the Minutes of the Special Meeting of May 24 and May 25, 2016.
- 2C. **Delinquent Garbage Collection**
Recommendation: Adopt Resolution 16-2016 confirming the Report of Delinquent Waste Collection Accounts and placing liens on said properties and Special Assessments upon property taxes pursuant to City of Colfax Municipal Code Section 8.20.130.
- 2D. **Annual Sewer Impact Fee Increase**
STAFF PRESENTATION: Mark Miller, City Manager
RECOMMENDATION: Adopt Resolution 17-2016 Approving the Annual Sewer Impact Fee Increase effective July 1, 2016.
- 2E. **East Oaks Street ADA Improvements Project – Notice of Completion**
Recommendation: Adopt Resolution 18-2016 accepting the improvements constructed with the East Oak Street Pedestrian and ADA Improvement Project and authorizing the City Manager to file the Notice of Completion.
- 2F. **Letter Opposing the Governor’s By Right Housing Proposal**
Recommendation: Authorize a letter of opposition to state officials regarding the Governor’s By Right Housing Proposal.

3) COUNCIL, STAFF AND OTHER REPORTS

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.

- 3A. **Committee Reports and Colfax Informational Items - All Councilmembers**
- 3B. **City Operations Update – City staff**
- 3C. **Additional Reports – Agency partners**

4) PUBLIC COMMENT

Members of the audience are permitted to address the Council on matters of concern to the public within the subject 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.



5) PUBLIC HEARINGS

NOTICE TO THE PUBLIC: City Council will take the following actions when considering a matter scheduled for hearing:	
1. Open the public hearing	2. Presentation by staff
3. Council comments and questions	4. Accept public testimony
5. Council comments and question	6. Close public hearing. (No public comment is taken after the hearing is closed s
7. City Council action	
Public hearings that are continued will be announced. The continued public hearing will be listed on a subsequent Council Meeting Agenda and posting of that agenda will serve as notice.	
<i>The City Council encourages the participation of the public. To ensure the expression of all points of view, and to maintain the efficient conduct of the City's business, members of the public who wish to address the Council shall do so in an orderly manner. The audience is asked to refrain from positive or negative actions such as yelling, clapping or jeering that may intimidate other members of the public from speaking. Members of the public wishing to speak may request recognition from the presiding officer by raising his or her hand, and stepping to the podium when requested to do so.</i>	

5A. **Second Reading of Ordinance No. 528: An Ordinance Of The City Of Colfax Authorizing Collection Of Delinquent Sewer Service Charges On The Placer County Secured and Unsecured Tax Roll For Fiscal Year 2016-2017 delinquent sewer charges and amending the Ordinance to allow a resolution in future years and Adoption of Resolution 19-2016.**
STAFF PRESENTATION: Laurie Van Groningen, Finance Director
RECOMMENDED ACTION: Consider public and staff comments and adopt Ordinance No. 528 and waive reading of the entire Ordinance and read by title only; to become effective in 30 days and adopt Resolution No. 19-2016 requesting collection of Sewer Service Charges on the Placer County Tax Roll for Tax Year 2016-2017.

6) COUNCIL BUSINESS

- 6A. **Finalizing Marijuana Ballot Measure Wording**
STAFF PRESENTATION: Mark Miller, City Manager
RECOMMENDATION: Review ballot wording, and direct staff to make any changes appropriate.
- 6B. **Future Land Use Considerations for Maidu Village**
PRESENTATION: Property Owner Representative – Jeff Bordelon
RECOMMENDATION: For Information Only
- 6C. **Sewer Service Fees for Fiscal Year 2016-2017**
STAFF PRESENTATION: Mark Miller, City Manager and Laurie Van Groningen, Finance Director
RECOMMENDATIONS: Accept and File Sewer Service Fees for Fiscal Year 2016-2017.
- 6D. **Proposed Budget – Fiscal Year 2016-2017 and Fiscal Year 2017-2018**
STAFF PRESENTATION: Mark Miller, City Manager and Laurie Van Groningen, Finance Director
RECOMMENDATION: Receive Budget Revisions requested by Council and Adopt Proposed Budget for Fiscal Year 2016-2017 and 2017-2018.
- 6E. **Draft Proposed City Manager Contract**
STAFF PRESENTATION: Mark Miller, City Manager
RECOMMENDATION: Review the proposed draft City Manager contract, receive any public comment, amend as appropriate, and approve Resolution 20-2016.
- 6F. **Informational Signs for Downtown**
VERBAL PRESENTATION: Mark Miller, City Manager
RECOMMENDATION: Discuss and direct staff regarding location of “2nd Colfax Welcome Sign” for S. Auburn and discuss possible design and location of event announcement sign.

7) ADJOURNMENT

I, Lorraine Cassidy, 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.


 City Clerk, City of Colfax

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.





City of Colfax
City Council Minutes
Regular Meeting of Wednesday, May 25, 2016
City Hall Council Chambers
33 S. Main Street, Colfax CA

1 CONVENE WORKSHOP

1A. Call to Order

Mayor Parnham called the meeting to order at 6:02PM.

Councilmembers present: Douglass, Harvey, Hesch, Parnham, Stockwin

1B. Introduction

Mayor Parnham welcomed the public to discuss the content of the draft ordinance proposed by Council which will accompany a ballot measure for the November 8, 2016 election. The results of the public vote will determine if the City will allow medical marijuana dispensaries and cultivation of medical marijuana within the City limits. He stated "the idea is to place it on the ballot to see if it is the right fit for Colfax and to tax for sewer bill relief."

1C. Public Comment

Suzanne Roberts, Colfax property owner

Expressed concern the Council is allowing the voters to decide on this issue and stated a medical marijuana dispensary would not improve the City. She feels the Council should make the decision.

Mike Maynard, Colfax resident

Stated he is a former law enforcement officer and never had problems with marijuana users. In his opinion alcohol is far worse. He sees a medical need for a dispensary in town as long as there are limits, regulation, and tax revenues for the City.

James Welch, Nevada County resident

Asked if the dispensaries would receive products from outside sources, the number of dispensaries to be allowed, and if commercial grows will be considered.

City Manager Miller replied the proposed ordinance will permit three dispensaries which will have a limited ability to process products. The majority of the product distributed by a dispensary would be from outside suppliers. If the ordinance/ballot measure passes there will not be a ban on commercial grows.

Stacie Younggren, 4999 Cape Vincent Court

Asked how the medical marijuana dispensary will be selected.

City Manager Miller stated selection will basically be a Request for Proposal (RFP) process.

Linda Lou Haines, Colfax resident

Stated she is impressed with the proposed ordinance as it is thorough and careful with safeguards for youth and the public. She is in favor of a dispensary in town as it would help the people who currently need to go to Sacramento to obtain the medical marijuana they need. She also is pleased that with a medical marijuana dispensary Colfax, could reduce the sewer rates.

Mayor Pro Tem Harvey reminded Council unforeseen issues will come up, no matter how thorough the ordinance.

Suzanne Roberts, Colfax property owner

Suggested Council consider several questions: the efficacy of medical marijuana since it isn't obtained through a regular pharmacy, the potential problem of allowing operation of dispensaries to operate a controlled substance, and the ethics of charging taxes on a benevolent medication.

Lynn Tausch, Colfax business owner

Suggested Council consider what to do with future tax revenues if the City's sewer obligations are paid off and the money is designated only to pay sewer obligations. Perhaps the ballot question should be worded to include payment of the sewer loan, I & I, or roads.

Councilmember Douglass stated if a surplus should occur, the City could send checks instead of bills for sewer charges.

City Attorney Cabral suggested the Council could add road repairs as a secondary designation for the tax revenues.

Mayor Parnham stated he prefers to keep the single designation with wording that allows the funds to be used for anything related to reduction of sewer costs. If a surplus should ever occur in the future then a tax change can be brought to another ballot measure.

Kristi Parnham, W. Oak Street, Colfax

Asked if the wording on the ballot will allow taxation of recreational marijuana, in the event it is legalized.

Councilmember Stockwin explained the wording will allow taxation of either medical marijuana or recreational marijuana and the 15% rate can be lowered, but not raised without a new ballot measure.

Suzanne Roberts, Colfax property owner

Stated she feels the workshop format is intimidating and would prefer a roundtable discussion.

1D. **Council Discussion**

Council and staff discussed the importance of wording the ballot measure correctly to eliminate as many unforeseen issues as possible.

Staff handed out two alternatives for the ballot wording for Council's consideration. The wording needs to be finalized and approved at the June 8, 2016 meeting. The Ordinance itself will need to be read at two meetings. Its approval will be subject to the results of the election.

Councilmember Stockwin stated medical marijuana is already in our community with five delivery services operating in town. Medical marijuana will not go away, so the City should be regulating and taxing the industry.

City Manager Miller handed copies to Council of a letter from Ingrid Elsel supporting a medical marijuana dispensary. The letter will be added to the record. (A letter from Bill Bean was also added after the workshop ended.)

The workshop ended at 6:33PM.

2 CONVENE OPEN SESSION**2A. Call to Order**

Mayor Parnham called the Open Session to order at 7:00PM.

2B. Pledge of Allegiance

Kristi Parnham led the Pledge of Allegiance.

2C. Roll Call

Council Members present: Douglass, Harvey, Hesch, Parnham, Stockwin

2D. Approval of Agenda Order

On a motion by Councilmember Stockwin, seconded by Councilmember Hesch, the City Council approved the agenda.

AYES: Douglass, Harvey, Hesch, Parnham, Stockwin

3 PRESENTATIONS**3A. Preliminary Presentation on General Plan/Zoning Map Clean-up and Consistency Study – Process Outline**

Amy Feagans, Planning Director

Planning Director Feagans explained approximately a dozen properties in Colfax have either multiple or incorrect zoning designations. By state law, the zoning map must be in agreement with the General Plan which is the guiding document for all zoning decisions. She proposed steps to remove the discrepancies: public outreach to property owners, staff recommendation through a workshop format, Planning Department review followed by the normal hearings and public notice to adopt an ordinance. Most of the properties in question will need a simple process which will take 30-90 days. A few of the properties will also need a California Environmental Quality Act (CEQA) review before any zoning update can be implemented. The process for these properties will take four to six months. With Council's go ahead, the zoning clean-up can be completed by early 2017.

Councilmember Hesch thanked Planning Director Feagans and applauded the level of transparency from staff.

City Manager Miller emphasized this process will not affect property value or maximum use of the subject properties. He suggested the General Plan Ad Hoc committee could convene for reports throughout the process. Mayor Pro Tem Harvey and Councilmember Hesch agreed they would like to be involved in the zoning clean-up process. Council gave approval to begin the zoning clean-up process as described.

4 CONSENT CALENDAR**4A. Minutes City Council Meeting of May 11, 2016**

Recommendation: Approve the Minutes of the Regular Meeting of May 11, 2016.

4B. Minutes Special City Council Meeting of May 17, 2016

Recommendation: Approve the Minutes of the Special Meeting of May 17, 2016.

4C. Cash Summary Report – April 2016

Recommendation: Receive and File.

4D. Caltrans Safety Grant Opportunity

Recommendation: Information only.

On a motion by Councilmember Stockwin, seconded by Councilmember Hesch, the City Council approved the Consent Calendar.

AYES: Douglass, Harvey, Hesch, Parnham, Stockwin

5 COUNCIL, STAFF, AND OTHER REPORTS

5A. **Committee Reports and Colfax Informational Items – All Councilmembers**

Councilmember Hesch

- Councilmember Hesch reported Placer County Transportation Planning Agency (PCTPA) is discussing the possibility of adding a midday bus stop in Colfax during the summer to provide transportation from Auburn to Colfax.
- PCTPA Staff is in the design phase of improving the I-80/Hwy 65 interchange and hopes to begin construction in 2017.
- The sidewalk project on E. Oak is completed and looks great. The grant to construct the project is a direct result of the positive relationship fostered between PCTPA and the City. The City strives to obtain smaller and “leftover” grants for which larger jurisdictions do not compete.
- City Manager interviews went well and Council has several good candidates to consider.
- Councilmember Hesch handed out a template for an opposition letter to send to State representatives regarding the Governor’s By Right Housing Proposal. He would like to place this topic on an upcoming agenda and discuss sending a letter or a resolution to State representatives

Councilmember Stockwin

- Councilmember Stockwin reported from the Placer County Mosquito and Vector Control Board meeting. The district will be raising their fees by the allocated 3% this year in preparation for the arrival of the Zika Virus which is already in Southern California. The foothill region has high levels of tick infestations this year. He provided a tick warning poster for posting on the City Hall bulletin board. There have been no reports of West Nile Virus this year.

