



# CITY COUNCIL MEETING

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA

MAYOR STEVE HARVEY • MAYOR PRO TEM TONY HESCH  
COUNCILMEMBERS KIM DOUGLASS • MARNIE MENDOZA • WILL STOCKWIN



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## REGULAR MEETING AGENDA

March 8, 2017

Closed Session 6:30 PM – Regular Session 7:00 PM

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### 1) CONVENE CLOSED SESSION

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- 1A. **Call Closed Session to Order**
- 1B. **Roll Call**
- 1C. **Public Comment – Closed Session Items**
- 1D. **Closed Session Agenda**  
Conference With Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2), 1 case
- 1E. **Report from Closed Session**

### 2) OPEN SESSION

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

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

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

### 3) CONSENT CALENDAR

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*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**

- 3A. **Minutes - City Council Meeting February 22, 2017**  
**Recommendation:** Approve the Minutes of the Regular Meeting of February 22, 2017.
- 3B. **Cash Summary Report – January 2017**  
**Recommendation:** Accept and File.
- 3C. **Active Contract List**  
**Recommendation:** For Information Only

### 4) PUBLIC COMMENT

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



## 5) COUNCIL, STAFF AND OTHER REPORTS

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*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.*

- 5A. **Committee Reports and Colfax Informational Items - All Councilmembers**
- 5B. **City Operations Update – City staff**
- 5C. **Additional Reports – Agency partners**

## 6) PUBLIC HEARING

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- 6A. **Ordinance 532** adopting provision and procedures for administrative fines  
**STAFF PRESENTATION:** Mick Cabral, City Attorney  
**RECOMMENDATION:** Conduct a public hearing, waive the second reading and adopt the proposed ordinance to be effective 30 days thereafter.

## 7) COUNCIL BUSINESS

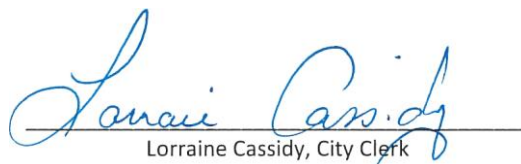
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- 7A. **CDBG Update**  
**STAFF PRESENTATION:** John Schempf, City Manager  
**RECOMMENDATION:** Verbal report and discussion; direct staff as appropriate.
- 7B. **Guard Rail Replacement and Repair Project**  
**STAFF PRESENTATION:** Wes Heathcock, Community Services Director  
**RECOMMENDATION:** Adopt Resolution 07-2017 authorizing the City Manager to enter into an agreement with Midstate Barrier, Inc, to replace and repair guardrails on S. Canyon Way and S Auburn Street in an amount not to exceed \$19,000.
- 7C. **League of California Cities 2017 Annual Conference – Small Cities Forum**  
**PRESENTATION:** Tony Hesch, Mayor Pro Tem  
**RECOMMENDATION:** Discuss and direct staff as appropriate.
- 7D. **California Fruit Growers Association (CFG) Cold Storage Building**  
**STAFF PRESENTATION:** John Schempf, City Manager  
**RECOMMENDATION:** Discuss and direct staff as appropriate
- 7E. **Ordinance 533 Authorizing Implementation of a Community Choice Aggregation Program**  
**STAFF PRESENTATION:** John Schempf, City Manager  
**RECOMMENDATION:** Introduce Ordinance 533, an Ordinance of the City of Colfax authorizing the implementation of a Community Choice Aggregation Program, by title only, waive the first reading and schedule waiver of the second reading and adoption for the March 22, 2017 Regular Meeting.
- 7F. **Council Assignments Update**  
**STAFF PRESENTATION:** Lorraine Cassidy, City Clerk  
**RECOMMENDATION:** Assign Council members to serve on additional boards and committees.

## 8) ADJOURNMENT

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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](http://www.Colfax-ca.gov).

  
Lorraine Cassidy, City Clerk

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





City of Colfax  
 City Council Minutes  
 Regular Meeting of Wednesday, February 22, 2017  
 City Hall Council Chambers  
 33 S. Main Street, Colfax CA

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## 1 CONVENE CLOSED SESSION

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

Mayor Harvey called the meeting to order at 6:30PM.

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

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

### 1C. **Public Comment** – Closed Session Items

No public comment

### 1D. **Closed session agenda**

Conference With Legal Counsel - Anticipated Litigation pursuant to Government Code Section 54956.9(d)(4), one case

Closed session ended at 6:58PM.

### 1E. **Report from Closed Session**

There was no action to report from Closed Session

## 2 OPEN SESSION

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

Mayor Harvey called the open session to order at 7:03PM.

### 2B. **Pledge of Allegiance**

Foxy McCleary, 127 Saunders Lane, led the Pledge of Allegiance.

### 2C. **Roll Call**

Council members present: Douglass, Harvey, Hesch, Mendoza, Stockwin

### 2D. **Approval of Agenda Order**

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

**AYES:** Douglass, Harvey, Hesch, Mendoza, Stockwin

## 3 PRESENTATIONS

### 3A. **Amendment to the Sierra Valley Energy Authority Agreement**

**RECOMMENDATION:** Adopt Resolution 05-2017 authorizing the execution and delivery of an amended and restated Joint Exercise of Powers Agreement for the Sierra Valley Energy Authority.

Jenine Windeshausen, Placer County Treasurer/Tax Collector, reminded Council of the Joint Powers Authority (JPA) agreement the City entered into with the County to form the Sierra Valley Energy Authority in 2015 which serves as a conduit to allow citizens to obtain loans through a Property Assessed Clean Energy (PACE) Program. The County is requesting the City amend the JPA agreement to allow the County, the City of Colfax, and other Cities within the County to initiate a Community Choice Energy (CCE) aggregate. The CCE would establish a new program to purchase energy at wholesale prices and provide them to residents at lower rates

than currently provided. Residents will be allowed to opt out. The program will be able to offer incentives. Ms. Windeshausen gave a PowerPoint presentation to further illustrate how Community Choice would benefit customers. The County Board of Supervisors has already approved the amendment to the JPA.

Council discussed the program and asked for clarification.

There was no public comment

On a motion by Mayor Pro Tem Hesch, seconded by Councilmember Douglass, the Council unanimously adopted Resolution 05-2017 authorizing the execution and delivery of an amended and restated Joint Exercise of Powers Agreement for the Sierra Valley Energy Authority.

**AYES:** Douglass, Harvey, Hesch, Mendoza, Stockwin

### 3B. **City of Colfax Audit Reports as of June 30, 2016**

Ingrid Shepline (Richardson and Co.), Auditor

**RECOMMENDATION:** Receive Audit Reports as of June 30, 2016 – discuss and approve as appropriate.

Ingrid Shepline of Richardson and Co. gave her report from the Audit of the City of Colfax accounting records. She stated the City's financial state is good, internal controls are good and the City has clean accounting records. The City financial records are easy to audit due to the efforts of Finance Director Laurie Van Groningen.

Councilmembers stated this is a report which allows us to be proud of the work we are doing for the Citizens and thanked Ms. Van Groningen for her diligence.

There was no public comment.

On a motion by Councilmember Stockwin, seconded by Mayor Pro Tem Hesch, the Council accepted the audit report for the Fiscal Year ending June 30, 2016.

**AYES:** Douglass, Harvey, Hesch, Mendoza, Stockwin

## 4 **CONSENT CALENDAR**

### 4A. **Minutes - City Council Meeting January 25, 2017**

**Recommendation:** Approve the Minutes of the Regular Meeting of January 25, 2017.

### 4B. **Minutes - City Council Special Workshop Meeting January 25, 2017**

**Recommendation:** Approve the Minutes of the Special Meeting of January 25, 2017.

### 4C. **Cash Summary Report – December 2016**

**Recommendation:** Accept and File.

### 4D. **Quarterly Investment Report – December 2016**

**Recommendation:** Accept and File.

### 4E. **Placer County Transportation Planning Agency Funding Claims and Agreements**

**Recommendation:** Adopt Resolution 06-2017 to submit claims to the Placer County Transportation Planning Agency for the City of Colfax's Article 8 Local Transportation Funds and Article 6.5 State Transit Assistance Funds for FY2016-2017.

### 4F. **Council Committee Assignments 2017**

**Recommendation:** Review and Approve City Council Committee Assignments for 2017.

**4G. 2016 Building Report****Recommendation:** Accept and File.

Councilmember Stockwin pulled item 4B for a correction.

On a motion by Mayor Pro Tem Hesch, seconded by Councilmember Douglass, Council approved the consent calendar items: 4A, 4C, 4D, 4E, 4F, and 4G.

**AYES:** Douglass, Harvey, Hesch, Mendoza, Stockwin

Councilmember Stockwin asked for a correction in the Special Meeting Minutes of January 25, 2017 due to a typographical error in item 3B of the minutes of that meeting.

On a motion by Councilmember Stockwin, seconded by Councilmember Douglass, Council approved the minutes as amended.

**AYES:** Douglass, Harvey, Hesch, Mendoza, Stockwin

**5 PUBLIC COMMENT**

*Connie Heilaman, Colfax business owner and President of the Sierra Vista Community Center*

- Requested Council appoint a member to the Sierra Vista Community Center Board. The appointment had been made in the consent calendar.
- She mentioned the Sierra Vista Community Center will be hosting a volunteer opportunity fair on May 12 and hopes to have all of the local non-profit groups attend.

*Foxy McCleary, 127 Saunders Lane*

- Ms. McCleary announced the upcoming Chocolate, Wine and Art Indulgence set to be held on April 29, 2017 from 6:00PM-9:00PM at the Sierra Vista Community Center.

*Larry Hillberg, Colfax Resident*

- Mr. Hillberg suggested the City look into partnering with Union Pacific to provide a space for a railroad museum at the site of the California Fruit Growers Association (CFGAs) Cold Storage building which will probably be demolished after damage resulting from the recent storms.

*Jim Dion, Area Resident*

- Mr. Dion the Council to allow him to reopen the Medical Marijuana Dispensary.

*Tom Parnham, Colfax Resident*

- Mr. Parnham suggested the skatepark could be built at the site of the CFGA Building.
- He stated the new plant operator position was not a Grade 11 position but a Grade II (two).

**6 COUNCIL, STAFF, AND OTHER REPORTS****6A. Committee Reports and Colfax Informational Items – All Councilmembers**

*Councilmember Mendoza*

- Councilmember Mendoza attended a fundraiser event for the elementary school boosters club and the Colfax retirement party for Sheriff Bonner.
- She mentioned the Sheriff's Office Community Awareness program which allows citizens to become more informed about how our local law enforcement officers work. She encouraged everyone to participate in the program.

*Councilmember Stockwin*

- Councilmember Stockwin reported the Employee Handbook Committee has met twice with the City Clerk and a final draft will be ready for review soon.
- He stated the rainfall total for the season is 78.2" which is six and a half feet of precipitation. There are three more months of the rainy season ahead of us.

*Councilmember Douglass*

- Councilmember Douglass attended the City/County Officials Dinner, the Project Go Board meeting and the Placer County Economic Development Board meeting.
- He also attended the required ethics class with other council members and staff.

*Mayor Pro Tem Hesch*

- Mayor Pro Tem Hesch attended the Placer County Air Pollution Control Board meeting.

*Mayor Harvey*

- Mayor Harvey attended the City/County Officials Dinner as well as the retirement gathering for Sheriff Bonner.
- He warned of State Legislation which will eliminate historic water rights in California and give the State Water Resources Control Board power to control water, implement a permanent 30% reduction in water use, and monitor and charge for well water. He recommended everyone contact their state representatives to try to curtail this power.