Councilmember Douglass

- Councilmember Douglass stated the Fiesta De Mayo event was successful.
- He attended the Wyman Memorial dedication ceremony.
- He attended the SACOG meeting. SACOG distributes about \$58 million dollars annually to local governments. As with PCTPA, the Colfax strategy is to apply for smaller grants or residual funding for which larger entities do not compete.
- He helped the second grade class plant milkweed for butterflies in a downtown garden plot. Channel 31 filmed the event.
- He attended the monthly flea market at the Sierra Vista Community Center.
- City Manager interviews went well.
- The All Service Group will meet on June 14. Anyone wanting input into the July 3rd Event should attend.

Mayor Pro Tem Harvey

- Mayor Pro Tem Harvey had nothing to report.

Mayor Parnham

- Mayor Parnham stated the Fiesta De Mayo was well attended. It was a fun event with a good band.
- He cut the ribbon for the Wyman Memorial dedication ceremony. The plaque was donated by Tom and Helen Austin, members of the Iron Butt Society. They were pleased with the monument and promised to include it in future Iron Butt rides

which will encourage motorcycle riders to have their picture taken with the monument. It's a great way to ensure people will be visiting downtown!

- He attended the Skatepark design presentation. The design choices were interesting and the presentation informative.

5B. **City Operations – City Staff**

City Manager Miller

- City Manager Miller stated the Washington Ridge Camp crew has completed cleanup of undergrowth at the Ball Park. The project has been very successful and the resulting woodchips are available for anyone to pick-up on Rising Sun Rd. The Crew is scheduled to work at the Wastewater Treatment Plant (WWTP) soon.
- The Building Inspector sent a notice to the Hotel owner escalating the abatement process.
- The Wastewater Treatment Plant is running well. Jeff Scott is now on rotation as an Operator II.
- Staff will be conducting interviews this week for a Maintenance Worker I to fill Jeff's position. The City has received several applications and has a good pool of candidates.
- The Skatepark fundraising is going well with about \$10,000 contributed to date.

5C. **Additional Reports – Agency Partners**

Frank Klein, President of the Colfax Area Chamber of Commerce

- Mr. Klein stated the first mixer of the season went well.
- The next mixer will be June 23rd at the Colfax Mini Storage. He encouraged Council to attend.
- He announced Pizza Factory is helping to raise funds tonight for the upcoming July 3rd Fireworks Event. The Colfax Green Machine website has stickers and T-shirts for sale and the proceeds from those will also go towards the Fireworks display

Ty LaBelle, Colfax Battalion Chief

- CAL FIRE will be at peak staffing in preparation for fire season which begins June 13.
- Union Pacific Railroad has promised the brush piles near the tracks will be chipped and removed in June.

6 **PUBLIC COMMENT**

Larry Hillberg, Colfax resident

- Spoke against locating the Skatepark in the ballpark area, stating the location is too remote and may be a magnet for vandalism. He passed several photos of vandalism in other parks around to Council. He feels the site which is currently the Corp Yard but was designated as a recreation center in the 1970's would be a better location for a skatepark.

Kristi Parnham, Colfax resident

- Asked what had happened to the plans to put the recreation center at the Corp Yard location.

7 PUBLIC HEARING**7A. Introduction and First Reading of Ordinance No. 528: An Ordinance Of The City Of Colfax Authorizing Collection Of Delinquent Sewer Service Charges On The Placer County Secured Tax Roll For Fiscal Year 2016-2017 and Amending the Ordinance to Allow a Resolution in future years.**

Laurie Van Groningen, Finance Director, stated the procedures have been followed to place delinquent sewer charges on the Placer County tax rolls as allowed by the Municipal Code. Staff is recommending simplifying the process by amending the ordinance to allow a resolution for this process next year rather than an ordinance.

There was no public comment.

Councilmember Hesch asked what percentage of accounts is delinquent. Ms. Van Groningen stated about 10% are delinquent.

City Manager Miller emphasized the change in the ordinance for a resolution during the next fiscal year.

On a motion by Councilmember Douglass and a second by Councilmember Hesch, City Council waived the first reading of Ordinance No. 528, reading by title only, and continued the hearing for a second reading and adoption at the June 8th Regularly Scheduled Council Meeting to be effective 30 days thereafter

Ayes: Douglass, Harvey, Hesch, Parnham Stockwin

8 COUNCIL BUSINESS**8A. Update on City Manager Recruitment**

City Manager Miller stated he was pleased with the quality of candidates for the position and thanked Council for participating in the long process.

Several candidates will be brought back for a second evaluation after background checks are completed.

Councilmember Hesch stated he was satisfied with the good quality and thanked staff for an excellent job of preparing for the interview process.

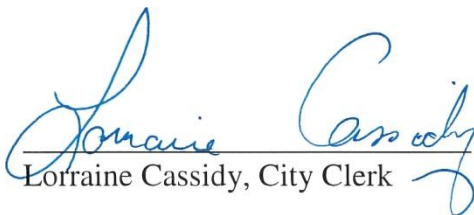
Mr. Klein asked when the new manager is scheduled to start.

City Manager Miller stated he is hoping there will be a few days overlap with his successor in June.

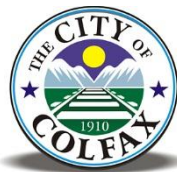
9 ADJOURNMENT

As there was no further business on the agenda, Mayor Parnham adjourned the meeting at 7:54PM.

Respectfully submitted to City Council this 8th day of June, 2016.



Lorraine Cassidy, City Clerk



City of Colfax
City Council Minutes
Special Meeting of Tuesday, May 24, 2016 and Wednesday,
May 25, 2016
City Hall Council Chambers
33 S. Main Street, Colfax CA

1 CONVENE MEETING

1A. Call to Order

Mayor Pro Tem Harvey called the Meeting to order at 9:05AM.

1B. Roll Call

Councilmembers present: Douglass, Harvey, Hesch, Stockwin.

1C. Public Comment on Closed Session Items

There was no public comment.

2 CLOSED SESSION

2A. Public employee employment pursuant to Government Code Section 54957.

Title of Position to be filled: City Manager

Mayor Parnham joined the Closed Session at 9:45AM.

At 4:59PM Council adjourned to continue the closed session on Wednesday, May 25, 2016 at 4:00PM.

Councilmembers present for continued closed session on May 25, 2016: Douglass, Harvey, Hesch, Parnham, Stockwin.

3 RETURN TO OPEN SESSION

3A. Report from Closed Session

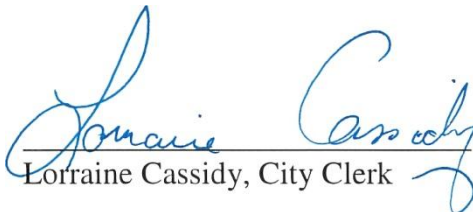
Council reconvened the open session on May 25, 2016 at 5:20PM.

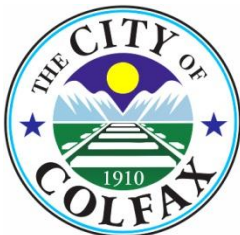
There was nothing to report from closed session.

4 ADJOURNMENT

As there was no further business on the agenda, Mayor Parnham adjourned the meeting at 5:20PM.

Respectfully submitted to City Council this 8th day of June, 2016


Lorraine Cassidy, City Clerk



STAFF REPORT TO THE COLFAX CITY COUNCIL

FOR THE JUNE 8, 2016 COUNCIL MEETING

FROM: Mark Miller, City Manager
PREPARED BY: Laurie Van Groningen, Finance Director
DATE: June 1, 2016
SUBJECT: Delinquent Garbage Collection

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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RECOMMENDED ACTION: Adopt Resolution 16-2016 confirming the Report of Delinquent Waste Collection Accounts and placing liens on said properties and Special Assessments upon property taxes pursuant to City of Colfax Municipal Code Section 8.20.130.

BACKGROUND AND ANALYSIS:

Subscription to and payment for refuse collection service in Colfax is mandatory. The Council adopted Ordinance 517 amending Colfax Municipal Code (the "Code") Section 8.20.130 to allow delinquent accounts for refuse service to be collected on the County tax rolls at the same time as ad valorem property taxes.

There are approximately 19 delinquent accounts that remain unpaid. A written report containing a description of each parcel of real property for which there is a delinquent refuse service charge and the amount of each charge has been prepared and filed with the City Clerk in accordance with the Code and is attached.

On May 25, 2016, the City held a hearing to consider all protests or objections to the written report. The owner of each property listed in the report was provided at least 10 days written notice (copy of letter sent by Recology attached to this report) of the date, time and place of the hearing. Having conducted the required hearing, staff recommends that the Council adopt the written report as presented.

If the Council confirms the report as recommended, the City Clerk will file it with the County Auditor-Controller and the charges reflected in the final report will be collected at the same time as ad valorem property taxes. This will include collection of City administrative charges and a rate of 1% payable to the County to offset the cost of their administrative services.

FISCAL IMPACT:

The recommended action does not expose the City to liability to Recology. Amounts collected by the County and remitted to the City will be paid to Recology to satisfy the amounts owed. The City does not become liable to remit any funds to Recology until the County disburses collected funds to the City

ATTACHMENTS:

1. Resolution 16-2016
2. City of Colfax – Recology Garbage liens 2016
3. Copy of Recology letter providing notice of hearing
4. Summary of Hearing held May 25, 2016

City of Colfax

City Council

Resolution № 16-2016

CONFIRMING THE REPORT OF DELINQUENT WASTE COLLECTION
ACCOUNTS AND PLACING LIENS ON SAID PROPERTIES AND SPECIAL
ASSESSMENTS UPON PROPERTY TAXES PURSUANT TO CITY OF COLFAX
MUNICIPAL CODE SECTION 8.20.130.

WHEREAS, pursuant to Colfax Municipal Code Title 8, Chapter 8.20, subscription to, and payment for, Waste Collection Service for all occupied properties in the City of Colfax is mandatory; and

WHEREAS, pursuant to the provisions of the Colfax Municipal Code, each owner of property for which there is a delinquency in payment for refuse collection services has been notified in writing of their obligation to subscribe to waste collection services and make payment for that service; and

WHEREAS, said property owners have been notified in writing of the commencement of lien proceedings; and

WHEREAS, Waste Collection Service has been provided by Recology Auburn Placer to all properties described in the report attached hereto as Exhibit "A" and each of said properties remains delinquent in the payment for waste collection services in the amounts reflected in Exhibit A; and

WHEREAS, said property owners have failed to make payments for sixty days or more for waste collection services as required; and

WHEREAS, the City and Recology Auburn Placer have incurred collection and delinquency costs on the above described delinquent properties; and

WHEREAS, City staff has established an administrative charge of \$40 per parcel for processing the delinquent accounts and recording the assessment lien; and

WHEREAS, the City has, on May 25, 2016, held a duly noticed public hearing and afforded each delinquent property owner identified on Exhibit A to this Resolution the right to object to and protest the assessment lien for delinquent collection charges and administrative fees; and

WHEREAS, the City Council has reviewed, considered, revised and corrected the delinquent accounts report as it deems just.