**6B. City Operations – City Staff***City Manager Schempf*

- City Manager Schempf reported he attended a 3-day CDBG training class, the Ethics Class and had a productive visit with the director of the Nevada Irrigation District.
- He announced staff successfully recruited for the Public Works Supervisor position. The new employee will begin work on March 6, 2017. Interviews for the Accounting Technician will be scheduled within the next few weeks.
- City Manager Schempf stated Union Pacific has indicated the CFGA building will be demolished by the end of 2017.
- The Public Works crew has been busy filling potholes and mitigating damages from the storms.
- PCTPA is looking into a new sales tax measure to raise funds for road repairs. City staff is working to be included in the new measure.
- The crack near Pond 3 at Wastewater Treatment Plant has stabilized and poses no danger.
- Pond 3 does have more water than normal and staff has been given permission by the Water Board to treat the water in the pond for release.
- The Electric Car Charging Station will be online as soon as PG&E can turn on the power.

**6C. Additional Reports – Agency Partners***Frank Klein, president of the Colfax Chamber of Commerce*

- The Chamber has completed the election process and he will remain the President of the organization or another year.
- The Chamber will be looking into a major project to support this year.

*Battalion Chief Ty LaBelle, CAL FIRE*

- Chief LaBelle announced he will be transferring to a new position in March. He introduced his successor, Landon Haack, who lives locally and has spent much of his career working in the area
- The City Volunteer Fire Department has been active in the area.
- The storms have kept fire personnel very busy.

Council thanked Chief LaBelle for his service to the community.

*Sergeant Conners, Placer County Sheriff's Office Colfax Substation Commander*

- Sergeant Conners was not present but sent his thanks to those who attended the Sheriff's retirement event.

Mayor Harvey called a brief recess at 8:10PM.

He called the meeting back to order at 8:19PM.

**7 COUNCIL BUSINESS****7A. Mid-year Budget Review**

**STAFF PRESENTATION:** Laurie Van Groningen, Finance Director

**RECOMMENDED ACTION:** Discuss and approve proposed changes to the approved budget.

Finance Director Van Groningen gave an overview of estimated projections for the remainder of the Fiscal Year. She projects an overall surplus of \$145,000 to the approved budget. Staff is recommending adding a few capital improvement projects to the budget. All capital improvement projects are submitted to Council for approval before funds are expended. Also, as part of the review process, Ms. Van Groningen looked at the CalPERS projections for the City's unfunded liabilities. She does not recommend changes to the current \$45,000 reserve fund for that liability and will continue to monitor reports from CalPERS.

Council asked for and received clarification for some items presented in the report.

Mr. Parnham reminded Council of the importance of continuing to budget for sludge removal at the Wastewater Treatment Plant.

On a motion by Councilmember Stockwin, seconded by Mayor Pro Tem Hesch, Council approved the budget as amended.

**AYES:** Douglass, Harvey, Hesch, Mendoza, Stockwin

**7B. CDBG Update**

**STAFF PRESENTATION:** John Schempf, City Manager

**RECOMMENDED ACTION:** For information only

City Manager Schempf stated he and Finance Director Van Groningen attended a 3-day training to better understand CDBG funding. He is waiting to hear from the State CDBG office as to how best to proceed to access this funding source. Staff is hoping to utilize the new data which was released concerning Colfax status as a disadvantaged community rather than incur the expense of conducting a survey. A decision can be made after conferring with the State representative.

Mr. Hillberg and Ms. McCleary asked questions regarding how the CDBG funds could be used.

**7C. Ordinance 532 – Adopting Provisions and Procedures for Administrative Fines****STAFF PRESENTATION:** Mick Cabral, City Attorney**RECOMMENDED ACTION:** Introduce the proposed ordinance by title only, waive the first reading and schedule a public hearing, second reading and adoption at the March 8, 2017 regularly scheduled Council meeting, to be effective 30 days thereafter.

City Attorney Cabral stated the purpose of this ordinance is to put teeth into the code enforcement process by allowing the City to assess penalties.

Council discussed the proposed ordinance and agreed to incorporate the following changes:

- Change the fee structure for residential violations from \$10, \$25, and \$100 to \$5, \$10, and \$15 dollars/day.
- Hearings before the hearing officer will be open to the public and the hearing officer will issue a decision within seven calendar days.
- Include the ability for appeal to the City Council before assessing fees.

Mr. Parnham would like to see the fees for residential infractions removed from the ordinance. Deanna Garcia, area resident, suggested residents might be able to take out loans through CDBG to help pay for fines and code enforcement repairs.

Ms. McCleary asked Council to remove the minor nuisance violations from the Code.

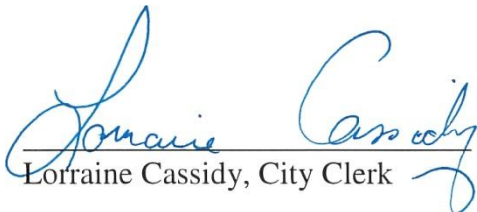
On a motion by Councilmember Stockwin, seconded by Mayor Pro Tem Hesch, Council waived the first reading of Ordinance 532 to be read by title only and scheduled a public hearing for the second reading and adoption of the proposed ordinance as amended at the March 8, 2017 regular meeting of the City Council.

**AYES:** Douglass, Harvey, Hesch, Mendoza, Stockwin

**8 ADJOURNMENT**

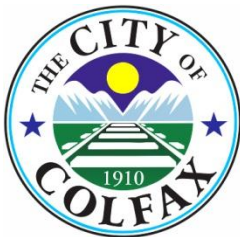
As there was no further business on the agenda, Mayor Harvey adjourned the meeting at 9:12PM.

Respectfully submitted to City Council this 8<sup>th</sup> day of March, 2017



Lorraine Cassidy, City Clerk





# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE MARCH 08, 2017 COUNCIL MEETING

**FROM:** John Schempf, City Manager  
**PREPARED BY:** Laurie Van Groningen, Finance Director  
**DATE:** March 1, 2017  
**SUBJECT:** City of Colfax Cash Summary Report: January 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 City of Colfax Cash Summary Report: January 2017.

### **BACKGROUND AND ANALYSIS:**

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

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

The attached reports reflect an overview of the financial transactions of the City of Colfax in January 2017. Monthly highlights include:

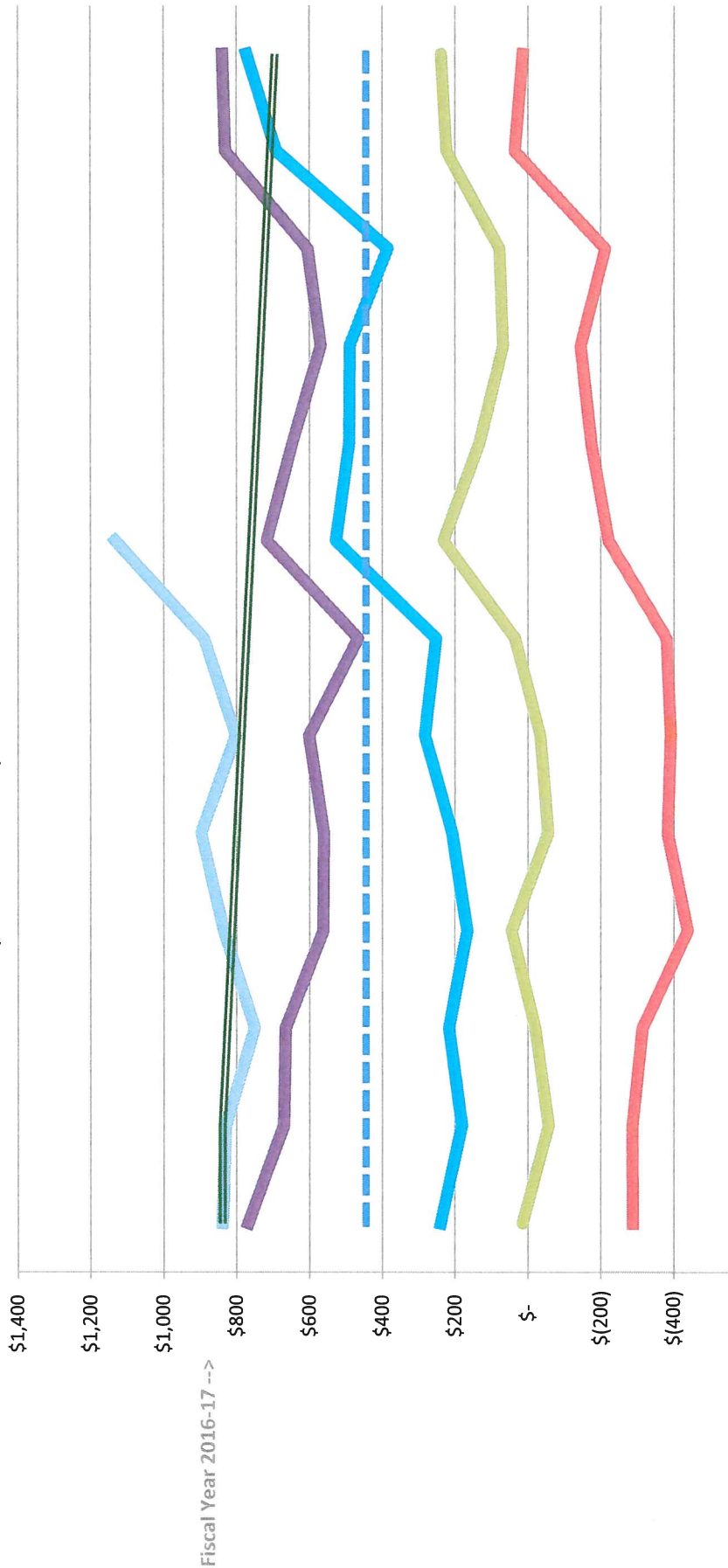
- Negative cash fund balances in Special Revenues and Capital project funds are due to timing of funding allocations and reimbursements.
  - Fund 250 - Streets& Roads – Our annual funding through PCTPA is expected by April 2017.
  - Fund 370 – Capital Funds – Reimbursement has been requested for project to date costs – expect payment by April 2017.
- The first allocation of FY2016-2017 property taxes and delinquent sewer charges placed on tax rolls (County Teeter process) has been received in January 2017. The Teeter process provides 55% of annual revenues for property taxes and delinquent sewer charges in January each year. The remaining balance is paid in May (45%) and July (5%).
- The quarterly payment for Sheriff Contract for FY17-Q3 was paid in February.
- The semiannual payment for the Winner Chevrolet purchase/sales tax agreement was also paid in February and will be reflected on next month's report.