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

1. The City Council hereby confirms the report of delinquent accounts attached as Exhibit A hereto and made a part hereof and hereby places a lien and levies a special assessment against said properties in the amounts described.
2. The City Clerk is hereby authorized to record a certified copy of the confirmed report with the Placer County Recorder. Exhibit A may be amended to delete or reduce any enumerated refuse collection service charges and administrative costs paid before the special assessments authorized by this Resolution are forwarded to the Placer County Recorder.
3. The City Clerk is hereby directed to deliver a copy of this Resolution to the Placer County Auditor-Controller who is authorized to cause the above amounts to be collected in the manner provided by law for the collection of ad valorem taxes and special assessments.
4. The Auditor-Controller of Placer County is requested to attach for collection on the County tax rolls those taxes, assessments, fees and/or charges listed on Exhibit A attached hereto.
5. The City warrants and represents that the taxes, assessments, fees and/or charges imposed by the City and being requested to be collected by Placer County comply with all requirements of state law, including but not limited to Articles XIII C and XIII D of the California Constitution (Proposition 218).
6. The City releases and discharges the County, and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by the County on the property tax roll of any taxes, assessments, fees and/or charges on behalf of the City.
7. In consideration for the County's collection of the charges through the County's property tax roll, the City agrees to and shall defend, indemnify and hold harmless the County, its officers, agents and employees (the "Indemnified Parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by the County of any of the City's said taxes, assessments, fees and/or charges requested to be collected by the County for the City, or in any manner arising out of the City's establishment and imposition of said taxes, assessments, fees and/or charges. The City agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of the collection of one of the City's taxes, assessments, fees and/or charges, the County may offset the amount of the judgment from any other monies collected by the County on behalf of the City, including property taxes.
8. The City agrees that its officers, agents and employees will cooperate with the County by responding to all inquiries referred to the City by the County from any person concerning the City's taxes, assessments, fees and/or charges, and that the City will not refer such persons to the County officers and employees for response.

9. The City agrees to pay the County for the reasonable and ordinary charges to recoup its costs of placement and collection on the tax rolls at the agreed upon rate of 1% of the taxes, assessments, fees and/or charges, as provided by Government Code sections 29304 and 51800.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Colfax held on the 8th day of June, 2016 by the following vote on roll call:

AYES:

NOES:

ABSTAIN:

ABSENT:

Tom Parnham, Mayor

ATTEST:

Lorraine Cassidy, City Clerk

	<u>Acct #</u>	<u>Parcel #</u>	<u>Address</u>	<u>Owner</u>	<u>Owner Mailing Address</u>	<u>Dates of Service</u>	<u>Lien Amount</u>
R	1567981	101-200-028-000	247 Canyon Creek Cir	Kenneth & Rose Arnold	247 Canyon Creek Cir Colfax CA 95713	7/1/15 - 6/30/16	\$312.11
R	1568435	101-200-044-000	300 Canyon Creek Cir	Lisette A. Keane	300 Canyon Creek Cir Colfax CA 95713	7/1/15 - 6/30/16	\$286.43
	1568088	006-091-021-000	120 Culver St	Octavio N. Bravo	1013 Poplar Ave W. Sacramento CA 95691	7/1/15 - 6/30/16	\$177.96
R	1567940	006-076-018-000	120 E Church St	Larry Tilitson	18850 Applegate Rd Colfax CA 95713	7/1/15 - 6/30/16	\$286.31
R	1571058	006-074-009-000	121 E Marvin St	Rob Ohnmacht	6021 Virginia Dr Auburn CA 95603	7/1/15 - 6/30/16	\$286.31
	1568997	101-030-004-000	385 Hwy 174	Rita Owens	5757 Cypress #168 Carmichael CA 95608	7/1/15 - 6/30/16	\$355.35
R	1569144	101-010-044-000	1149 Hwy 174	Patrick & Jerri Borow	4480 Miler Oak Dr Auburn CA 95602	7/1/15 - 6/30/16	\$284.35
R	1567320	006-072-004-000	33 N Auburn St	Benjamin & Christina Roberts	33 N Auburn St Colfax CA 95713	7/1/15 - 6/30/16	\$286.31
R	1571439	006-112-063-000	155 Pine St	Smith, Vicki	155 Pine St Colfax CA 95713	7/1/15 - 6/30/16	\$414.84
	1572270	100-160-010-000	603 Railroad Ave	Cindy P. Whittet	603 Railroad Ave Colfax CA 95713	7/1/15 - 6/30/16	\$355.35
R	1577543	006-080-042-000	230 Rising Sun Rd	Kelly Holderfield	PO Box 1989 Colfax CA 95713	7/1/15 - 6/30/16	\$313.69
R	1586098	006-112-055-000	136 Scholtz Ave	Ted Gibson	136 Scholtz Ave Colfax CA 95713	7/1/15 - 6/30/16	\$286.81
R	1572163	006-112-048-000	232 Scholtz Ave	Kirk & Tammy Faltersack	PO Box 1298 Colfax CA 95713	7/1/15 - 6/30/16	\$410.84
R	1573211	006-044-007-000	210 Sunrise Ave	George & Dorothy Back	PO Box 597 Colfax CA 95713	7/1/15 - 6/30/16	\$286.31
	1573278	006-044-003-000	242 Sunrise Ave	Tammy Jameson	PO Box 5571 Auburn CA 95604	7/1/15 - 6/30/16	\$403.73
R	1573161	100-260-037-000	205 Treasurton St	Bonnie & Michael Mothorn	PO Box 6795 Auburn CA 95604	7/1/15 - 6/30/16	\$284.32
R	1573401	100-270-016-000	212 Treasurton St	Deborah LeStrange	PO Box 1114 Weimar CA 95736	7/1/15 - 6/30/16	\$287.72
	1682574	006-133-002-000	10 Walnut St	Emma & Adam Seal	PO Box 532 Colfax CA 95713	7/1/15 - 6/30/16	\$157.42
R	1633221	006-133-005-000	44 Walnut St	Elizabeth Koerber	PO Box 1106 Colfax CA 95713	7/1/15 - 6/30/16	\$286.31

Date

Name

Address

City

RE: Assessor's Parcel Number:
Owner(s):
Street Address of Property Served:
Period of Service: _____
Amount Due:

Dear,

The most recent Placer County assessment roll indicates you are the owner of record for the property listed above. Currently, the account for solid waste collection services for this property is past due in the amount of \$____. As the owner of record of this property, you are responsible for the payment of all charges for solid waste collection.

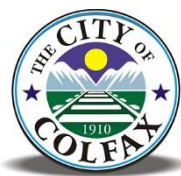
We understand that problems occasionally arise that make timely payment difficult. We would, therefore, be interested in working with you to clear the unpaid balance. Please call us to make payment arrangements if you are unable to remit the full amount due.

We are entitled to lien your property if you do not make arrangements to pay this account in full. A report of all delinquent charges for refuse collection in Colfax has been prepared in accordance with Colfax Municipal Code Section 8.20.130. Please take notice that a hearing on the report will be held on May 25, 2016 at 3:00-5:00pm before the Colfax City Manager or his designee in City Hall located at 33 S. Main St, Colfax, California. You are entitled to be present at that hearing and present any objections or protests that you have to the report and the delinquent charges sought to be imposed on you property. You may also submit any objections or protests in writing in advance of the hearing.

Please contact our office at (530) 885-3735 so we can help get this matter settled.

Sincerely,

Shelly Belotti
Customer Service



City of Colfax
Public Hearing for Report of Delinquent Charges for Refuse
Collection
Summary Minutes
Wednesday, May 25, 2016
City Hall Council Chambers
33 S. Main Street, Colfax CA

The Public Hearing for the Report of Delinquent Charges for Refuse Collection was opened at 3:00PM.

Staff Present: Wes Heathcock, Community Services Director and Lorraine Cassidy, City Clerk.

At 3:05PM staff was joined by Mr. Ted Back regarding APN 006-044-007. Mr. Back stated he did not owe money to Recology as he has never used their services. He would like his parcel removed from the delinquency list. He feels the City is abusing its authority by allowing a private company an exclusive franchise for solid waste pick-up and mandating every property owner to pay for the service.

Community Services Director Heathcock explained the contract is typical of Cities in the area which do not have enough staff to provide solid waste pickup. The City Municipal Code requires mandatory solid waste pick up for basic public health and safety of the citizens and community.

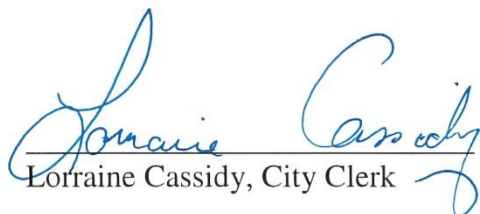
Mr. Back expressed concern that his objection to the fees and placement of the delinquency as a lien against his property would not be heard by the decision making body. He stated he is unhappy with the process.

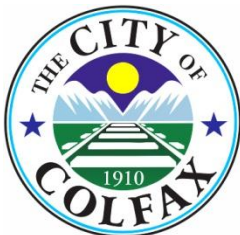
City Clerk Cassidy assured him that a summary of the hearing would be given to both the City Manager and to the City Council of the City of Colfax.

Mr. Back concluded his exchange with staff at 3:19PM.

The Public Hearing closed at 5:00PM.

Respectfully submitted to City Council this 31st day of May, 2016


Lorraine Cassidy, City Clerk



STAFF REPORT TO THE COLFAX CITY COUNCIL

FOR THE JUNE 8, 2016 COUNCIL MEETING

FROM: Mark Miller ,City Manager

PREPARED By: Staff

SUBJECT: Annual Sewer Impact Fee Increase.

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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RECOMMENDED ACTION: Adopt Resolution 17-2016 Approving the Annual Sewer Impact Fee Increase effective July 1, 2016

ISSUE STATEMENT AND DISCUSSION: On July 1, 2015, the sewer impact base fee was increased by the City Engineer to \$8,090.00. Municipal Code Section 13.08.100.A allows for an “Annual Construction Cost Adjustment” by the City Engineer. The section specifically states,

“The sewer impact fee shall be adjusted on July 1st of each year by the city engineer by a percentage equal to the annual percentage of increase or decrease in the San Francisco Bay Area construction cost index, as published in the May Engineering News-Record (ENR) or equivalent ENR data. The adjusted amount shall be published in the city fee schedule.”

The May ENR annual construction cost index increase for the Bay Area in 2016 was 2.1%. Based on the 2015 base sewer impact fee of \$8,090.00, the July 1, 2016 sewer impact fee increase would be \$8,260.00.

New sewer connections are assessed a sewer connection fee based upon the Equivalent Dwelling Unit (EDU) sewer usage calculated based on Municipal Code Section 13.08.090. The sewer connection fee is a multiple of the base sewer impact fee and the EDU. Staff recommends that Council adopt the attached Resolution adjusting the base sewer impact fee to \$8,260.00. The fee increase was rounded to the nearest ten dollars for simplicity.

FINANCIAL AND/OR POLICY IMPLICATIONS: The City will receive an increase in new connection fees; however, because the number of future new connections cannot be estimated, the fiscal impact is unknown.

Attachment:

Resolution 17-2016

City of Colfax

City Council

Resolution № 17-2016

APPROVING THE ANNUAL SEWER IMPACT FEE INCREASE EFFECTIVE JULY 1, 2016

Whereas, the City's Municipal Code Section 13.08.100 Subsection A permits the sewer impact fee to be adjusted annually on July 1st by the San Francisco Bay Area construction cost index (CCI), as published in the May Engineering News-Record (ENR); and

Whereas, the sewer impact fee was last adjusted by the City Engineer on July 1, 2015 to \$8,090.00; and,

Whereas, the ENR CCI annual escalation for May 2016 for the San Francisco Bay Area was +2.1%.

Now Therefore, Be It Resolved that the City Council of the City of Colfax hereby adjusts the City of Colfax's base sewer impact fee as defined in the Municipal Code, Section 13.08.090, to Eight Thousand Two Hundred Sixty Dollars (\$8,260.00).

Passed and Adopted this 8th day of June, 2016 by the following vote:

AYES:

NOES:

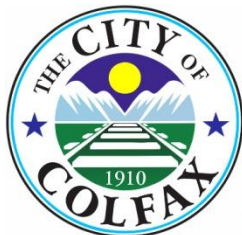
ABSENT:

ABSTAIN:

Tom Parnham, Mayor

ATTEST:

Lorraine Cassidy, City Clerk



STAFF REPORT TO THE COLFAX CITY COUNCIL

FOR THE JUNE 8, 2016 COUNCIL MEETING

FROM: Mark Miller, City Manager
PREPARED By: Wes Heathcock, Community Services Director
SUBJECT: East Oak Street Pedestrian and ADA Improvements Project: Notice of Completion

<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT: \$71,321	FROM FUND: Streets Capital Fund 375
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RECOMMENDED ACTION: Adopt Resolution 18-2016 accepting the improvements constructed with the East Oak Street Pedestrian and ADA Improvement Project and authorizing the City Manager to file the Notice of Completion.