### **ATTACHMENTS:**

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

## City of Colfax - January 2017 General Fund Reserved Cash Analysis

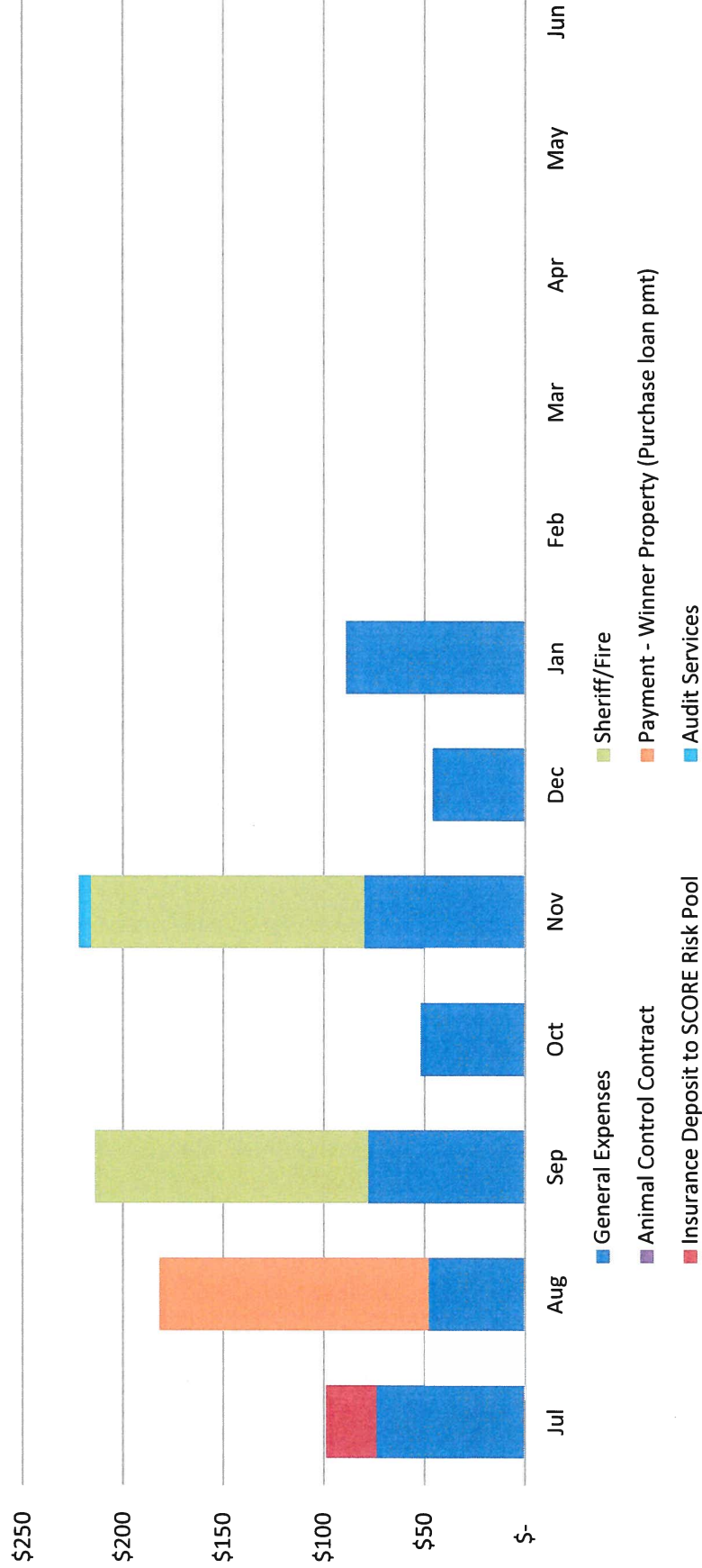
(Dollars in Thousands)



	Prev Yr	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Cash Balance FY2016-17	\$838	\$829	\$750	\$835	\$897	\$802	\$889	\$1,133					
Cash Balance FY2015-16	\$768	\$670	\$666	\$562	\$561	\$601	\$466	\$717	\$647	\$569	\$605	\$831	838
Cash Balance FY2014-15	\$240	\$181	\$217	\$167	\$209	\$284	\$253	\$528	\$491	\$489	\$385	\$691	773
Cash Balance FY2013-14	\$15	\$(57)	\$(20)	\$45	\$(55)	\$(34)	\$36	\$233	\$134	\$69	\$79	\$225	240
Cash Balance FY2012-13	\$(287)	\$(286)	\$(314)	\$(438)	\$(383)	\$(391)	\$(380)	\$(221)	\$(173)	\$(144)	\$(212)	\$37	15
*Reserves (Ops, Cap, Pen)	\$445	\$445	\$445	\$445	\$445	\$445	\$445	\$445	\$445	\$445	\$445	\$445	445
Budget FY2016-17	\$838	\$838	\$825	\$812	\$799	\$786	\$773	\$760	\$747	\$734	\$721	\$708	\$695

\* General Fund (GF) Reserves per adopted budget.

### City of Colfax - January 2017 General Fund Reserved Cash - Expenses by Month (Dollars in Thousands)





**City of Colfax  
Cash Summary  
January 31, 2017**

	12/31/2016	Revenues In	Expenses Out	Transfers	Balance 1/31/2017
US Bank	\$ 224,990.91	\$ 592,384.42	\$ (186,308.33)	\$ (500,000.00)	\$ 131,067.00
LAIF	\$ 3,557,161.02	\$ 6,018.74		\$ 500,000.00	\$ 4,063,179.76
Total Cash - General Ledger	<u>\$ 3,782,151.93</u>	<u>\$ 598,403.16</u>	<u>\$ (186,308.33)</u>	<u>\$ -</u>	<u>\$ 4,194,246.76</u>
Petty Cash (In Safe)	\$ 300.00				\$ 300.00
Total Cash	<u>\$ 3,782,451.93</u>	<u>\$ 598,403.16</u>	<u>\$ (186,308.33)</u>	<u>\$ -</u>	<u>\$ 4,194,546.76</u>

**Change in Cash Account Balance - Total** \$ 412,094.83

Attached Reports:

1. Cash Transactions Report (By Individual Fund)	
2. Check Register Report (Accounts Payable)	\$ (123,367.18)
3. Cash Receipts - Daily Cash Summary Report	\$ 465,076.38
Payroll Checks and Tax Deposits	\$ (61,482.14)
Utility Billings - Receipts	\$ 125,849.03
LAIF Interest	\$ 6,018.74
	\$ -
	<u><u>\$ 412,094.83</u></u> \$

Prepared by: Laurie Van Groning 3/1/17  
Laurie Van Groning, Finance Director

Reviewed by: John Schempf 3/2/17  
John Schempf, City Manager

## City of Colfax

## Cash Transactions Report - January 2017

	Beginning Balance	Debit Revenues	Credit (Expenditures)	Ending Balance
<b>Fund Type: 1.11 - General Fund - Unassigned</b>				
Fund: 100 - General Fund	\$ 1,064,510.10	\$ 322,977.70	\$ (86,293.99)	\$ 1,301,193.81
Fund: 120 - Land Development Fees	\$ 29,647.44	\$ -	\$ (3,113.75)	\$ 26,533.69
Fund: 570 - Garbage Fund	\$ (205,350.80)	\$ 10,953.46	\$ -	\$ (194,397.34)
<b>Fund Type: 1.11 - General Fund - Unassigned</b>	<b>\$ 888,806.74</b>	<b>\$ 333,931.16</b>	<b>\$ (89,407.74)</b>	<b>\$ 1,133,330.16</b>
<b>Fund Type: 1.14 - General Fund - Restricted</b>				
Fund: 571 - AB939 Landfill Diversion	\$ 29,317.26	\$ -	\$ -	\$ 29,317.26
Fund: 572 - Landfill Post Closure Maintenance	\$ 767,632.52	\$ 19,718.52	\$ (5,514.83)	\$ 781,836.21
<b>Fund Type: 1.14 - General Fund - Restricted</b>	<b>\$ 796,949.78</b>	<b>\$ 19,718.52</b>	<b>\$ (5,514.83)</b>	<b>\$ 811,153.47</b>
<b>Fund Type: 1.24 - Special Rev Funds - Restricted</b>				
Fund: 210 - Mitigation Fees - Roads	\$ 31,877.27	\$ 61.71	\$ (806.25)	\$ 31,132.73
Fund: 211 - Mitigation Fees - Drainage	\$ 3,054.01	\$ 4.94	\$ -	\$ 3,058.95
Fund: 212 - Mitigation Fees - Trails	\$ 42,785.73	\$ 69.11	\$ -	\$ 42,854.84
Fund: 213 - Mitigation Fees - Parks/Rec	\$ 97,980.69	\$ 158.26	\$ -	\$ 98,138.95
Fund: 214 - Mitigation Fees - City Bldgs	\$ 945.95	\$ 1.53	\$ -	\$ 947.48
Fund: 215 - Mitigation Fees - Vehicles	\$ 4,500.05	\$ 7.27	\$ -	\$ 4,507.32
Fund: 217 - Mitigation Fees - DT Parking	\$ 26,669.11	\$ 43.08	\$ -	\$ 26,712.19
Fund: 218 - Support Law Enforcement	\$ 16,579.10	\$ 12,696.49	\$ -	\$ 29,275.59
Fund: 241 - CDBG Housing Rehabilitation	\$ 94,429.79	\$ 152.53	\$ -	\$ 94,582.32
Fund: 244 - CDBG MicroEnterprise Lending	\$ 117,013.99	\$ 688.20	\$ -	\$ 117,702.19
Fund: 250 - Streets - Roads/Transportation	\$ (66,858.98)	\$ -	\$ (10,005.88)	\$ (76,864.86)
Fund: 253 - Gas Taxes	\$ 20,500.02	\$ 3,137.14	\$ (1,519.65)	\$ 22,117.51
Fund: 270 - Beverage Container Recycling	\$ 37,986.22	\$ 55.98	\$ -	\$ 38,042.20
Fund: 280 - Oil Recycling	\$ (809.23)	\$ 5,000.00	\$ (94.25)	\$ 4,096.52
Fund: 286 - Community Projects	\$ 5,274.27	\$ 8.52	\$ -	\$ 5,282.79
Fund: 292 - Fire Department Capital Funds	\$ 147,427.34	\$ 235.54	\$ -	\$ 147,662.88
Fund: 342 - Fire Construction - Mitigation	\$ 2,432.58	\$ 3.93	\$ -	\$ 2,436.51
Fund: 343 - Recreation Construction	\$ 2,433.03	\$ 3.93	\$ -	\$ 2,436.96
<b>Fund Type: 1.24 - Special Rev Funds - Restrict</b>	<b>\$ 584,220.94</b>	<b>\$ 22,328.16</b>	<b>\$ (12,426.03)</b>	<b>\$ 594,123.07</b>
<b>Fund Type: 1.34 - Capital Projects - Restricted</b>				
Fund: 350 - Street Improvement Projects	\$ 24,069.78	\$ 38.88	\$ -	\$ 24,108.66
Fund: 370 - North Main Street Bike Route	\$ (31,286.31)	\$ -	\$ (50.54)	\$ (31,336.85)
<b>Fund Type: 1.34 - Capital Projects - Restricted</b>	<b>\$ (7,216.53)</b>	<b>\$ 38.88</b>	<b>\$ (50.54)</b>	<b>\$ (7,228.19)</b>
<b>Fund Type: 2.11 - Enterprise Funds - Unassigned</b>				
Fund: 560 - Sewer	\$ 524,928.09	\$ 133,117.27	\$ (67,809.26)	\$ 590,236.10
Fund: 561 - Sewer Liftstations	\$ 367,523.25	\$ 13,126.90	\$ (11,099.93)	\$ 369,550.22
Fund: 563 - Wastewater Treatment Plant	\$ 219,213.86	\$ 34,662.91	\$ -	\$ 253,876.77
Fund: 564 - Sewer Connections	\$ 41,080.00	\$ -	\$ -	\$ 41,080.00
Fund: 565 - General Obligation Bond 1978	\$ 2,186.76	\$ 4.11	\$ -	\$ 2,190.87
Fund: 567 - Inflow & Infiltration	\$ 364,459.04	\$ 41,475.25	\$ -	\$ 405,934.29
<b>Fund Type: 2.11 - Enterprise Funds - Unassign</b>	<b>\$ 1,519,391.00</b>	<b>\$ 222,386.44</b>	<b>\$ (78,909.19)</b>	<b>\$ 1,662,868.25</b>
<b>Fund Type: 9.0 - CLEARING ACCOUNT</b>				
Fund: 998 - PAYROLL CLEARING FUND	\$ -	\$ -	\$ -	\$ -
<b>Fund Type: 9.0 - CLEARING ACCOUNT</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Grand Totals:</b>	<b>\$ 3,782,151.93</b>	<b>\$ 598,403.16</b>	<b>\$ (186,308.33)</b>	<b>\$ 4,194,246.76</b>

Check Register Report

January 2017

ITEM 3B

Date: 02/01/2017  
 Time: 5:01 pm  
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CITY OF COLFAX

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>US BANK Checks</b>							
52260	01/05/2017	Printed		01418	ALL PHASE AUTO	GREEN TRACTOR REPAIR	1,135.43
52261	01/05/2017	Printed		01432	JOSHUA ALPINE	POLITICAL SIGN REFUND - PCWA	50.00
52262	01/05/2017	Printed		01448	AMERIGAS - COLFAX	PROPANE DEPOT	132.69
52263	01/05/2017	Printed		01448	AMERIGAS - COLFAX	PROPANE CITY HALL	131.16
52264	01/05/2017	Printed		02829	BLUE RIBBON PERSONNEL SERVICES	ACCT & PW TEMPS	3,624.55
52265	01/05/2017	Printed		02901	BUREAU VERITAS NORTH AMERICA	PLAN REVIEW - SOLAR PROJECT	2,405.00
52266	01/05/2017	Printed		03173	LORRAINE CASSIDY	TRAVEL/STAFF REIMBURSEMENT	307.37
52267	01/05/2017	Printed		03430	CITY CLERKS ASSOCIATION	MEMBERSHIP 2017	90.00
52268	01/05/2017	Printed		06730	COLFAX FARM AND COUNTRY STORE	PROPANE/STRAW	109.83
52269	01/05/2017	Printed		04234	DE LAGE LANDEN FINANCIAL	DEC 2016 COPY MACHINE	469.43
52270	01/05/2017	Printed		04592	DWAYNE ARMSTRONG COMMUNICATION	WWTP INTERNET	99.95
52271	01/05/2017	Printed		05121	EFSTATHIU, PETER	POLITICAL SIGN REFUND	50.00
52272	01/05/2017	Printed		06278	FRONTIER COMMUNICATIONS	WWTP PHONE SERVICE	174.76
52273	01/05/2017	Printed		07460	GOLD COUNTRY MEDIA	LEGAL NOTICE CODE AMENDMENT	390.60
52274	01/05/2017	Printed		08050	HACH COMPANY	WWTP LAB SUPPLIES	195.22
52275	01/05/2017	Printed		08086	HBE RENTALS	TRASH PUMP RENTAL	50.00
52276	01/05/2017	Printed		08660	HUNT AND SONS, INC.	FUEL PUBLIC WORKS	469.68
52277	01/05/2017	Printed		09455	INLAND BUSINESS SYSTEMS	COPY MACHINE MAINTENANCE	606.77
52278	01/05/2017	Printed		23101	LARRY WALKER ASSOCIATES	CAPACITY STUDY WWTP	122.50
52279	01/05/2017	Printed		12180	LAWRENCE & ASSOCIATES INC	NOV 2016 LAND FILL MONITORING	1,720.50
52280	01/05/2017	Printed		13203	MENDOZA, MARNIE	POLITICAL SIGN REFUND	50.00
52281	01/05/2017	Printed		16300	PCWA -PLACER COUNTY	WATER	2,396.18
52282	01/05/2017	Printed		16011(2)	PELLETREAU, ANDERSON & CABRAL	DEC 2016 SERVICES	4,186.74
52283	01/05/2017	Printed		03580	PLACER COUNTY HHS	ANIMAL & FIELD SERVICES Q2	7,497.75
52284	01/05/2017	Printed		18121	RCH GROUP, INC.	SIERRA ESTATES ENVIRONMENTAL	2,020.00
52285	01/05/2017	Printed		18883	SAC-VAL JANITORIAL SUPPLY	SUPPLIES	64.20
52286	01/05/2017	Printed		19059	SCHEMPF, JOHN	MILEAGE REIMB 12/7 & 12/20/16	34.56
52287	01/05/2017	Printed		19396	SIERRA SAFETY COMPANY	8- "NO TRUCK PARKING" SIGNS	413.62
52288	01/05/2017	Printed		19791	SUTTER MEDICAL FOUNDATION	REVIEW RESPIRATORY QUEST (2)	70.00
52289	01/05/2017	Printed		22106	VAN GRONINGEN & ASSOCIATES	FINANCE SERVICES DEC 2016	5,531.25
52290	01/05/2017	Printed		23169	WAVE BUSINESS SOLUTIONS	CITY HALL PHONES	392.12
52291	01/12/2017	Printed		01414	ALHAMBRA & SIERRA SPRINGS	WATER CITY HALL/CORP YARD	72.15
52292	01/12/2017	Printed		01448	AMERIGAS - COLFAX	PROPANE DEPOT	171.68
52293	01/12/2017	Printed		01448	AMERIGAS - COLFAX	PROPANE CITY HALL	699.27
52294	01/12/2017	Printed		01448	AMERIGAS - COLFAX	PROPANE FIRE HOUSE	59.13
52295	01/12/2017	Printed		01448	AMERIGAS - COLFAX	PROPANE SHERIFF DEPT	334.01
52296	01/12/2017	Printed		01460	AMERIPRIDE UNIFORM SERVICE	STMT 12/31/16	453.69
52297	01/12/2017	Printed		02829	BLUE RIBBON PERSONNEL SERVICES	ACCT & PW TEMPS WK OF 1/1/17	712.00
52298	01/12/2017	Printed		03650	CRANMER ENGINEERING, INC.	LANDFILL TESTING	649.00
52299	01/12/2017	Printed		03790	CVCWA-CENTRAL VALLEY CLEAN	7/1/16 - 6/30/17 MEMBERSHIP	820.00
52300	01/12/2017	Printed		03825	CWS ELECTRICAL	STREET LIGHT REPAIRS	330.00
52301	01/12/2017	Printed		04253	DEPARTMENT OF GENERAL SERVICES	SB1186 Q4-2016	8.40
52302	01/12/2017	Printed		04541	DOG WASTE DEPOT	DOGWASTE BAGS	125.48
52303	01/12/2017	Printed		05221	EOSI - ENVIRONMENT OPERATING	WWTP CHEMICALS	5,298.75
52304	01/12/2017	Printed		08050	HACH COMPANY	WWTP METER AGREEMENT	1,101.00
52305	01/12/2017	Printed		08070	HANSEN BROS. ENTERPRISES	100 SAND, READY MIX	194.04
52306	01/12/2017	Printed		08170	HILLS FLAT LUMBER CO	SUPPLIES	534.81
52307	01/12/2017	Printed		08501	HOME DEPOT CREDIT SERVICES	X-MAS LIGHTS & SUPPLIES	441.90

Check Register Report

January 2017

ITEM 3B

Date: 02/01/2017  
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CITY OF COLFAX

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>US BANK Checks</b>							
52308	01/12/2017	Printed		08660	HUNT AND SONS, INC.	FUEL PUBLIC WORKS	74.44
52309	01/12/2017	Printed		12200	LEAGUE OF CALIFORNIA CITIES	MEMBERSHIP DUE'S 2017	1,371.00
52310	01/12/2017	Printed		16035	PG&E	STMT 12/25/2016	17,299.62
52311	01/12/2017	Printed		16165	PLACER COUNTY ENVIRONMENTAL	LANDFILL CLOSURE TESTING	712.00
52312	01/12/2017	Printed		18194	RGS - REGIONAL GOV SERVICES	DEC 2016 PLANNING SERVICES	6,317.50
52313	01/12/2017	Printed		18400	RIEBES AUTO PARTS	STMT 12/31/16	56.66
52314	01/12/2017	Printed		21560	US BANK CORPORATE PMT SYSTEM	STATEMENT 12/22/16	5,845.42
52315	01/12/2017	Printed		23301	WESTERN PLACER WASTE	DEC 2016 SLUDGE REMOVAL	524.70
52316	01/19/2017	Printed		01461	APWA	MEMBERSHIP 4/1/17 - 3/31/18	200.00
52317	01/19/2017	Printed		01766	AT&T MOBILITY	DEC 2016 CELL PHONES	642.77
52318	01/19/2017	Printed		02829	BLUE RIBBON PERSONNEL SERVICES	ACCT & PW TEMPS WK OF 1/8/17	1,452.80
52319	01/19/2017	Printed		02901	BUREAU VERITAS NORTH AMERICA	BLDG. OFFICIAL SERVICE	5,440.00
52320	01/19/2017	Printed		03164	CASH- PETTY CASH REIMBURSEMENT	PETTY CASH REIMBURSEMENT	47.74
52321	01/19/2017	Printed		03401	CHOICE BULDER	FEB 2017 PREMIUMS	814.51
52322	01/19/2017	Printed		03493	COASTLAND CIVIL ENGINEERING	ENGINEERING SERVICES DEC 2016	3,367.63
52323	01/19/2017	Printed		04234	DE LAGE LANDEN FINANCIAL	JAN 2017 COPY MACHINE	491.82
52324	01/19/2017	Printed		04592	DWAYNE ARMSTRONG COMMUNICATION	WWTP INTERNET 1/15/2017	99.95
52325	01/19/2017	Printed		05120	EDWARDS HEATING & COOLING	HVAC SERVICE @ DEPOT	69.00
52326	01/19/2017	Printed		07460	GOLD COUNTRY MEDIA	CITY ADVERTISEMENT	75.00
52327	01/19/2017	Printed		07465	GOLD MINER PEST CONTROL	WWTP PEST CONTROL SERVICES	210.00
52328	01/19/2017	Printed		08050	HACH COMPANY	WWTP LAB SUPPLIES	640.80
52329	01/19/2017	Printed		08159	HILL BROTHERS CHEMICAL CO.	CHEMICALS	6,930.85
52330	01/19/2017	Printed		12200	LEAGUE OF CALIFORNIA CITIES	MEMBERSHIP DUES 2017	100.00
52331	01/19/2017	Printed		16500	PLACER OPERATIONAL AREA	Q2 FIRE PROTECTION	5,375.00
52332	01/19/2017	Printed		19695	STATE WATER RESOURCES CONTROL	ANNUAL PERMIT FY 2017 WWTP	4,979.00
52333	01/19/2017	Printed		23169	WAVE BUSINESS SOLUTIONS	CITY HALL INTERNET	159.90
52334	01/23/2017	Printed		03141	CALPERS	CalPERS Arrears - EE	3,799.04
52335	01/09/2017	Printed		03141	CALPERS	Jan 2017 Health Benefits	8,458.35
52336	01/11/2017	Printed		03401	CHOICE BULDER	Jan 2017 Benefit Premiums	814.51

**Total Checks: 77**

**Checks Total (excluding void checks):**

**123,367.18**

**Total Payments: 77**

**Bank Total (excluding void checks):**

**123,367.18**

**Total Payments: 77**

**Grand Total (excluding void checks):**

**123,367.18**



DAILY CASH SUMMARY REPORT

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01/01/2017 - 01/31/2017

3/1/2017

1:56 pm

City of Colfax

		Debit	Credit	Net Chng	
<b>Fund: 100 - General Fund</b>					
01/04/2017	Daily Totals	1,157.13	0.00	1,157.13	
01/09/2017	Daily Totals	4,891.73	0.00	4,891.73	
01/18/2017	Daily Totals	310,512.69	0.00	310,512.69	
01/20/2017	Daily Totals	2,467.28	0.00	2,467.28	
01/25/2017	Daily Totals	190.50	0.00	190.50	
01/31/2017	Daily Totals	594.26	140.74	453.52	
<b>Fund: 100 - General Fund</b>		<b>TOTALS:</b>	<b>319,813.59</b>	<b>140.74</b>	<b>319,672.85</b>
<b>Fund: 218 - Support Law Enforcement</b>					
01/18/2017	Daily Totals	12,696.49	0.00	12,696.49	
<b>Fund: 218 - Support Law Enforcement</b>		<b>TOTALS:</b>	<b>12,696.49</b>	<b>0.00</b>	<b>12,696.49</b>
<b>Fund: 244 - CDBG MicroEnterprise Lending</b>					
01/31/2017	Daily Totals	500.00	0.00	500.00	
<b>Fund: 244 - CDBG MicroEnterprise Lending</b>		<b>TOTALS:</b>	<b>500.00</b>	<b>0.00</b>	<b>500.00</b>
<b>Fund: 253 - Gas Taxes</b>					
01/31/2017	Daily Totals	3,109.58	0.00	3,109.58	
<b>Fund: 253 - Gas Taxes</b>		<b>TOTALS:</b>	<b>3,109.58</b>	<b>0.00</b>	<b>3,109.58</b>
<b>Fund: 280 - Oil Recycling</b>					
01/20/2017	Daily Totals	5,000.00	0.00	5,000.00	
<b>Fund: 280 - Oil Recycling</b>		<b>TOTALS:</b>	<b>5,000.00</b>	<b>0.00</b>	<b>5,000.00</b>
<b>Fund: 560 - Sewer</b>					
01/04/2017	Daily Totals	200.00	0.00	200.00	
01/18/2017	Daily Totals	52,356.07	0.00	52,356.07	
01/20/2017	Daily Totals	61.33	0.00	61.33	
<b>Fund: 560 - Sewer</b>		<b>TOTALS:</b>	<b>52,617.40</b>	<b>0.00</b>	<b>52,617.40</b>
<b>Fund: 561 - Sewer Liftstations</b>					
01/31/2017	Daily Totals	814.00	0.00	814.00	