DISCUSSION AND SUMMARY:

On April 13, 2016 the City Council authorized the award of a contract to Central Valley Engineering for the construction of the East Oak Street Pedestrian and ADA Improvements Project. The work associated with the project was completed to the City's satisfaction on May 26, 2016.

The total construction and change order cost came in at the approved budget of \$71,321. The single change order on the project was associated with additional paving on East Oak Street where the previous asphalt patch was failing.

FINANCIAL AND/OR POLICY IMPLICATIONS:

This project is being funded with the Streets Capital Fund (Fund 375). There are adequate funds in this account to cover this project.

ATTACHMENTS:

1. Resolution 18-2016
2. Notice of Completion

City of Colfax

City Council

Resolution № 18-2016

ACCEPTING THE IMPROVEMENTS CONSTRUCTED WITH THE EAST OAK STREET PEDESTRIAN AND ADA IMPROVEMENT PROJECT AND AUTHORIZING THE CITY MANAGER TO FILE THE NOTICE OF COMPLETION

WHEREAS, during the April 13, 2016 City Council meeting, the City Council approved entering into a contract with Central Valley Engineering, Inc. for the construction of the East Oak Street Pedestrian and ADA Improvements Project; and

WHEREAS, the project has been inspected and determined to have been completed in accordance with the contract requirements; and

WHEREAS, based upon the foregoing, staff recommends acceptance of the project on behalf of the City; and

WHEREAS, the City Council of the City of Colfax has found the expenditure plan acceptable;

NOW, THEREFORE, BE IT RESOLVED that the City Council the City of Colfax hereby resolves as follows:

1. The City hereby accepts the improvements associated with the East Oak Street Pedestrian and ADA Improvements Project.
2. Authorizes the City Manager to release the Performance and Labor & Material surety posted with this project; and to hold the Maintenance Bond for a period of one year from the date of this resolution, at which time the City Manager is authorized to release said bond if the improvements remain in good condition and there is no issues to be resolved.
3. Authorizes and directs the City Manager to file a Notice of Completion concerning the Project with the Placer County Clerk's Office within ten (10) days of the date of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Colfax on the 8th day of June, 2016 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Tom Parnham, Mayor

ATTEST:

Lorraine Cassidy, City Clerk

Recording Request by:

City of Colfax

When recorded return to:

**CITY OF COLFAX
PO BOX 702
COLFAX, CA 95713**

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN pursuant to California Civil Code §9204 that Central Valley Engineering and Asphalt, Inc., 216 Kenroy Lane, Roseville CA performed and completed for the City of Colfax the following contract, East Oak Street Pedestrian and ADA Improvements Project which consisted of new sidewalk and driveway installations, all within the Corporate City Limits of the City of Colfax (the "Project"). The owner of the Project and property is the City of Colfax at the above address. The Project was completed in accordance with the Project Plans and Specifications on May 26, 2016.

Verification: I, Mark Miller, depose and say: I am the City Manager of the City of Colfax, the Owner identified in this Notice of Completion. I have read this notice of completion and know the contents thereof. The same is true of my own knowledge. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on June __, 2016 at Colfax, California.

City of Colfax

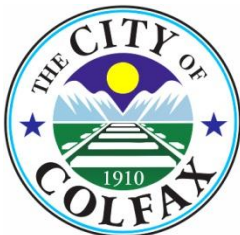
Mark Miller, City Manager

State of California
County of Placer

On June __, 2016 before me, Lorraine Cassidy, City Clerk, personally appeared Mark Miller who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Lorraine Cassidy, City Clerk



STAFF REPORT TO THE COLFAX CITY COUNCIL

FOR THE JUNE 8, 2016 COUNCIL MEETING

FROM: Mark Miller, City Manager
PREPARED By: Staff
SUBJECT: Letter Opposing the Governor's By Right Housing Proposal

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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RECOMMENDED ACTION: Approve Letter of Opposition to Governor's By right Housing Proposal and authorize the Mayor to sign on Council's behalf.

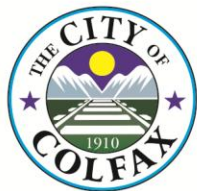
DISCUSSION AND SUMMARY:

The Governor's office has proposed to change the process of approving specified housing developments to an administrative ("ministerial") approval process. This proposal by the Governor will pre-empt local discretionary land use approvals and eliminate opportunities for public review, project-level environmental review and will restrict design review.

At Council's request, staff has drafted a letter opposing the Governor's By Right Housing Proposal.

ATTACHMENTS:

1. Opposition Letter



CITY of COLFAX

C A L I F O R N I A

CITY HALL, 33 SOUTH MAIN STREET, COLFAX, CA



June 2, 2016

Honorable Assembly Member Adrin Nazarian
Chair, Assembly Budget Subcommittee #4
State Capitol, Room 6026
Sacramento, CA 95714
Fax: 916-319-2199

Honorable Senator Richard Roth
Chair Senate Budget Subcommittee #4
State Capitol, Room 5019
Sacramento, CA 95814
Fax: 916-323-8386

Dear Honorable Chairs Nazarian and Roth:

The City of Colfax, Placer County opposes the recently released proposal by the Governor to pre-empt local discretionary land use approvals of specified housing developments by having all such approvals be considered "ministerial" actions, meaning eliminating opportunities for public review, project-level environmental review and restricting design review.

We believe that such fundamental policy changes should not be rushed through as a budget proposal, but merit extensive review by the appropriate policy committees in a deliberative fashion.

Eliminating opportunities for public review of these major development projects goes against the principles of local democracy and public engagement. While it may be frustrating for some developers to hear concerns about traffic, parking and other development impacts, those affected by such projects have a right to be heard. Not having such outlets will increase public distrust in government.

Avoiding or restricting design review is also short-sighted. Community acceptance can be improved through good design that enables a new structure to match a community character.

The City of Colfax has very active and engaged public when it comes to development and new construction, and while our community values property rights and the benefits of economic development, providing the opportunity for public review is just as, if not more, essential. Recently, the City reviewed a self-storage project. The neighbors who spoke at the public meeting provided insight and comments that served to make the project better and more compatible with the adjacent residential neighborhood. Without this step in the process, the City would be doing a grave injustice to the residents that have come to expect and deserve, at a minimum, the chance to comment on new development proposals.

To remove from the process, the opportunity for public input regarding new housing development, would deprive this small community of one of its dearest values: open and public review of the land use decision making process. We believe very strongly that eliminating this from the process would not be beneficial to the new housing development and would in fact, contribute to the distrust of the planning process; an effort the Colfax has long worked hard to develop and nurture.

This proposal is disappointing from our Governor. He has taken our state backwards on affordable housing by stripping local governments and the state of the few resources available to build these units, and is now seeking to avoid a discussion of how to replace these lost funds by undermining public input, environmental and design review.

On behalf of the residents we represent who deserve a voice in the future shape of their communities; the City of Colfax respectfully states our opposition to this measure.

Sincerely,

The City Council of the City of Colfax:

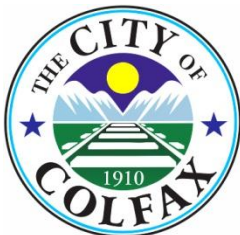
Mayor, Tom Parnham

Mayor Pro Tem, Steve Harvey

Council Member, Kim Douglass

Council Member, Tony Hesch

Council Member, Will Stockwin



STAFF REPORT TO THE COLFAX CITY COUNCIL

FOR THE JUNE 11, 2014 COUNCIL MEETING

FROM: Mark Miller, City Manager
PREPARED BY: Laurie Van Groningen, Finance Director
DATE: June 2, 2016
SUBJECT: Second Reading of Ordinance No. 528: An Ordinance Of The City Of Colfax Authorizing Collection Of Delinquent Sewer Service Charges On The Placer County Secured and Unsecured Tax Roll For Fiscal Year 2016-2017 delinquent sewer charges and Consideration of Adoption of Resolution No. 19-2016

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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RECOMMENDATION: Consider Public and Staff Comments and Adopt Ordinance No. 528 and Waive Reading of the Entire Ordinance and Read by Title Only; to become effective in 30 days. Adopt Resolution 19-2016 Requesting Collection Of Sewer Service Charges On The Placer County Tax Roll For Tax Year 2016-2017.

SUMMARY:

Colfax Municipal Code (the “Code”) Title 13, Chapter 13.08, Article VI authorizes the City to collect delinquent sewer charges on the secured tax roll at the same time as general property taxes. The Code requires the City Council to adopt an Ordinance by a two-thirds vote in order to collect the delinquent charges on the tax roll.

There are approximately 67 delinquent sewer service charge accounts that remain unpaid. A written report containing a description of each parcel of real property for which there is a delinquent sewer service charge and the amount of each charge has been filed with the City Clerk and is attached. All charges reflected in the written report have been computed in conformity with Title 13, Chapter 13.08, Article III of the Code.

A public hearing is required before the proposed Ordinance can be adopted. Notice of the Public Hearing regarding the delinquent accounts was published in the Colfax Record once each week for two successive weeks prior to the hearing. A copy of the delinquent accounts report is on file at City Hall. All property owners with a delinquent balance were notified in writing of the public hearing process.

The purpose of the hearing is to allow the Council to hear objections and protests to the report. At the conclusion of the hearing, the Council may adopt, revise, change, reduce or modify any sewer service charge in the report, sustain or overrule any objections to the report and adopt or decline to adopt the report as modified. If the report is adopted with or without modification, the City Clerk will file it with the County Auditor-Controller and the charges reflected in the final report will be collected at the same time as ad valorem property taxes.

FISCAL IMPACT:

As indicated on the attached report, there are \$55,289.60 delinquent Sewer charges due to the City as of June 2, 2016.

BACKGROUND AND ANALYSIS:

Placer County requires a resolution containing specific provisions to be adopted in order to collect the delinquent charges on the tax roll. The Colfax Code requires an ordinance.

CONCLUSION:

This process is cumbersome but essential to properly collecting delinquent sewer service charges on the tax roll.

ATTACHMENTS:

1. Ordinance 528
2. Exhibit A to Ordinance 528
3. Exhibit B-Listing of Delinquent Accounts (Revised Report Date May 18, 2016)
4. Resolution 22-2016
5. Schedule of Activities for Placing Delinquent Sewer and Garbage Charges on Annual Tax rolls

**City of Colfax
City Council**

Ordinance No 528

**AN ORDINANCE OF THE CITY OF COLFAX AUTHORIZING COLLECTION OF
DELINQUENT SEWER SERVICE CHARGES ON THE PLACER COUNTY SECURED AND
UNSECURED TAX ROLL FOR FISCAL YEAR 2016-2017**

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

Section 1.

The Colfax City Council authorizes the collection of delinquent sewer services charges on the Placer County secured and unsecured tax roll as set forth in Exhibit A attached hereto and by this reference incorporated herein.

Section 2. Superseding Provisions

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

Section 3. Severability

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

Section 4. Effective Date

This ordinance shall take effect thirty (30) days after its adoption.

Section 5. Publication

This ordinance shall, within 15 days after its adoption, be published or posted in accordance with Section 36933 of the Government Code of the State of California with the names of those City Council members voting for and against it.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Colfax held on the 25th day of May, 2016, and passed and adopted at a regular meeting of the City Council held on the 8th day of June, 2016, at a duly held regular meeting of the City of Colfax, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Parnham, Mayor

APPROVED AS TO FORM:

ATTEST:

Alfred Cabral, City Attorney

Lorraine Cassidy, City Clerk

Ordinance 528

Exhibit A

Recitals**This Ordinance has been enacted with regard to the following facts and circumstances:**

A. Colfax Municipal Code Title 13, Chapter 13.08, Article VI authorizes the City of Colfax (“City”) to collect delinquent sewer services charges which have accrued on the secured and unsecured tax roll in the same manner and at the same time as general property taxes; and

B. A written report attached as Exhibit B to this Ordinance (the “Report”) containing a description of each parcel of real property receiving sewer services and the amount of delinquent charges for each parcel has been prepared and filed with the City Clerk in accordance with Colfax Municipal Code §13.08.320; and

C. Notice of the filing of the Report and notice of the time and place of the hearing thereon by the City Council has been duly given and published as required by Colfax Municipal Code §13.08.330; and

D. At the May 25, 2016 hearing the City Council heard and considered all objections and protests to the Report and determined that protests were not made by the owners of a majority of the separate parcels of property described in the Report; and

E. At the conclusion of the hearing, after incorporating all revisions to the Report that the Council deemed necessary and after addressing or overruling all objections to the Report the Council found and determined that each charge as described in the Report is due, owing and unpaid; and

F. The County has required as a condition of the collection of said charges that the City warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof.

Ordinance

1. The foregoing recitals are true and correct statements of fact and are hereby incorporated into this Ordinance.
2. The Report attached as Exhibit B hereto is adopted and said adoption is final. The City Clerk is hereby authorized to file with the Placer County Auditor-Controller a copy of this Ordinance and the Report.

3. The Auditor-Controller of Placer County is requested to attach for collection on the County tax rolls those taxes, assessments, fees and/or charges, listed on the Report attached as Exhibit B attached hereto.
4. The City warrants and represents that the taxes, assessments, fees and/or charges imposed by the City and being requested to be collected by Placer County comply with all requirements of state law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218).
5. The City releases and discharges the County, and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County on the property tax roll of any taxes, assessments, fees and/or charges on behalf of City.
6. In consideration for the County's collection of the charge through the County's property tax roll, the City agrees to and shall defend, indemnify and hold harmless the County, its officers, agents and employees (the "Indemnified Parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County of any of City's said taxes, assessments, fees and/or charges requested to be collected by County for the City, or in any manner arising out of City's establishment and imposition of said taxes, assessments, fees and/or charges. City agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of the collection of one of City's taxes, assessments, fees and/or charges, the County may offset the amount of the judgment from any other monies collected by County on behalf of City, including property taxes.
7. The City agrees that its officers, agents and employees will cooperate with the County by responding to all inquiries referred to City by County from any person concerning the City's taxes, assessments, fees and/or charges, and that City will not refer such persons to County officers and employees for response.
8. The City agrees to pay the County for the reasonable and ordinary charges to recoup its costs of placement and collection on the tax rolls at the agreed upon rate of 1% of the taxes, assessments, fees and/or charges, as provided by Government Code sections 29304 and 51800.
9. Colfax Municipal Code Section 13.08.310 is amended to read "The council, by resolution or ordinance approved by a two-thirds vote, may elect to have the sewer service charges for any forthcoming fiscal year or delinquent sewer service charges which have accrued, together with the interest thereon or both, collected on the secured tax roll in the same manner and at the same time, as general property taxes.'

City of Colfax

City Council

Resolution № 19-2016

REQUESTING COLLECTION OF SEWER SERVICE CHARGES ON THE PLACER COUNTY TAX ROLL FOR TAX YEAR 2016-2017

Whereas, Colfax Municipal Code Title 13, Chapter 13.08, Article VI authorizes the City of Colfax (the “City”) to collect delinquent sewer services charges which have accrued on the secured and unsecured tax roll in the same manner and at the same time as general property taxes; and

Whereas, a written report attached as Exhibit A to this Resolution (the “Report”) containing a description of each parcel of real property receiving sewer services and the amount of delinquent charges for each parcel has been prepared and filed with the City Clerk in accordance with Colfax Municipal Code §13.08.320; and

Whereas, notice of the filing of the Report and notice of the time and place of the hearing thereon by the City Council has been duly given and published as required by Colfax Municipal Code §13.08.330; and

Whereas, at the May 25, 2016 hearing the City Council heard and considered all objections and protests to the Report and determined that protests were not made by the owners of a majority of the separate parcels of property described in the Report; and

Whereas, at the conclusion of the hearing, after incorporating all revisions to the Report that the Council deemed necessary and after addressing or overruling all objections to the Report the Council found and determined that each charge as described in the Report is due, owing and unpaid; and

Whereas, the County has required as a condition of the collection of said charges that the City warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof,

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 hereby incorporated into this Resolution.

2. The Report attached as Exhibit A hereto is adopted and said adoption is final. The City Clerk is hereby directed to file with the Placer County Auditor-Controller a copy of this Resolution and the Report.

3. The Auditor-Controller of Placer County is requested to attach for collection on the County tax rolls those taxes, assessments, fees and/or charges, listed on the Report attached as Exhibit A attached hereto.

4. The City warrants and represents that the taxes, assessments, fees and/or charges imposed by the City and being requested to be collected by Placer County comply with all requirements of state law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218).

5. The City releases and discharges the County, and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by the County on the property tax roll of any taxes, assessments, fees and/or charges on behalf of the City.

6. In consideration for the County’s collection of the charge through the County’s property tax roll, the City agrees to and shall defend, indemnify and hold harmless the County, its officers, agents and employees (the “Indemnified Parties”) from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by the County of any of the City’s said taxes, assessments, fees and/or charges requested to be collected by the County for the City, or in any manner arising out of the City’s establishment and imposition of said taxes, assessments, fees and/or charges. The City agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of the collection of one of the City’s taxes, assessments, fees and/or charges, the County may offset the amount of the judgment from any other monies collected by the County on behalf of the City, including property taxes.

7. The City agrees that its officers, agents and employees will cooperate with the County by responding to all inquiries referred to the City by the County from any person concerning the City’s taxes, assessments, fees and/or charges, and that the City will not refer such persons to the County officers and employees for response.

8. The City agrees to pay the County for the reasonable and ordinary charges to recoup its costs of placement and collection on the tax rolls at the agreed upon rate of 1% of the taxes, assessments, fees and/or charges, as provided by Government Code sections 29304 and 51800.

The foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Colfax held on the 8th day of June, 2016 by the following vote on roll call:

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

Tom Parnham, Mayor

ATTEST:

Lorraine Cassidy, City Clerk

City of Colfax

Delinquent Sewer Service Charges

Report Date: Revised June 2, 2016

The attached report includes all delinquent sewer accounts as of June 2, 2016 by individual account.

1. Delinquent balances that remain unpaid as of the County filing deadlines will be placed on the tax rolls for 2015-16
 1. Unsecured (denoted as "US" on report) direct charges will be transferred to County by June 24, 2016.
 2. Secured direct charges which represent the balance of the delinquent accounts will be transferred to County by July 22, 2016.

2. Applicable interest, penalty, and administrative fees will be added to the account balance before transfer to the County.

Note: Delinquent balances are >60 days past due – balances may increase by submittal date if current charges also become delinquent.

DELINQUENT ACCOUNTS REPORT

Due As Of: 03/01/2016 Not Paid By: 06/02/2016

Date: 06/02/2016

Time: 8:34am

Page: 1

City of Colfax

Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
AUBN-000033-0000-00 0000158347	BARBARA PHILLIPS 33 N AUBURN STREET	006-073-007-000	262.12	0.00	262.12
AUBS-000300-0000-00 0000158282	COLFAX CLASSICS INC. 300 S AUBURN ST	006-143-013-000	399.58	0.00	399.58
AUBS-000308-0000-00 0000158285	SPORTY DOG INVESTMENTS, INC 308 S AUBURN ST	006-143-005-000	788.74	0.00	788.74
AUBS-000313-0000-03 0000158289	ISACC MALNONADO 313 S AUBURN ST	006-141-004-000	238.29	0.00	238.29
CACC-000214-0000-00 0000158278	LISA SANTANA 214 CANYON CREEK CIR	101-200-031-000	788.74	0.00	788.74
CACC-000231-0000-00 0000168957	MICHAEL TANZA 231 CANYON CREEK CIR	101-200-026-000	795.85	0.00	795.85
CACC-000247-0000-00 0000158270	KEN ARNOLD 247 CANYON CREEK CIR	101-200-028-000	788.74	0.00	788.74
CACC-000248-0000-00 0000892000	KRISTEN & BENJAMIN THORUP 248 CANYON CREEK CIR	101-200-037-000	815.70	600.00	215.70
CACC-000300-0000-00 0000158264	LISETTE KEANE 300 CANYON CREEK CIR	101-200-044-000	788.74	0.00	788.74
CHUE-000024-0000-00 0000158083	TREE CITY PROPERTIES, INC 24 E CHURCH ST	006-072-006-000	788.74	0.00	788.74
CHUE-000120-0000-02 0000158381	LARRY TILITSON 120 E CHURCH ST	006-076-018-000	788.74	0.00	788.74
COLF-000015-0000-01 0000171193	KIRSTIN DAHMEN 15 COLFAX AVE	006-053-007-000	1,332.64	0.00	1,332.64
COLF-000040-0000-02 0000157988	SCOTT & MAUREEN MERRITT 40 COLFAX AVE	006-062-003-000	788.74	0.00	788.74
CULV-000015-0000-00 0000157887	B.L. RAMEY 15 CULVER ST	006-063-006-000	788.74	0.00	788.74
CULV-000120-0000-00 0000158069	SUZAN BRAVO 120 CULVER ST	006-091-021-000	524.24	0.00	524.24
CULV-000232-0000-00 0000157948	RORY CHIPP 232 CULVER ST	006-092-011-000	1,419.75	0.00	1,419.75
DEPO-000055-0000-01 0000158110	LISA QUIRK 55 E DEPOT ST	006-042-006-000	788.74	0.00	788.74
FIRH-000056-0000-00 0000171867	KURT & CHRISTI SWANSICK 56 FIRE HOUSE ALLEY	006-066-031-000	788.74	0.00	788.74
FORS-000120-0000-00 0000158386	DAVE PORTER 120 S FOREST HILL AVE.	006-104-008-000	262.12	0.00	262.12
FORS-000159-0000-00 0000158359	JANET WILLIAMS 159 S FOREST HILL AVE.	006-044-006-000	788.74	0.00	788.74
FOST-000205-0000-00 0000157084	HOFFMAN JOHN 205 FOSTER RD	100-270-019-000	238.29	0.00	238.29
FOST-000210-0000-02 0000170727	MICHAEL & DENISE BARNARD 210 FOSTER RD	100-270-024-000	131.06	0.00	131.06