DAILY CASH SUMMARY REPORT

ITEM 3B

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3/1/2017  
1:56 pm

01/01/2017 - 01/31/2017

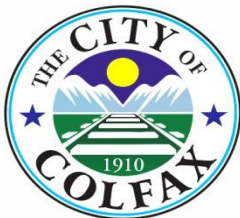
City of Colfax

		Debit	Credit	Net Chng
<b>Fund: 561 - Sewer Liftstations</b>				
<b>TOTALS:</b>		<b>814.00</b>	<b>0.00</b>	<b>814.00</b>
<b>Fund: 565 - General Obligation Bond 1978</b>				
01/18/2017	Daily Totals	4.11	0.00	4.11
<b>TOTALS:</b>		<b>4.11</b>	<b>0.00</b>	<b>4.11</b>
<b>Fund: 567 - Inflow &amp; Infiltration</b>				
01/18/2017	Daily Totals	39,989.97	0.00	39,989.97
<b>TOTALS:</b>		<b>39,989.97</b>	<b>0.00</b>	<b>39,989.97</b>
<b>Fund: 570 - Garbage Fund</b>				
01/20/2017	Daily Totals	10,953.46	0.00	10,953.46
<b>TOTALS:</b>		<b>10,953.46</b>	<b>0.00</b>	<b>10,953.46</b>
<b>Fund: 572 - Landfill Post Closure Mainten</b>				
01/20/2017	Daily Totals	19,718.52	0.00	19,718.52
<b>TOTALS:</b>		<b>19,718.52</b>	<b>0.00</b>	<b>19,718.52</b>
<b>GRAND TOTALS:</b>		<b>465,217.12</b>	<b>140.74</b>	<b>465,076.38</b>

Company	Service	Date Signed/ Renewed	Expiration/ Completion	Agreement Type	Reso	Amount
4LEAF, Inc	Const Mgmt for Grass Valley St Project	3/11/2015	3/11/2018	Contract	04-2015	As needed
All Phase Land Clearing	Clearing Landfill	1/13/2016		Contract	02-2016	5,500.00
Amerigas	Propane	12/5/2013	Open	Service	N/A	Utility
AmeriPride	Uniform Rental	?	Open	Service	N/A	Utility
Andregg Geomatics	Map Checking Services	11/13/2013	11/14/2017	Contract	50-2013	
Aqua Sierra Controls	WWTP SCADA System	5/25/2012	9/13/2013	Contract	38-2013	
Bennett Engineering	No Main Bike Rt	4/13/2016		Contract	12-2016	35,000.00
Coastland Civil Eng	On-Call Building Insp	8/12/2015	Open	Contract	29-2015	As needed
Construction Testing Services (CTS)	On-Call Materials Testing	12/10/2014	12/10/2017	Contract	35-2014	As needed
DACOMM	WWTP Internet	3/11/2013	3/11/2018	Contract	N/A	
Diamond Water Lab	WWTP Water Analysis	11/9/2011		Contract	52-2011	
Hach Company	Flow Monitoring Data	10/26/2011		Contract	50-2011	
Hinderliter, De Llamas and Assoc	Sales Tax Agreement First Amendment	7/9/2014	Ongoing	Contract	N/A	
Holdrege and Kull	On-Call Materials Testing	12/10/2014	12/10/2017	Contract	35-2014	As needed
Inland Business Services	Copier Lease	3/10/2016	Ongoing	Lease	N/A	\$463/mo
Larry Walker Associates	WWTP Engineering	3/15/2010			10-2010	
Lawrence and Assoc	Landfill Groundwater Monitoring	8/14/2013	Ongoing	Service	33-2013	
Mark Thomas and Co	Roundabout Feasibility	12/9/2015		Contract	44-2015	
Matriscope	On-Call Materials Testing	12/10/2014	12/10/2017	Contract	35-2014	As needed
Pitney Bowes	Postage Equipment	3/21/2016	3/21/2021	Lease	N/A	\$52/month
Placer County Executive Office	Capital Facilities Mitigation Impact Fees	10/1/2014		Contract	47-2007	
Placer County Health and Human Services	Animal Control	7/1/2016	7/1/2018	Contract	30-2016	7,497.75 Quarterly
Placer County Sheriff	Police Services	7/1/2015	6/30/2018	Contract	16-2015	625,605.00
Placer County/Cal Fire	Fire Protection and Fire Marshal	7/1/2015	6/30/2018	Contract	15-2015	30,480.00
Richardson and Co	Audit Services	7/13/2016	6/30/2017	Contract	25-2016	16,800.00
Right Striping	Road Repair and Striping	10/22/2015		Contract		As needed
Rosenbauer	Fire Truck	11/2/2016		Lease/Purch	44-2016	174,000.00
State Water Resources Board	WWTP Loan Amendment 1	10/14/2009	10/10/2038	Contract	52-2005	
Tyler Techonologies - Fund Balance	Fund Balance Maint. - Financial Software	9/10/2010	Ongoing	Contract	N/A	
Vali Cooper and Assoc	Const Mgmt for Grass Valley St Project	3/11/2015	3/11/2018	Contract	04-2015	As needed

Company	Service	Date Signed/ Renewed	Expiration/ Completion	Agreement Type	Reso	Amount
Wallace Kuhl	On-Call Materials Testing	12/10/2014	12/10/2017	Contract	35-2014	As needed
Wood Rodgers	Specialized WWTP Reporting	8/1/2016	8/1/2019	Contract	None	\$4,950 Annually
<b>Insurance/Risk Management Contracts</b>						
Alliant Insurance	Employee Crime Insurance	7/1/2014	7/1/2017	Insurance	30-2014	1,000.00
Alliant Insurance	Property Binder	7/1/2015	7/1/2016	Insurance		
Burnham Benefits	Dental/Vision Life TPA	12/12/2016		Insurance	N/A	
CalPERS Health	Health Benefits TPA	11/16/2016		Insurance	47-2016	
Liebert, Cassidy, Whitmore	Legal Services for Union Negotiations	12/21/2015	Ongoing	Consultant	N/A	As needed
SCORE	Workman's Comp and Liability Insurance	7/19/2011	Open	Insurance	55-86	
<b>Personnel/Staff Contracts</b>						
Blue Ribbon Personnel	Temporary Services - Sue Swaim	2/6/2015		Service	N/A	As needed
Bureau Veritas	Building Inspector - John Brownlee	7/15/2015	6/30/2017	Consultant	30-2015	72,000.00
Cabral, Mick	City Attorney	8/17/2009	Open	Consultant	26-2009	Hourly
Coastland Civil Eng	City Engineer - Dane Schilling	10/1/2016	10/1/2019	Contract	43-2016	50,000/yr
RGS	Planner - Amy Feagans	1/25/2017	6/30/2018	Consultant	04-2017	85,000.00
Schempf, John	City Manager	7/1/2016		Contract	24-2016	110,000.00
VanGroningen, Laurie	Finance Director	11/16/2010	Ongoing	Consultant	55-2010	Hourly
<b>Revenue Contracts</b>						
Evgo Electric Charging	Charging Station	9/28/2016	9/28/2020	Contract	39-2016	Revenue
Recology	Extension	7/14/2016	6/30/2046	Contract	28-2016	Revenue
Sierra Property Development	Digital Billboard Agreement	8/14/2013	8/14/2038	Contract	31-2013	Revenue
Sierra Property Development	Billboard Settlement Agreement	11/14/2012	11/14/2037	Contract	45-2012	Revenue
Wave Communications	Franchise Agreement	7/18/2011	Ongoing	Contract	43-2006	Revenue
<b>Non-Monetary Contracts</b>						
Adopt a Road	McCain and Colfax Baptist	11/9/2016		Contract	46-2016	
CalPERS	Actuarial Valuation	7/28/2006	Open	Contract	03-2008	
Caltrans	Hwy 174 Gateway maintenance	10/7/2016	Ongoing	Contract	37-2016	
Caltrans	No Main Bike Rt	4/14/2015		Coop		

Company	Service	Date Signed/ Renewed	Expiration/ Completion	Agreement Type	Reso	Amount
Canyon Creek HOA	Cost Share Agreement	2/4/2016		Contract	06-2016	
Colfax Partners	Fair Share Agreement for Whitcomb	4/14/2016	Ongoing	Fair Share	N/A	
Crispin Cider	Industrial Use Permit	10/1/2013	12/31/2016	Industrial Permit		
Dept. of General Services (State of CA) - DGS	Surplus/Discount Equipment	5/14/2015	5/4/2018	Contract	07-2010	
Dwayne Armstrong Communications	Internet Service at Events	3/18/2013		Potential Contract		
Edwards	Mutual License - Entry	9/17/1998	Ongoing	Contract		
GovTeller	Online Payment Service	4/4/2013	Ongoing	Contract		
Marsons/Miles	Lease Agreement for Main St Lot - Art Plaza	4/1/1998	Ongoing	Lease		
Nationwide Retirement	Deferred Compensation	1/23/2014	Ongoing	Contract		
Placer Co Public Works	Transit Service #12368	3/13/2014	7/1/2016	Contract		
Placer County Air Pollution Control District	Development Environmental Review	1/4/2000	1/4/2020	MOU		
Placer County Probation Office	Work Release Program	11/20/2009	Ongoing	Contract	25-2011	
Placer County Water Agency (PCWA)	MOU Fire Hydrants	3/26/1997	Open	MOU		
Placer Hills Fire Protection District	Agreement for Automatic Aid	5/31/2002		Cooperative Agreement		
Placer mPower	Coop Agreement for Renewable Resource	11/11/2009		Cooperative Agreement	44-2009	
Placer Sierra Fire Safe Council	Partnership Agreement	8/22/2006		Cooperative Agreement	18-2006	
Sierra Valley Energy Authority	JPA	9/9/2015	Ongoing	JPA	35-2015	
Sierra Vista Community Center	Settlement Agreement - Sewer	2/4/2014	Ongoing	Settlement		
Stationary Engineers	Local Union 39	6/1/2016	6/30/2020	MOU	08-2016	
UPRR	MOU for Depot Building	6/1/2007		MOU		
US Bank	Master Services Agreement	1/23/2014	Ongoing	Master Agreement		
WPCTSA (PCTPA)	JPA	11/5/2008	Ongoing	JPA		



# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE MARCH 8, 2017 COUNCIL MEETING

**FROM:** John Schempf, City Manager  
**PREPARED BY:** Alfred "Mick" Cabral, City Attorney  
**DATE:** 2/28/2017  
**SUBJECT:** Ordinance 532 Adopting Provisions and Procedures for Administrative Fines.

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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**RECOMMENDED ACTION:** Conduct a public hearing, waive the second reading and adopt the proposed ordinance to be effective 30 days thereafter.

**BACKGROUND AND SUMMARY:**

Colfax Municipal Code (the "Code") Chapter 1.24 establishes and provides that Code violations can be prosecuted as misdemeanors or infractions and associates ranges of fines and possible imprisonment depending on the level of violation. Under the Code, misdemeanor violations can carry fines of up to \$500 and imprisonment in the county jail for a period not more than six months. Individuals convicted of infractions are subject to a \$50 fine for the first conviction, \$100 for a second conviction within one year and \$250 for a third conviction within one year. Each day a violation exists is counted as a separate violation. Pursuing misdemeanors and infractions are criminal prosecutions.