DELINQUENT ACCOUNTS REPORT

Due As Of: 03/01/2016 Not Paid By: 06/02/2016

Date: 06/02/2016

Time: 8:34am

Page: 2

City of Colfax

Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
GEAR-000044-0000-00 0000158159	GRACELYNN INTERPRISE, INC 44 GEARHART LN	006-022-002-000	788.74	0.00	788.74
GLEN-000220-0001-00 0000170636	KURT FAITZ 220 GLENDALE RD	100-270-040-000	788.74	0.00	788.74
GRAV-023610-0000-00 0000000000	GEORGE FRITZINGER 23610 GRAND VIEW AVE	101-161-050-000	832.84	0.00	832.84
GRAV-023755-0000-00 0000000000	BOB OSGOOD 23755 GRAND VIEW AVE	101-161-028-000	832.84	0.00	832.84
H174-000323-0000-00 0000158283	PAM JOHNSON 323 HWY 174	006-143-011-000	262.12	0.00	262.12
INCL-000236-0000-00 0000158258	M. SCHUGEL, TRUSTEE JOAN 236 INCLINE DR	101-200-016-000	524.24	109.62	414.62
LINC-000029-0000-00 0000157964	SELEN ANDERSON 29 LINCOLN ST	006-093-005-000	788.74	0.00	788.74
MAIN-000007-0000-00 898-2200-0	GARY TODD 7 N MAIN ST	006-071-007-000	1,391.38	1,000.00	391.38
MAIN-000038-0000-01 0000000000	BOBBY MCKNIGHT 38 N MAIN ST	006-067-004-000	285.95	238.29	47.66
MAIN-000042-0000-02 0000157922	LEED SHAHIN 42 N MAIN ST	006-067-003-000	1,256.30	0.00	1,256.30
MAIS-000121-0002-00 0000157930	MORGAN RANCH LTD 121 S MAIN ST	006-091-007-000	1,308.62	0.00	1,308.62
MARE-000121-0000-02 0000158342	ROB OHNMACHT 121 E MARVIN STREET	006-074-009-000	788.74	0.00	788.74
NEWM-000021-0000-00 0000158033	DOUG AND ROBYNN WREN 21 NEWMAN ST	006-092-015-000	762.06	263.00	499.06
NORS-000032-0000-00 0000000000	JOHN HENRY PANTER 32 NORTH STAR AVE	006-076-023-000	786.36	0.00	786.36
NOSS-000045-0000-00 0000158380	JAMES GARGAN 45 S NORTHSTAR AVE	006-076-017-000	788.74	0.00	788.74
OAKH-000108-0000-00 0000158172	KRIS SCHWARTZ 108 OAK HILL DR	006-010-046-000	788.74	0.00	788.74
OAKH-000139-0000-00 0000158175	PHIL SARGENT 139 OAK HILL DR	006-010-039-000	788.74	0.00	788.74
OAKH-000140-0000-02 0000171148	MATTHEW HILTON 140 OAK HILL DR	006-010-041-000	788.74	0.00	788.74
OAKR-001334-0000-00 0000169372	KERRY SHOBERG 1334 OAK RIDGE DR	100-250-044-000	789.83	500.00	289.83
OAKR-001392-0000-00 0000171466	JAMES FOWLER 1392 OAK RIDGE DR	100-250-068-000	731.94	200.00	531.94
OAKW-000012-0000-00 0000158060	VICTOR ALBONICO 12 W OAK ST	006-092-005-000	274.64	200.00	74.64
OAKW-000205-0000-02 0000158067	KURT & CINDY HEGENAUER 205 W OAK ST	006-080-033-000	540.29	0.00	540.29

DELINQUENT ACCOUNTS REPORT

Due As Of: 03/01/2016 Not Paid By: 06/02/2016

Date: 06/02/2016

Time: 8:34am

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City of Colfax

Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
OAKW-000211-0000-00 0000158065	JIMMY & TIFFANY GONZALES 211 W OAK ST	006-080-032-000	788.74	0.00	788.74
PINS-000155-0000-00 0000158055	VICKI SMITH 155 PINE ST	006-112-063-000	1,419.75	0.00	1,419.75
PLEA-000120-0000-00 0000158117	ANGELO DELCARLO 120 PLEASANT ST	006-030-037-000	788.74	0.00	788.74
PLEA-000150-0000-00 0000158127	HELEN MARKLE 150 PLEASANT ST	006-030-006-000	788.74	0.00	788.74
RAIL-000159-0000-00 0000158096	JAMES DOYLE 159 RAILROAD AVE	006-071-004-000	829.78	0.00	829.78
RAIL-000201-0000-00 0000170598	JAMES DOYLE 201 RAILROAD AVE	- - -	788.74	0.00	788.74
RAIL-000212-0000-00 898-2100-0	R.J. MILES CO. 212 RAILROAD AVE	006-102-009-000	3,154.94	0.00	3,154.94
RAIL-000223-0000-00 898-1800-0	ART WHITE 223 RAILROAD AVE	006-131-009-000	1,659.58	0.00	1,659.58
RAIL-000235-0000-00 0089820000	HANFORDS CATERING PO BOX 1236	006-131-009-000	829.78	0.00	829.78
RAIL-000247-0000-02 898-1900-0	GRAND FATHER STATION 247 RAILROAD AVE	006-093-008-000	2,489.36	0.00	2,489.36
RAIS-000153-0000-03 0000172558	JAMES DOYLE 153 S RAILROAD STREET	006-131-009-000	788.74	0.00	788.74
RISS-000230-0000-00 0000171773	KELLEY HOLDERFIELD 230 RISING SUN RD	006-080-042-000	788.74	0.00	788.74
SHOL-000232-0000-00 0000158017	KIRK FALTERSACK 232 SCHOLTZ AVE	006-112-048-000	788.74	0.00	788.74
SHOL-000444-0000-00 0000158009	WAYNE PRICE 444 SCHOLTZ AVE	100-130-050-000	788.74	0.00	788.74
TREA-000151-0000-02 0000000000	LISA MARK 151 TREASURTON ST	100-260-013-000	786.36	250.00	536.36
TREA-000180-0001-00 0000158197	KRISTINA BURT 180 TREASURTON ST	100-260-001-000	1,350.06	1,000.00	350.06
TREA-000203-0000-00 0000170338	NICOLAS PENA 203 TREASURTON ST	100-260-036-000	524.24	260.00	264.24
TREA-000212-0000-00 0000170511	DEBORAH LESTRANGE 212 TREASURTON ST	100-270-016-000	788.74	0.00	788.74
VIST-000205-0000-01 0000158357	MICHAEL BARRETT 205 VISTA AVE	006-044-004-000	659.99	500.00	159.99
WALN-000044-0000-00 0000158037	BETH MCSHANE 44 WALNUT ST	006-133-005-000	788.74	0.00	788.74
WASH-000052-0002-00 0000158036	MICHAEL SMITH 52 WASHINGTON ST	006-132-001-000	524.24	0.00	524.24
WHIT-000152-0000-00 896-0200-0	GKM CORPORATION 152 WHITCOMB AVE	100-230-054-000	5,521.18	0.00	5,521.18

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DELINQUENT ACCOUNTS REPORT

Due As Of: 03/01/2016 Not Paid By: 06/02/2016

Date: 06/02/2016

Time: 8:34am

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City of Colfax

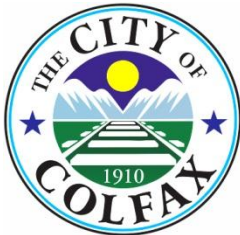
Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
WIND-000115-0000-00 0000158221	SAMUEL & SARA KIPP 115 WINDER RD	100-260-025-000	788.74	0.00	788.74
Grand Totals: 67			60,410.51	5,120.91	55,289.60

**City of Colfax - 2016-2017 Auditor Direct Charges
Schedule of Activities for Placing Delinquent Sewer and Garbage Charges on Annual Tax Rolls**

Compile delinquent report - Secured and Unsecured	5/2/2016	
City send Delinquent Letter to affected property owners	5/2/2016	Same letter as last year
Public Hearing Notice - Colfax Record	5/5/2016	Must be noticed for two consecutive weeks - same notice as last year
Public Hearing Notice - Colfax Record	5/12/2016	
Hold Public Hearing	5/25/2016	
1st Reading of Ordinance	5/25/2016	Ordinance to be updated to allow future placement of delinquents on tax rolls by Council resolution
2nd Reading of and Adoption of Ordinance	6/8/2016	
Resolutions to place delinquents on Tax Rolls	6/8/2016	Council confirms sewer and garbage reports and placing liens
Recology submits report to City for Garbage delinquents	5/6/2016	
Recology sends letter prior to lien hearing date	5/6/2016	Hearing date tentatively to be same day as Public Hearing
Hold Lien hearing	5/25/2016	This is not public hearing for Council.....3-5pm
Submit unsecured amounts to County	6/24/2016	This is required submittal date provided by County (estimate)
Submit Secured amounts to County	7/22/2016	This is required submittal date provided by County (estimate)

City of Colfax - 2016-2017 Auditor Direct Charges
Schedule of Activities for Placing Delinquent Sewer and Garbage Charges on Annual Tax Rolls

Compile delinquent report - Secured and Unsecured	5/2/2016	
City send Delinquent Letter to affected property owners	5/2/2016	Same letter as last year
Public Hearing Notice - Colfax Record	5/5/2016	Must be noticed for two consecutive weeks - same notice as last year
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Hold Public Hearing	5/25/2016	
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Resolutions to place delinquents on Tax Rolls	6/8/2016	Council confirms sewer and garbage reports and placing liens
Recology submits report to City for Garbage delinquents	5/6/2016	
Recology sends letter prior to lien hearing date	5/6/2016	Hearing date tentatively to be same day as Public Hearing
Hold Lien hearing	5/25/2016	This is not public hearing for Council.....can be held during day
Submit unsecured amounts to County	6/24/2016	This is required submittal date provided by County (estimate)
Submit Secured amounts to County	7/22/2016	This is required submittal date provided by County (estimate)



STAFF REPORT TO THE COLFAX CITY COUNCIL

FOR THE JUNE 8, 2016 COUNCIL MEETING

FROM: Mark Miller, City Manager
PREPARED BY: Staff
DATE: June 2, 2016
SUBJECT: Finalizing Marijuana Ballot Measure Wording

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT: N/A	FROM FUND: N/A
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RECOMMENDED ACTION: Review ballot wording, and direct staff to make any changes appropriate.

BACKGROUND AND SUMMARY:

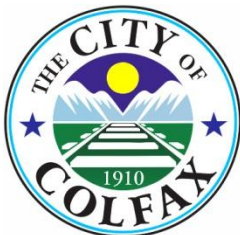
After recent discussion and with Council direction, below are included two sample wordings for the ballot measure. To make the timeframe for the November ballot we need to finalize at this meeting. Alternative 2 adds the brief qualifier “**residential and business customer**” to sewer service charges. Please review, and direct staff to make any changes appropriate.

Alternative 1 Wording for Ballot

“ Shall the City of Colfax adopt its proposed Marijuana Cultivation, Dispensary, Delivery and Use Ordinance that (a) allows and regulates approve the proposed Mmarijuana dispensaries, Ccultiivation, Dispensary, Ddelivery and Uuse Regulation Ordinance, and (b) imposes a sales tax of fifteen percent (15%) on the retail sale of ~~retail~~-marijuana and ~~retail~~-marijuana products, which shall be in addition to established municipal and state taxes on such sales, ~~and~~ (c) dedicates shall all revenues derived from such tax ~~be collected and spent~~ to reduce ~~City costs of the~~ sewer service ratepayer charges ~~of City of Colfax~~ as a voter approved revenue change, notwithstanding any revenue or expenditure limitations contained in the California Constitution? ”

Alternative 2 Wording for Ballot

“ Shall the City of Colfax adopt its proposed Marijuana Cultivation, Dispensary, Delivery and Use Ordinance, that (a) allows and regulates marijuana cultivation, dispensary, delivery and use, and (b) imposes a sales tax of fifteen percent (15%) on the retail sale of marijuana and marijuana products, which shall be in addition to established municipal and state taxes on such sales; and dedicates all revenues derived from such tax to reduce the City **residential and business customer** sewer service charges as a voter approved revenue change, notwithstanding any revenue or expenditure limitations contained in the California Constitution? ”



STAFF REPORT TO THE COLFAX CITY COUNCIL

FOR THE JUNE 08, 2016 COUNCIL MEETING

FROM: Mark Miller, City Manager
PREPARED BY: Laurie Van Groningen, Finance Director
DATE: June 1, 2016
SUBJECT: Sewer Service Fees for Fiscal Year 2016-2017

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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RECOMMENDED ACTION: Accept and File Sewer Service Fees for Fiscal Year 2016-2017

BACKGROUND AND ANALYSIS:

Colfax Municipal Code 13.08.160 Fee Adjustments - The sewer service fee, including lift station charges, shall be reviewed annually and amended by resolution of the City Council when determined necessary.

Resolution No. 33 –2008 (Attached)

Note 1: Sewer Base Rate will continue to increase by a 3.5% inflator every year beyond 2012-2013 unless modified by the Council. Additional rate increases may be necessary if costs exceed projections. Any such additional increases shall be subject to Prop 218.

Note 2: The Collection & Lift System rate is set at \$12.20 with future increases to be considered after the line assessment study is completed. Any such additional increases shall be subject to Prop 218.

RECOMMENDATION:

Based on current budget projections, staff recommends no change be made to the calculation of annual sewer service fees as approved in Resolution No. 33 – 2008.

Sewer Rates per Equivalent Dwelling Unit (EDU)*		
	Current	New
	2015-2016	2016-2017
Sewer Base Rate	\$ 106.95	\$ 110.69
Collection & Lift Systems	\$ 12.20	\$ 12.20
Total per Month	\$ 119.15	\$ 122.89
Total Bi-Monthly	\$ 238.29	\$ 245.78
Monthly Increase	\$ 3.62	\$ 3.74
Bi-Monthly increase	\$ 7.23	\$ 7.49
Annual Increase	\$ 43.40	\$ 44.92

*Inside City Limits

This rate schedule does not affect the I&I assessment (\$74.40/EDU) collected annually on the property tax bills. This assessment is in effect until May 30, 2018 (Colfax Municipal Code 13.08.170 – I&I project sewer charge).

CITY OF COLFAX

RESOLUTION NO. 33- 2008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX SETTING WASTEWATER TREATMENT AND COLLECTION SYSTEM USER RATES

WHEREAS, the Colfax City Council has duly considered the monthly sewer rates necessary to fund:

- 1) maintenance and operations of the City's new wastewater treatment plant;
- 2) the debt service on a State Revolving Fund (SRF) loan for the construction of the new wastewater treatment plant; and
- 3) improvements required by the Central Valley Regional Water Quality Control Board to the collection system, including lift stations; and .

WHEREAS, the SRF loan has financed the construction of a new tertiary treatment facility that will produce effluent to meet standards and deadlines as set forth in the National Pollutant Discharge Elimination System (NPDES) and Cease and Desist Order, both of which were approved by the Regional Water Quality Control Board in October 2007; and

WHEREAS, the Council has held a noticed public hearing and further multiple subsequent hearings and received a tremendous amount of community input; and

WHEREAS, the rate schedule attached hereto and made a part hereof as Exhibit A, is intended to provide sufficient revenue through increases over the next 6 years to meet the obligations as set forth in Agreement Number: 07-836-550 (Project Number: C-06-4470-110) in the amount of \$7,485,865 and other requirements of the Regional Water Quality Control Board;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Colfax that the attached monthly sewer rate schedule and annual increases shown therein is approved to be effective January 1, 2009, subject to further proceedings pursuant to Proposition 218.

IT IS FURTHER RESOLVED that the City Council finds that the uniform collection system rate provides for improvements and enhanced maintenance that allows the City to avoid spills and fines that benefits all users equally.

IT IS FURTHER RESOLVED that a notice of the rate increases and justification therefore shall be mailed to all parties subject to the rate increases and a public hearing as

required by Proposition 218 to provide opportunity for protest of the rate increase shall be held on November 19, 2008 at 7:00 p.m. or as soon thereafter as the matter may be heard.

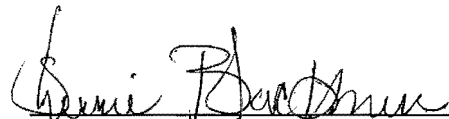
PASSED AND ADOPTED this 23rd day of September 2008 by the following vote:

AYES: Council members Alpine, Roberts, Delfino and Mayor Blackmun

NOES: None

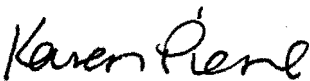
ABSENT: None

ABSTAIN: None



Sherrie Blackmun, Mayor

ATTEST:



Karen Pierce, City Clerk

The rate schedule below does not affect the I&I assessment collected annually on your property tax bills. It also does not change the additional 46 cents added to non-city users to cover repayment of 1978 General Obligation Bonds.

MONTHLY RATE SCHEDULES AS ADOPTED IN RESOLUTION NO. 33-2008

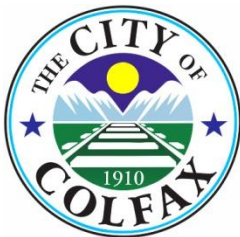
ANNUAL MONTHLY RATE PER EQUIVALENT DWELLING UNIT (EDU)*

	CURRENT					
	RATE/ MONTH	Jan. – June 2009	July – June 2009-2010	July – June 2010-2011	July – June 2011-2012	July – June 2012-2013
SEWER BASE RATE (See Note 1)	\$ 60.00	\$ 87.00	\$ 87.00	\$ 90.05	\$93.20	\$ 96.46
COLLECTION & LIFT SYSTEMS ADDED RATE FOR CAPITOL COSTS AND LIFT STATIONS O & M (See Note 2)	---	\$ 12.20	\$ 12.20	\$ 12.20	\$ 12.20	\$ 12.20

Note 1: Sewer Base Rate will continue to increase by 3.5% inflator every year beyond 2012-2113 unless modified by the Council. Additional rate increases may be necessary if costs exceed projections. Any such additional increases shall be subject to Prop 218.

Note 2: This rate is set at \$12.20 with future increases to be considered after the line assessment study is completed. Any such additional increases shall be subject to Prop 218.

Questions can be directed to Karen McBride at 916-549-3265 kmcbride@rcac.org or Jean Thompson-Ibbeson, at 916-207-8814, , jthompson@rcac.org



STAFF REPORT TO THE COLFAX CITY COUNCIL

FOR THE JUNE 08, 2016 COUNCIL MEETING

FROM: Mark Miller, City Manager
PREPARED BY: Laurie Van Groningen, Finance Director
DATE: June 1, 2016
SUBJECT: Proposed Budget FY 2016-2017 and 2017-2018

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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RECOMMENDED ACTION: Adopt Proposed Budget for FY 2016-2017 and 2017-2018

SUMMARY:

City staff has compiled final budget recommendations for City programs and projects for the fiscal years 2016-2017 and 2017-2018. The proposed spending plan is consistent with projected funding availability, efficient and effective service delivery to the community, existing contractual agreements and legal requirements.

FISCAL IMPACT:

The proposed budget is balanced in that all recommended expenditures are covered with anticipated revenues and carryover monies for capital projects.

BACKGROUND AND ANALYSIS:

A draft budget was presented and reviewed with Council at the regularly scheduled meeting on May 11, 2016. All questions/comments from this meeting were summarized and are documented in the attached matrix including the follow-up response by staff. During this final budget review, some additional required revisions were identified and are listed below:

1. Added capital projects for:
 - a. Electric Vehicle Charging Station Grant – \$145,000 (City Match \$17,500)
 - b. Preliminary Study – I80 Interchange - \$40,000. To be funded with Mitigation Fees – Roads.
2. Added allocations to a General Capital Project and Equipment Reserve - \$50,000 per fiscal year.
3. Adjusted payment amounts for new Fire Rescue vehicle to latest estimate – final financial analysis not yet completed.

These revisions have been incorporated into the proposed budget – Fund Summary which is attached. All revisions made since previous review are highlighted.

ATTACHMENTS:

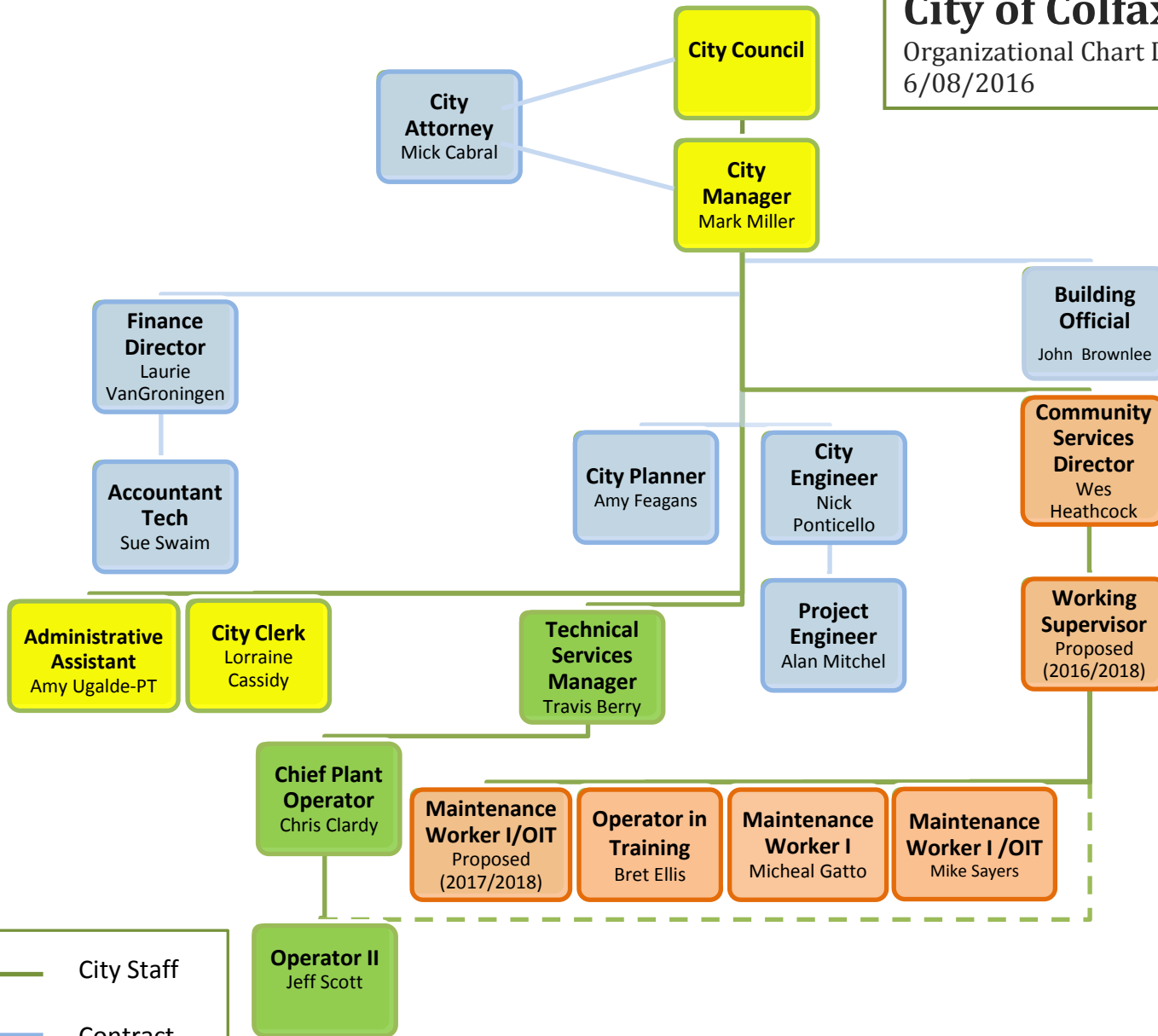
1. Draft Budget Review May 11, 2016 - Comments and Questions
 - a. Staffing Chart
 - b. Organization Chart
 - c. Capital Expenditures
2. Proposed Budget – June 08, 2016 – Fund Summary

City of Colfax
Draft Budget Review May 11, 2016 - Comments and Questions

	Council/Public Hearing Comments and Questions	Response/Update
1	<i>Consider Establishing a General Capital Project Reserve and develop a capital project list.</i>	<i>Staff recommends \$50,000 reserve per fiscal year. Capital project list and priorities to be established.</i>
2	<i>Have we investigated funding opportunities through the State Water Board? Are there programs for recycled water (example: Splash park).</i>	<i>Ongoing investigation.</i>
3	<i>Provide a staffing summary so that staffing changes are apparent to the reader of the budget.</i>	<i>See attached staffing charts</i>
4	<i>Provide a new equipment plan - including maintenance. We need a five year maintenance schedule for vehicles.</i>	<i>To be incorporated into capital project list - see #1.</i>
5	<i>Consider increasing public works budget. Staffing needed for operation and maintenance of equipment that is being considered for purchase.</i>	<i>See staffing charts attached (#3). One new position each fiscal year.</i>
6	<i>Can we sell off old equipment and assets?</i>	<i>Yes. Staff will consider auction and Craig's list.</i>
7	<i>Can we rent out office space at the old depot building to help pay for ongoing expenses?</i>	<i>Yes. Tenant improvements required. Staff to compile requirements and anticipate RFP's for depot and pullman car Summer 2016.</i>
8	<i>Need a equipment maintenance and replacement plan - specifically at the Wastewater Treatment Plant. Major equipment needs replacement every 10 years and we need to plan for those expenditures.</i>	<i>Refer to Short Term Asset reserve - currently reserving \$35,000 per year for short live assets associated with WWTP and Lift stations as required by USDA grant. Staff will compile maintenance plans and logs.</i>
9	<i>Have we budgeted for maintenance of the new Fire Vehicle?</i>	<i>Volunteer Fire Department Captain Sean Lomen stated that the Department non-profit has designated funds to equip the new Rescue vehicle. Vehicle to be included in City maintenance plans.</i>
10	<i>Should we expand or transfer oil recycling to a local business?</i>	<i>Expanding use of local businesses for this service as City moves to curbside collection through Recology.</i>
11	<i>Bring back options of adding Sheriff hours back into the contract.</i>	<i>Pending information from Sergeant Conners</i>
12	<i>How can we utilize the restricted CDBG funds? Need an expert in CDBG funding and grant writing. Caution: CDBG funds have available in the past for many studies - many projects were never implemented due to lack of project funds.</i>	<i>The NOFA was just released in early May. We are currently looking for a consultant with recent CDBG experience and knowledge. HUD has provided some local firms and individual names.</i>
13	<i>What is the "Other Legal" expenses of \$20,000 in Fund 560?</i>	<i>This expense is more appropriately categorized as Regulatory compliance costs - and is an estimate to proactively maintain regulatory compliance at the WWTP.</i>
14	<i>Why does Materials and supplies Actuals and Budgets fluctuate from year to year? Specific question on Fund 100- Department 200 Fire Department.</i>	<i>After many years of "no budget" - the department has needed to update and replace supplies, including testing equipment. The proposed budget reflects on going updating of equipment and supplies.</i>