The Code also allows the City to pursue various civil remedies, generally related to converting criminal fines to civil judgments and seeking injunctive and other non-monetary relief. Conspicuously absent from the Code is a process whereby the City can issue administrative orders requiring citizens to come into Code compliance, and imposing fines if they do not. The purpose of the proposed ordinance is to adopt provisions and procedures allowing the City to administratively issue citations for Code violations and to administratively impose fines on individuals who fail to comply.

The proposed ordinance adds Chapter 1.25 to the Code and establishes circumstances under which fines can be imposed, a process for imposing them, and amounts of fines for Code violations. Fines on non-residential properties are proposed to be \$100 per day for each first Code violation, \$200 per day for each second Code violation within one year and \$500 per day for each subsequent Code violation within one year. Residential fines are proposed to be \$5 per day for each first Code violation, \$10 per day for each second Code violation within one year and \$15 per day for all subsequent Code violations within one year. Residences for purposes of this ordinance include single family residences and multi-family residences containing four or fewer permitted residential structures.

The process begins with a notice of violation to owners of property on which violations exist. No fines will be imposed unless a property owner first fails to comply with a written notice of violation. With the exception of violations that create an immediate health and safety issue, the notice will allow at least 30 days to cure violations

before fines are imposed. Failure to comply with a written notice of violation within the time allowed will subject a property owner to an administrative citation and an administratively-imposed fine.

The law requires the City to allow property owners cited for Code violations to contest the citations. Property owners will have the right to request an administrative hearing to contest the existence of a violation and the amount of any fine. The hearing will be conducted by the City Manager or an individual designated by the City Manager. The hearing officer cannot have a financial interest in the amount of any fines. Although the draft ordinance requires individuals who request a hearing to deposit the amount of the proposed fine prior to the hearing, financial hardship waivers are available to eligible property owners upon request. Property owners not satisfied with the results of any hearing have the right to seek review by the City Council, followed by possible judicial review.

In staff's opinion, the proposed ordinance will provide an essential, efficient and effective tool for the City to use in compelling Code compliance by allowing the City to address them administratively while allowing individuals and entities cited for violations a right to contest them. The draft ordinance, however, requires policy guidance from the Council. The fundamental policy questions are (1) whether the Council wants to adopt processes and procedures that will allow Code enforcement and associated fines to be imposed administratively, and, if so, (2) the amount of fines that can be imposed, especially on residential properties. Although some level of administrative fine on residential properties is desirable to ensure Code compliance, daily accrual of fines can cause a substantial, perhaps unsustainable burden on property owners. Staff can incorporate any changes Council requests before the ordinance is adopted.

After considerable discussion at the February 22, 2017 meeting, the following changes were incorporated into the proposed ordinance:

1. Residential property fines were reduced from \$10/\$25/\$100 to \$5/\$10/\$15 per day (Section 1.25.030B).
2. Hearings before the hearing officer will be open to the public (Section 1.25.120A).
3. The hearing officer's decision must be issued within seven calendar days (Section 1.25.130A).
4. A process for appealing to the City Council has been included (Section 1.25.030C) and related provisions have been modified accordingly.

**FISCAL IMPACT:** There is no immediate fiscal impact but it is anticipated that collection of administratively-imposed fines will increase City general fund revenues.

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ATTACHMENTS:

1. Proposed ordinance.

# City of Colfax

## City Council

### Ordinance No 532

#### **AN ORDINANCE OF THE CITY OF COLFAX ADDING CHAPTER 1.25 TO THE COLFAX MUNICIPAL CODE ADOPTING PROVISIONS AND PROCEDURES FOR ADMINISTRATIVE CITATIONS AND FINES**

---

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

##### **Section 1:**

Colfax Municipal Code is amended in accordance with the Ordinance attached hereto as Exhibit A which is incorporated herein by this reference.

##### **Section 2. Superseding Provisions**

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

##### **Section 3. Severability**

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

##### **Section 4. Effective Date**

This ordinance shall be in full force and effect thirty (30) days from and after its adoption.

##### **Section 5. California Environmental Quality Act Findings**

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

#### **FINDING OF NO PROJECT**

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



**FINDING OF EXEMPTION**

In the event that it is found that the said action constitutes a "Project" as defined by or used in CEQA or the CEQA Guidelines, which finding would be contrary to the City’s opinion of its action, the City of Colfax hereby finds that said action is exempt from compliance with CEQA and the CEQA Guidelines, for the following reasons: The action falls within the “common sense” CEQA exemption provided in 14 CCR 15061(b)(3) in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the action is not subject to CEQA. CEQA Guidelines, Section 15061(b)(3). It can be seen with certainty that adoption of this ordinance and its provisions cannot possibly have a significant effect on the environment.

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 22<sup>nd</sup> day of February, 2017, and passed at a regular meeting of the City Council held on the 8<sup>th</sup> day of March, 2017, at a duly held regular meeting of the City of Colfax, by the following vote:

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

\_\_\_\_\_  
Steve Harvey, Mayor

APPROVED AS TO FORM:

ATTEST:

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

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

# City of Colfax

## City Council

### Ordinance N<sup>o</sup> 532

#### **AN ORDINANCE OF THE CITY OF COLFAX ADDING CHAPTER 1.25 TO THE COLFAX MUNICIPAL CODE ADOPTING PROVISIONS AND PROCEDURES FOR ADMINISTRATIVE CITATIONS AND FINES**

---

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

##### **Section 1. Purpose and Authority.**

The purpose of this Ordinance is to adopt administrative fines as allowed by California Government Code Section 53069.4 and related provisions of California law. All changes to the Colfax Municipal Code adopted by this Ordinance, and all subsequent amendments, shall apply and be incorporated into all forms and documents to which they relate.

##### **Section 2. Adoption Of Provisions And Procedures For Administrative Citations, Fines And Penalties.**

Chapter 1.25 as hereafter provided, and all provisions thereof, are added to the Colfax Municipal Code as follows.

#### **Chapter 1.25 ADMINISTRATIVE CITATIONS**

##### Sections:

- 1.25.010 Applicability.
- 1.25.020 Enforcement officer—Defined.
- 1.25.030 Fines.
- 1.25.040 Notice of violation.
- 1.25.050 Service of notices.
- 1.25.060 Administrative citation.
- 1.25.070 Hearing request.
- 1.25.080 Advance deposit hardship waiver.
- 1.25.090 Dismissal of citation.
- 1.25.100 Hearing officer.
- 1.25.110 Waiver/failure to exhaust administrative remedies.
- 1.25.120 Hearing procedures.
- 1.25.130 Hearing officer's decision.
- 1.25.140 Late payment charges.
- 1.25.150 Recovery of administrative citation fines and costs.
- 1.25.160 Right to judicial review.

**1.25.010 Applicability.**

This Chapter provides for administrative citations, fines and penalties, as allowed by Government Code Section 53069.4, which are in addition to all other civil or criminal remedies which the City may pursue to address any violation of this Code. Use of this Chapter shall be at the sole discretion of the City, and shall not limit the discretion of the City to pursue any other remedies.

**1.25.020 Enforcement Officer—Defined.**

For the purposes of this Chapter, “enforcement officer” shall mean any City employee or agent of the City with the authority to enforce any provision of this Code and includes, without limitation, the City Manager or his/her designee, the City Attorney, the Community Services Director, the Chief Building Official and any other City officer or employee or agent authorized to serve as enforcement officer.

**1.25.030 Fines.**

A. Amount of Fine—General. Any responsible person shall be subject to an administrative fine in the amounts set forth below. Responsible person shall mean any of the following:

1. A person who causes a code violation to occur;
2. A person who maintains or allows a code violation to continue, by his or her action or failure to act;
3. A person whose agent, employee, or independent contractor causes a code violation by its action or failure to act;
4. A person who is the owner of, lessee or sublessee with a current right of possession of real property where a property related code violation occurs;
5. A person who is the on-site manager of a business who normally works daily at the site when the business is open and is responsible for the activities at such premises;
6. A person who is the beneficiary under a deed of trust for the property where a property related violation exists and that person has not corrected the violation within thirty days after being notified by the City in writing of the violation;
7. A person who has received a permit, license, or any type of land use approval (e.g., building permits, tentative maps, subdivision maps, conditional use permits, variances), who has failed to comply with all conditions imposed upon the permit, license or other approval.
8. A person who fails to timely comply with any nuisance abatement order issued by any City enforcement officer or City official.

For purposes of this subdivision, “person” means and includes a natural person, corporation, limited liability company, limited liability partnership or other legal entity, and the owners, corporate officers, trustees, and general partners of a legal entity. There shall be a rebuttable presumption that the record owner of a parcel as listed on the most recent equalized property tax assessment rolls and a lessee or sublessee of a parcel has notice of any code violation existing on the premises. For purposes of this Chapter, there may be more than one responsible person for a violation.

B. Amount of Fine: Specific Properties.

1. Single and Multi-Family Residences. For first-time violations of a Chapter or Section of this Code on single and multi-family residences, the administrative fine shall be five dollars per violation for each and every calendar day that the violation is not abated following the deadlines set forth in the notice of violation. For a second violation of a Chapter or Section of this Code on single and multi-family residences within one year of the first, the administrative fine shall be ten dollars per violation for each and every calendar day that the violation is not abated or recurs following the deadlines set forth in the notice of violation. For each additional violation of a Chapter or Section of this Code on single and multi-family residences within one year, the administrative fine shall be fifteen dollars per violation for each and every calendar day that the violation is not abated or recurs following the deadlines set forth in the notice of violation. The maximum amount of the administrative fine set forth above may be increased or decreased by resolution of the City Council. For purposes of this Section, “multi-family residences” includes residential structures described in Section 17.64.080 of this Code that contain four or fewer duly permitted residential units and excludes all other use type classifications described in Chapter 17.64 of this Code.
2. Commercial, Industrial and All Other Properties. For first-time violations of a Chapter or Section of this Code on commercial, industrial and all other properties that are not single or multi-family residences, the administrative fine shall be one-hundred dollars per violation for each and every calendar day that the violation is not abated following the deadlines set forth in the notice of violation. For a second violation of a Chapter or Section of this Code on commercial, industrial and all other properties that are not single or multi-family residences, the administrative fine shall be two-hundred dollars per violation for each and every calendar day that the violation is not abated or recurs following the deadlines set forth in the notice of violation. For each additional violation of a Chapter or Section of this Code on commercial, industrial and all other properties that are not single or multi-family residences within one year, the administrative fine shall be five-hundred dollars per violation for each and every calendar day that the violation is not abated or recurs following the deadlines set forth in the notice of violation. The maximum amount of the administrative fine set forth above may be increased or decreased by resolution of the City Council.

C. For violations of Chapters of this Code which are specifically declared to be misdemeanors, the administrative fine shall be not less than two hundred fifty dollars nor more than one thousand dollars for each and every calendar day that the violation is not abated or recurs following the deadlines set forth in the notice of violation.

D. For violations of this Code which by their nature cannot be remedied or abated, including, but not limited to, unlawful discharges to the sewage or storm drain system, an administrative citation pursuant to Section 1.25.060 may immediately be issued without the necessity of a notice of violation first being served.

E. Payment of a fine under this Chapter shall not excuse or discharge any continuation or repeated occurrence of the Code violation that is the subject of the administrative citation.

#### **1.25.040 Notice of Violation.**

A. Whenever an enforcement officer determines that a violation has occurred, the enforcement officer shall have the authority to issue a notice of violation to any person responsible for the violation. Service of the notice shall be made as set forth in Section 1.25.050.

B. Each notice of violation shall contain at least the following information:

1. The date of the violation;
2. The address or a reasonably accurate description of the location where the violation occurred or is occurring;
3. The section of this Code violated and a description of the violation;
4. An order prohibiting the continuation or repeated occurrence of the violation described in the administrative citation following a specified date. When the violation concerns building, plumbing, electrical or other similar structural or zoning issues that do not create an immediate danger to health or safety and/or threat to the environment, the order shall provide for at least thirty days to correct or otherwise remedy the violation prior to imposition of the fine;
5. Notice that if the violation is not abated by the expiration of the specified time, or recurs after the expiration of such time period, the owner will be subject to an administrative fine under this Chapter for each and every day following expiration of the deadline that violations recur or that violations are not corrected, and the amount of such daily fine;
6. The name and signature of the citing enforcement officer.

#### **1.25.050 Service of Notices.**

The notice of violation, administrative citation and any and all other notices required to be given by this Chapter shall be served either by personal delivery to the person to be notified or by deposit in the United States mail, in a sealed envelope postage prepaid for first-class delivery, addressed to such person at the person's last known business or residence address as it appears in the public records or other records pertaining to the matter to which such notice is directed. Service shall be deemed complete at the time notice is personally served or deposited in the mail. The address of owners shown on the most recent equalized assessment roll shall be conclusively deemed to be the proper mailing address for such notice. Failure of any person to receive notice shall not affect the validity of any proceedings taken hereunder.

#### **1.25.060 Administrative Citation.**

A. Upon expiration of any deadline(s) set forth in the notice of violation, the enforcement officer shall inspect the premises and determine if the violation(s) has been corrected. If the responsible person does not consent to such inspection, the enforcement officer shall apply to the Placer County Superior Court for issuance of an inspection warrant pursuant to California Code of Civil Procedure Part 3, Title 13, as amended or replaced from time-to-time. If upon inspection the enforcement officer determines that the violation(s) has not been corrected or has recurred, the enforcement officer shall serve upon the responsible parties an administrative citation imposing the fines set forth in this Chapter.

- B. The administrative citation shall contain:
1. The date(s) of re-inspection or the date of violation;
  2. The address or a reasonably accurate description of the location where the violation occurred;
  3. The section of this Code violated and a description of the violation;
  4. The amount of the fine, or the minimum and maximum amount of the fine for violations pursuant to Section 1.25.030C.
  5. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
  6. A description of the administrative citation review process, including the time within which the administrative citation may be contested, and the place from which to obtain a request for hearing and/or an advance deposit waiver request form;
  7. The date of the citation, and the name and signature of the citing enforcement officer.
- C. An administrative citation may be immediately issued, without prior service of a notice of violation, for violations which by their nature cannot be remedied or abated, including but not limited to unlawful discharges to the sewer or storm drain system.

#### **1.25.070 Hearing Request.**

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- A. Any recipient of an administrative citation may contest the existence a violation of this Code or that he, she or it is the responsible party by completing a request for hearing form and returning it to the enforcement officer within ten days from the date of service of the administrative citation, together with an advance deposit of the fine or a request for an advance deposit hardship waiver pursuant to Section 1.25.080 of this Chapter. Where the fine is imposed pursuant to Section 1.25.030(C) of this Chapter, only the minimum range of the fine is subject to the advance deposit requirement. If a request for hearing is not filed in a timely fashion, the maximum fine shall be imposed and recovered pursuant to the procedures set forth in Section 1.25.150 of this Code.
- B. The person requesting the hearing shall be notified of the time and place set for the hearing at least seven days prior to the date of the hearing.

#### **1.25.080 Advance Deposit Hardship Waiver.**

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- A. Any person who intends to request a hearing to contest the existence of a violation of the Code or that he or she is the responsible party, and who is financially unable to make the advance deposit of the fine, may file a request for an advance deposit hardship waiver.
- B. The request shall be filed with the enforcement officer on an advance deposit hardship waiver application form, available from the City, within ten days after service of the administrative citation.
- C. The requirement of depositing the full amount of the fine as described in Section 1.25.070 shall be stayed unless or until the enforcement officer makes a determination not to issue the advance deposit hardship waiver.

D. The enforcement officer may waive the requirement for advance deposit only if the cited party submits to the enforcement officer a declaration under penalty of perjury, supported by documentary evidence, that demonstrates to the enforcement officer's satisfaction that the person is financially unable to deposit the full amount of the fine in advance of the hearing.

E. If the enforcement officer determines not to issue an advance deposit hardship waiver, the cited party shall remit the advance deposit to the City within seven days after the date of that decision or fourteen days after the date of the administrative citation, whichever is later.

F. The enforcement officer shall list his/her reasons for granting or not granting an advance deposit hardship waiver in writing and serve it on the cited party. The enforcement officer's decision is final.

#### **1.25.090 Dismissal of Citation.**

At any time before the hearing, if the enforcement officer determines that there was no violation as charged in the administrative citation or that the citation should be dismissed in the interest of justice, the enforcement officer may dismiss the administrative citation, cancel the hearing, and refund any administrative citation fine paid or advance deposit made.

#### **1.25.100 Hearing Officer.**

The City manager shall designate the hearing officer for the administrative citation hearing. The employment, performance evaluation, compensation and benefits of the hearing officer shall not be directly or indirectly conditioned upon the amount of the administrative citation fines upheld by the hearing officer.

#### **1.25.110 Waiver/failure To Exhaust Administrative Remedies.**

No hearing to contest an administrative citation shall be held unless the fine has been deposited in advance, pursuant to Section 1.25.070, or an advance deposit hardship waiver has been issued pursuant to Section 1.25.080. Failure to pay the fine in advance or obtain the waiver within the time periods set forth in this Chapter shall constitute a waiver of the right to a hearing and a failure to exhaust administrative remedies. Failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of any fine already paid, and a failure to exhaust administrative remedies. Failure of any person the subject of a hearing officer's decision to timely appeal that decision to the City Council shall constitute a waiver of the right for further review and a failure to exhaust administrative remedies.

#### **1.25.120 Hearing Procedures.**

A. A hearing before the hearing officer shall be set for a date that is not less than fifteen days and not more than sixty days from the date that the request for hearing is filed in accordance with the provisions of this Chapter. All such hearings shall be open to the public.

B. At the hearing, the party contesting the administrative citation shall be given the opportunity to testify and to present evidence concerning the administrative citation. The hearing shall be conducted informally and the legal rules of evidence need not be followed.

C. The administrative citation and any additional report submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents. Any additional reports shall be served on the party who has requested the hearing in advance of the hearing. If such reports are not provided to such party until the hearing, the party shall be given a reasonable opportunity to review such documentation.

D. The hearing officer may continue the hearing and request additional information from the enforcement officer or the recipient of the administrative citation prior to issuing a written decision.

#### **1.25.130 Hearing Officer's Decision.**

A. After considering all of the testimony and evidence submitted at the hearing, the hearing officer shall, within seven calendar days after the matter is submitted, issue a written decision to uphold, cancel or reduce the administrative citation and shall list the reasons for that decision. The hearing officer may establish the amount of the fine based on the facts and circumstances of the violation, including, but not limited to, the length of time the violation existed; the culpability of the owner and willfulness of the violation; the frequency, recurrence and number of violations, related or unrelated, by the same violator; the good faith attempts of the violator to come into compliance; the economic impact of the penalty on the violator; the amount of City staff time which was expended in investigating or addressing the violation, and the amount of administrative fines which have been imposed in similar situations; the extent of the violation and its effect on the public, the environment or neighboring properties; the credibility of the appellant or any witnesses; and any other information relevant to a determination of the fine.

B. The recipient of the administrative citation shall be served with a copy of the hearing officer's written decision in accordance with Section 1.25.050. The decision shall contain a statement that the decision is final unless a timely appeal to the City Council is filed pursuant to Section 1.25.030C.

C. Any responsible person named in the hearing officer's decision may appeal that decision to the City Council by filing an appeal with the City Clerk within seven calendar days of the date of service of the hearing officer's decision. The appeal shall be in writing and shall contain a specific identification of the subject property; the names and addresses of all appellants; a statement of the appellant's legal interest in the subject property; a statement in ordinary and concise language of the grounds for the appeal together with all material facts in support thereof; the date and signatures of all appellants; and the verification under penalty of perjury of at least one appellant as to the truth of the matters stated in the appeal.

1. As soon as practicable after receiving the appeal, the City Clerk shall set a date for the City Council to hear the appeal, which date shall be not less than seven calendar days nor more than thirty calendar days from the date the appeal is filed. The City Clerk shall give each appellant written notice pursuant to Section 1.25.050 of the time and place of the hearing at least five days before the date of the hearing. Continuances of the hearing may be granted by the City Council on request of any appellant for good cause shown or on the City Council's own motion.



2. At the hearing, the appellant(s) shall be given the opportunity to testify and to present evidence concerning the hearing officer's decision. The hearing shall be conducted informally and the legal rules of evidence need not be followed. The administrative citation, hearing officer's decision and all contents of the City's file pertaining to the hearing officer's decision shall be received and considered by the City Council and shall constitute prima facie evidence of the facts contained in those documents. The appellant(s) shall bear the burden of proof.
3. After considering all testimony and evidence submitted at the appeal hearing, the City Council shall adopt a resolution to uphold, overturn or modify the hearing officer's decision. The decision of the City Council shall be final. The resolution shall contain a statement that the decision is final and that any appellant or other responsible party may seek judicial review of the City Council's decision pursuant to Government Code Section 53069.4.

#### **1.25.140 Late Payment Charges.**

Any person who fails to pay the City any fine imposed pursuant to the provisions of this Chapter shall be liable for the payment of late payment charges in the amount of fifteen percent of the fine, plus interest accrued at a rate of one and one-half percent per month until paid. Interest and late charges shall accrue commencing the twentieth day after service of the hearing officer's decision or order. If a hearing has not been requested, or an advance deposit waiver has not been granted, interest and late charges shall accrue commencing on the thirtieth day following issuance of the administrative citation.

#### **1.25.150 Recovery of Administrative Citation Fines and Costs.**

The City may collect any past due administrative citation fines and/or late payment charges by use of all available legal means.

- A. The amount of any unpaid final administrative fine, plus interest, plus any other costs as provided in the Chapter, may be declared a lien on such real property as follows:
  1. Notice shall be given to the owner or responsible person before recordation of the lien, and shall be served in accordance with Section 1.25.050 of this Chapter.
  2. If the owner or responsible person fails to file written objections to the lien with the City Clerk within 20 days after being served with notice, the City Clerk or other any City enforcement officer shall cause the lien to be recorded in the Office of the Clerk-Recorder of Placer County, California. Failure to file written objections within the time allowed shall constitute a waiver of the right to object to the recording or enforcement of the lien. The lien shall attach when the City records it with the county recorder's office. The lien shall specify the amount of the lien, the date(s) of the code violations, the date of any final hearing officer's decision or administrative citation, the street address, legal description, and assessor's parcel number of the parcel on which the lien is imposed, and the name and address of the record owner of the parcel. Once recorded, the lien shall have the force, effect and priority of a judgment lien governed by the provisions of California Code of Civil Procedure Section 697.340, as amended or replaced from time-to-time, and may be extended in the same manner that a California judgment lien may be extended.

3. Any written objections filed with the City Clerk shall be executed under penalty of perjury, shall identify the affected property, shall state all facts and grounds upon which the objections are made, and shall have attached every document supporting the objections. Upon receipt of objections by the City, the City Manager may either refer the objections to a hearing officer of his/her choice or, if the City Manager determines that the objections are without merit, he/she may summarily deny the objections and direct the City Clerk to cause the lien to be recorded.
4. Once the lien is recorded, in addition to all other legal or equitable remedies available to the City, the City may either cause the lien to be collected at the same time and in the same manner as City taxes are collected, or it may cause the lien to be foreclosed and the real property sold by the filing of a complaint, petition or other appropriate pleading for foreclosure in a court of competent jurisdiction. In the case of a complaint, petition or other pleading for foreclosure of the lien, there shall be no right to trial by jury.