City of Colfax

Organizational Chart Draft -
6/08/2016



— City Staff
 — Contract

**City of Colfax
Proposed Budget - Staffing Personnel Equivalents
For the Fiscal Years 2016-2017 and 2017-2018**

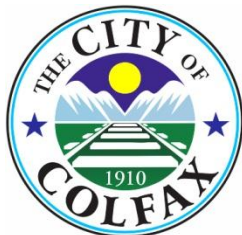
<u>Position</u>	<u>Status</u>	<u>Union</u>	<u>Current</u>	<u>FY 2016-2017</u>	<u>FY 2017-2018</u>
City Manager	FT	N	1.0	1.0	1.0
City Clerk	PT	N	0.8	0.8	0.8
Community Services Director	FT	N	1.0	1.0	1.0
Public Works Supervisor	FT	N	-	1.0	1.0
Customer Serv Rep	PT	N	0.4	0.4	0.4
Technical Services Manager	FT	N	1.0	1.0	1.0
Chief Plant Operator	FT	Y	1.0	1.0	1.0
Sewer Operator II	FT	Y	1.0	1.0	1.0
Operator In Training	FT	Y	1.0	1.0	1.0
Maintenance Worker I	FT	Y	1.0	1.0	1.0
Maintenance Worker I	FT	Y	1.0	1.0	1.0
Accounting Technician	PT	N	0.6	0.6	0.6
Maintenance Worker I/OIT	FT	Y	-	-	1.0
			<hr/>	<hr/>	<hr/>
			9.8	10.8	11.8
Finance Director	PT	N/A	0.5	0.5	0.5
City Planner	PT	N/A	0.4	0.4	0.4
Building Official	PT	N/A	0.4	0.4	0.4
Engineering	PT	N/A	Varies	Varies	Varies
City Attorney	PT	N/A	Varies	Varies	Varies

City of Colfax
Proposed Budget - Capital Expenditures
For the Fiscal Years 2016-2017 and 2017-2018

<u>Fund</u>	<u>Funding Source Description</u>	<u>FY2016-2017</u>	<u>FY2017-2018</u>	<u>Description</u>
100-000	Gen Fund - Capital Reserve	\$ 50,000	\$ 50,000	General Fund Capital Project and Equipment Reserve
100-100	Gen Fund - Central Services	\$ 15,000	\$ 15,000	New Phone system, computer replacements, records retention
100-200	Gen Fund - Fire Department	\$ 5,000		Hydrant Testing Equipment
100-500	Gen Fund - Bldg/Grounds	\$ 80,000	\$ 40,000	3/4 Ton 4WD Vehicles - 2 in FY2016-2017, 1 in FY2017-2018
100-500	Gen Fund - Bldg/Grounds	\$ 10,000		City Hall - 1st Floor conference room/workstation
100-500	Gen Fund - Bldg/Grounds	\$ 150,000	\$ 150,000	Debt Service - Winner Chevrolet Property
100-500	Gen Fund - Bldg/Grounds	\$ 145,000	\$ -	Electric Vehicle Charging Station Grant - 12.5% match (17,500)
210-000	Mitigation Fees - Roads	\$ 40,000		Preliminary Study I80 Interchange
250-000	Restricted - Steets & Roads	\$ 4,000		Sewer camera system 25% - Balance in Fund 561
250-000	Restricted - Steets & Roads	\$ 11,250		Hydrovac Vacuum Trailer 25% - Balance in Fund 561
250-000	Restricted - Steets & Roads	\$ 5,000	\$ 5,000	Street and Road Repairs
292-000	Restricted - Fire Capital	\$ 56,000	\$ 36,000	Down pmt/lease payments on Rescue vehicle. Assumes strike team income. Amounts not final.
560-000	Sewer - WWTP Maint & Ops	\$ 16,000		Vehicle - Carryall
560-000	Sewer - WWTP Maint & Ops	\$ 17,000		Plumbing project - Council approved
561-000	Collections Systems/Lift Stations	\$ 8,000		Sewer camera system 75% - Balance in Fund 250
561-000	Collections Systems/Lift Stations	\$ 33,750		Hydrovac Vacuum Trailer 75% - Balance in Fund 250
561-000	Collections Systems/Lift Stations	\$ 8,000	\$ 8,000	Sewer Line repairs
561-000	Collections Systems/Lift Stations	\$ 37,500	\$ 37,500	Short Term Asset Reserve - Required by USDA grant
Project	North Main Street Bike Route	\$ 249,000		Grant Funded - City Match \$29,000
Project	Ball Park Bleachers/Shade structure	\$ 33,052		Funded by Beverage Recycling Grants
Project	Corp Yard Security/Recycling Improv	\$ 30,767		Funded by AB939 Funds
TOTAL		\$ 1,004,319	\$ 341,500	

CITY OF COLFAX
All Funds - Projected Revenues, Expenditures, Transfers and Fund Balance
For Fiscal Year 2016-2017 and Fiscal Year 2017-2018

Fund Description	Fund #	Fiscal Year 2016-2017					Fiscal Year 2017-2018				
		Projected Fund Balance 07/01/2016	Projected Revenues	Projected Expenses	Transfers In (Out)	Projected Fund Balance 06/30/2017	Projected Fund Balance 07/01/2017	Projected Revenues	Projected Expenses	Transfers In (Out)	Projected Fund Balance 06/30/2018
General Fund - Unrestricted	100/120/570	\$ 397,830	\$ 1,641,450	\$ 1,640,836	\$ (152,302)	\$ 246,142	\$ 246,142	\$ 1,678,839	\$ 1,629,622	\$ (127,343)	\$ 168,016
General Fund - Restricted											
Operating Reserve - 25%	100	350,000	-	-	-	350,000	350,000	-	-	-	350,000
Pension Liability Reserve	100	45,000	-	-	-	45,000	45,000	-	-	-	45,000
Capital Project Reserve	100	-	-	-	50,000	50,000	50,000	-	-	50,000	100,000
2% AB939 Landfill Diversion	571	30,767	-	-	(30,767)	0	0	-	-	-	0
Landfill - Postclosure Maintenance	572	795,097	80,000	78,825	-	796,272	796,272	80,000	83,372	-	792,900
Total General Fund - Restricted		\$ 1,220,864	\$ 80,000	\$ 78,825	\$ 19,233	\$ 1,241,272	\$ 1,241,272	\$ 80,000	\$ 83,372	\$ 50,000	\$ 1,287,900
Special Revenues											
Mitigation Funds	210-17	228,381	825	-	(40,000)	189,206	189,206	825	-	-	190,031
Support Law Enforcement	218	-	100,000	100,000	-	-	-	100,000	100,000	-	-
CDBG - Program Income	244	253,168	1,500	6,000	-	248,668	248,668	1,500	6,000	-	244,168
Transportation - Streets/Roads	250	-	110,288	236,063	125,775	0	0	110,288	224,482	114,193	(0)
Gas Taxes	253	27,329	56,906	19,101	(65,135)	(0)	(0)	56,906	20,056	(36,850)	0
Sales Tax - Roads								250,000			250,000
Beverage Recycling	270	33,052	-	-	(33,052)	(0)	(0)	-	-	-	(0)
Used Oil Grant	280	2,924	-	2,924	-	(0)	(0)	-	-	-	(0)
Bricks and Community Projects	286	5,246	-	5,246	-	(0)	(0)	-	-	-	(0)
Fire Capital Fund	292	108,909	12,000	56,000	-	64,909	64,909	12,000	36,000	-	40,909
Fire Construction - Mitigation	342	2,419	-	-	(2,419)	-	-	-	-	-	-
Recreation Construction	343	2,419	-	-	(2,419)	-	-	-	-	-	-
Total Special Revenues		\$ 663,846	\$ 281,519	\$ 425,334	\$ (17,250)	\$ 502,782	\$ 502,782	\$ 531,519	\$ 386,537	\$ 77,343	\$ 725,106
Capital Projects											
North Main St Bike Route	370		220,000	249,000	29,000	-	-	-	-	-	-
Ballpark bleachers/shade	3XX		-	33,052	33,052	-	-	-	-	-	-
Corp Yard Security and Recycling Improve	3XX			30,767	30,767	-	-	-	-	-	-
Electric Vehicle Charging Station Grant	3XX		127,500	145,000	17,500	-	-	-	-	-	-
Preliminary Study - 180 Interchange	3XX			40,000	40,000	-	-	-	-	-	-
Total Capital Projects		\$ -	\$ 347,500	\$ 497,819	\$ 150,319	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Enterprise Funds											
Sewer WWTP Maint and Ops	560	162,510	1,071,588	1,171,864	-	62,233	62,233	1,097,917	1,133,891	-	26,259
Sewer Collections Systems	561	309,231	184,500	207,306	(37,500)	248,925	248,925	184,500	176,699	(37,500)	219,225
WWTP/Debt Service	563	102,649	475,860	438,974	85,100	224,635	224,635	475,861	438,974	85,100	346,622
G.O. Bonds (Ends 2018)	565	14,815	185	7,750	-	7,250	7,250	100	7,350	-	-
Inflows and Infiltration (Ends 2018)	567	(0)	85,100	-	(85,100)	(0)	(0)	85,100	-	(85,100)	(0)
Operating Reserve - 17% (Restricted)		230,000				230,000	230,000				230,000
Short Term Asset Reserve (Restricted)		37,500			37,500	75,000	75,000			37,500	112,500
Loan Payment Reserve (Restricted)		438,974				438,974	438,974				438,974
Total Enterprise Funds		\$ 1,295,678	\$ 1,817,233	\$ 1,825,894	\$ -	\$ 1,287,017	\$ 1,287,017	\$ 1,843,478	\$ 1,756,915	\$ -	\$ 1,373,581
TOTAL ALL FUNDS		\$ 3,578,219	\$ 4,167,702	\$ 4,468,707	\$ -	\$ 3,277,213	\$ 3,277,213	\$ 4,133,836	\$ 3,856,446	\$ -	\$ 3,554,603



STAFF REPORT TO THE COLFAX CITY COUNCIL

FOR THE JUNE 8, 2016 COUNCIL MEETING

FROM: Mark Miller, City Manager
PREPARED BY: Staff
DATE: June 2, 2016
SUBJECT: Draft Proposed City Manager Contract

<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT: As determined by City Council and to be included in the 2016/2017 City Budget	FROM FUND: Multiple
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RECOMMENDATION: Review the proposed draft city manager contract, receive any public comment, and amend as appropriate and approve Resolution 20-2016.

BACKGROUND AND SUMMARY:

After a thorough recruitment and interview process, the City Council has selected the top candidate. Provided under separate cover is a proposed draft city manager contract and resolution. This contract is primarily based on the current city manager contract, with some updating. Staff is available for any questions the City Council may have.