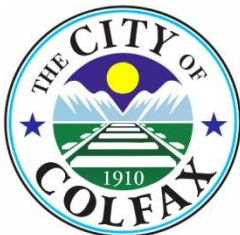
B. The City may withhold issuance of licenses, permits and other entitlements to a responsible party on any project, property, or application of any kind whenever an administrative penalty remains unpaid.

D. In the event a civil action is commenced to collect the administrative fine or penalty, to foreclose any lien or to otherwise enforce its rights or remedies under this Chapter, the City shall be entitled to recover all costs associated with the collection of the penalty. Costs include, without limitation, attorney's fees, court costs, staff time incurred in the collection of the penalty and those other costs set forth in Code of Civil Procedure § 1033.5.

E. The City may take such other actions as are allowed for enforcement of a civil judgment as provided for pursuant to the Enforcement of Judgment Law, California Code of Civil Procedure § 680.010 et seq.

**1.25.160 Right to Judicial Review.**

Any person aggrieved by a decision of the City Council on an administrative citation may obtain review of that decision by filing a petition for review with the superior court in Placer county in accordance with the time lines and subject to all provisions set forth in California Government Code Section 53069.4.



# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE MARCH 8, 2017 COUNCIL MEETING

**FROM:** John Schempf, City Manager  
**PREPARED By:** Wes Heathcock, Community Services Director  
**SUBJECT:** Guardrail Replacement and Repair Project

<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT: \$19,000	FROM FUND: CIP 250-000-7500
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**RECOMMENDED ACTION:** Adopt Resolution 07-2017 approving the contract with Midstate Barrier, Inc. to replace/repair guardrail on S. Canyon Way and S. Auburn Street in the amount not to exceed \$19,000.

**DISCUSSION AND SUMMARY:**

The City of Colfax has various surface street guardrails throughout the community designed to reduce injury to the people operating vehicles on public roadways. In the past 4-months, several of the guardrails were damaged by vehicles. Staff was able to identify one party responsible for the guardrail damage at 1255 South Auburn Street. The cost to repair the guardrail at 1255 South Auburn Street is \$1,500.00; the City will pursue obtaining reimbursement from the responsible party. Unfortunately, staff was not able to identify the person responsible for the second recent guardrail damaged at the intersection of South Auburn Street and Canyon Way Overcrossing. The City will incur the full cost of repair. Communication with the local Sheriff and California Highway Patrol is now in place to initiate notification from law enforcement for any reports that involve public property.

In addition, the guardrails located at Seims Avenue on S. Canyon Way, at Iowa Hill Road on S. Canyon, and at the Colfax Motel on S. Auburn have received extensive damage through the years. Combining the guardrail repairs and replacement provides an economy of scale savings over breaking the work into different projects. The attached project location map and cost estimate from Midstate Barrier provides additional clarity to the project request.

Staff solicited quotes from three guardrail companies to perform the aforementioned construction services. The cost breakdown based on the requested services is as follows:

Contractor	Cost	Comments
Midstate Barrier, Inc.*	\$11,200.00	City provided traffic control
Pisor Fence, Inc.	\$12,396.00	City provided traffic control
Fencecorp Inc.	\$17,412.00	City provided traffic control

\*The City pursued a second quote dated February 24, 2017 from the lowest proposal Midstate Barrier, Inc. to include an additional 90' of guardrail replacement, which increased the project request costs to the amount of \$17,800.00.

Based on the above costs, staff is recommending the City Council authorize the City Manager to enter into a contract with Midstate Barrier, Inc. in the amount not to exceed \$19,000, which includes a 7% contingency on the cost estimate based on the updated quote.

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

The cost of the Project is \$17,800 with a \$1,200 contingency request totaling \$19,000 from the capital expenditure line item 250-000-7500 (Structural Improvements). Total costs of this project will be reduced by \$1,500 when the City is reimbursed for the private party guardrail damage. The Guardrail Capital Improvement Project was identified during the Mid-year Budget Review at the February 22, 2017 City Council meeting.

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**ATTACHMENTS:**

1. Resolution 07-2017
2. Bid Proposals
3. Construction Contract
4. Project Location Map

# City of Colfax

## City Council

### Resolution № 07-2017

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MIDSTATE BARRIER, INC. TO REPLACE AND REPAIR GUARDRAILS ON SOUTH CANYON WAY AND SOUTH AUBURN STREET IN AN AMOUNT NOT TO EXCEED \$19,000

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**Whereas**, the City is in need of repair and replacement of damaged guardrails throughout the community; and,

**Whereas**, City staff solicited quotes from three construction vendors; and,

**Whereas**, Midstate Barrier, Inc. was the lowest responsive bidder; and,

**Whereas**, City staff is recommending approving the contract with Midstate Barrier, Inc. in an amount not to exceed \$19,000 for repair and replacement of guardrails on South Canyon Way and South Auburn Street.

**Now Therefore, Be It Resolved** the City Council of the City of Colfax authorizes the City Manager to enter into an agreement with Midstate Barrier, Inc. to replace and repair guardrails on S. Canyon Way and S. Auburn Street in an amount not to exceed \$19,000.

**The Foregoing Resolution was Duly and Regularly Adopted** this 8<sup>th</sup> day of March, 2017 by the City Council of the City of Colfax, by the following vote of the Council:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**Steve Harvey, Mayor**

**ATTEST:**

---

**Lorraine Cassidy, City Clerk**

**MBI****Midstate Barrier, Inc.**

3291 South Highway 99 Stockton, CA 95215  
P.O. Box 30550 Stockton, CA 95213-0550  
209-944-9565, Fax 209-944-9569  
License No. 529261

Quotation

#COCQ1701r1

**Date:** February 24, 2017  
**Company:** City of Colfax  
**Name:** Wes Heathcock  
**From:** Dan Nicholas, Estimator, Ext. 208 dnicholas@midstatebarrier.com  
**Total Pages:** 2, including this page.

**City of Colfax / Misc. Guardrail Repairs**

Enclosed please find MBI's guardrail quotation per your request. Thank you for the opportunity.

Please call X208 if you have any questions.



**Dan Nicholas, Estimator**

**Proposal**

MIDSTATE BARRIER, INC.

Job Code: COCQ1701r1

Description: CITY of COLFAX / MISC. GUARDRAIL REPAIRS #Q1701r1

Pay Item No.	Description Subtotal Description	Quantity	Unit of Measure	Unit Price	Total Price
1	S. AUBURN ST at CANYON WAY OVERCROSSING	1.00	LS	3,700.00	3,700.00
2	1255 S. AUBURN ST	1.00	LS	1,500.00	1,500.00
3	S. CANYON WAY at IOWA HILL RD	1.00	LS	3,000.00	3,000.00
4	S. CANYON WAY at SIEMS AVE	1.00	LS	3,000.00	3,000.00
5	S. AUBURN ST at COLFAX MOTEL	1.00	LS	6,600.00	6,600.00
				<b>GRAND TOTAL:</b>	<b>17,800.00</b>

**Proposal Certification**

Submitted By: MIDSTATE BARRIER, Inc.- CL-A- #529261, Exp 5.31.2018  
 DAN L. NICHOLAS DIR Reg #100000538  
 ESTIMATOR, x208  
 02.24 2017

Signed: \_\_\_\_\_



**SPECIAL CONDITIONS #COCQ1701R1**

1. Subcontractor requires unobstructed access to work areas for men and equipment.
2. City is to provide Traffic Control, two days of work. Work is to be standard weekday shift.
3. Does not include permits or permit fees and traffic control plan.
4. Excludes interference with OH utilities. Exclude power shutdown, if required.
5. City is to provide ten (10) working days written notice prior to MBI move-in.
6. Project bid for completion by 6/30/2017.
7. **Items #1-5, Guardrail Repairs at five locations. INCLUDES** remove, furnish and install new Caltrans standard MBGR per site meeting. One (1) move-in.

**MBI****Midstate Barrier, Inc.**

3291 South Highway 99 Stockton, CA 95215  
P.O. Box 30550 Stockton, CA 95213-0550  
209-944-9565, Fax 209-944-9569  
License No. 529261

**Quotation**

#COCQ1701

**Date:** February 3, 2017**Company:** City of Colfax**Name:** Wes Heathcock**From:** Dan Nicholas, Estimator, Ext. 208 dnicholas@midstatebarrier.com**Total Pages:** 2, including this page.**City of Colfax / Misc. Guardrail Repairs**

Enclosed please find MBI's guardrail quotation per your request. Thank you for the opportunity.

Please call X208 if you have any questions.



**Dan Nicholas, Estimator**



**Proposal**

MIDSTATE BARRIER, INC.

Job Code: COCQ1701

Description: CITY of COLFAX / MISC. GUARDRAIL REPAIRS #Q1701

Proposal					
Pay Item No.	Description Subtotal Description	Quantity	Unit of Measure	Unit Price	Total Price
1	S. AUBURN ST at CANYON WAY OVERCROSSING	1.00	LS	3,700.00	3,700.00
2	1255 S. AUBURN ST	1.00	LS	1,500.00	1,500.00
3	S. CANYON WAY at IOWA HILL RD	1.00	LS	3,000.00	3,000.00
4	S. CANYON WAY at SIEMS AVE	1.00	LS	3,000.00	3,000.00
5	TRAFFIC CONTROL(optional)	1.00	LS	2,900.00	2,900.00
<b>GRAND TOTAL:</b>					<b>14,100.00</b>

**Proposal Certification**

Submitted By: MIDSTATE BARRIER, Inc.- CL-A- #529261, Exp. 5.31.2018  
 DAN L. NICHOLAS DIR Reg. #1000000538  
 ESTIMATOR, x208  
 02.03.2017

Signed: \_\_\_\_\_

*D. L. Nicholas* 2-3-17

**SPECIAL CONDITIONS #COCQ1701**

1. Subcontractor requires unobstructed access to work areas for men and equipment.
2. Includes Traffic Control per Caltrans STD Plan T13. Work is to be standard weekday shift.
3. Does not include permits or permit fees and traffic control plan.
4. Excludes interference with OH utilities. Exclude power shutdown, if required.
5. City is to provide ten (10) working days written notice prior to MBI move-in.
6. Project bid for completion by 6/30/2017.
7. **Items #1-4, Guardrail Repairs at four locations. INCLUDES** remove, furnish and install new Caltrans standard MBGR per site meeting. One (1) move-in.

PAGE 1

PISOR FENCE DIVISION, INC. (PFDI)

BID SUBMISSION FORM

PO Box 7213

Citrus Heights, CA 95621

Lic. # 316128, State Cert. Small Business # 26577 - DIR # 100003166

ATTENTION : WES HEATHCOCK

DATE: 01/23/2017

RE: GUARD RAIL REPLACEMENTS, COLFAX.

WE ARE PLEASED TO SUBMIT OUR QUOTATION TO FURNISH AND INSTALL (F&I) FENCING PER SECTION A77 L OF THE SPECIFICATIONS, PLANS AND ADDENDA NONE NOTED FOR THE SUM OF: SEE BELOW

SCOPE:

- 1. F&I UP TO 37.5 LF OF NEW MGS (GUARDRAIL) WITH 1 EACH 3/4 WRAP AROUND. .... \$ 4,155.00
2. F&I UP TO 37.5 LF OF NEW MGS (GUARDRAIL) WITH 1 EACH 3/4 WRAP AROUND. .... \$ 4,155.00
3. REMOVE AND REPLACE PARTS OF 1 EACH FLEAT TERMINAL SYSTEM. .... \$ 3,100.00
4. REMOVE & REPLACE 1 EA. 3/4 WRAP AROUND. .... \$ 986.00
TOTAL BID : \$12,396.00

NOTE: PFDI TO SPREAD ALL SOIL AT THE FENCE LINE.

Standard Qualifications:

- (A) NO BOND EXPENSE. BID BOND HAS A ONE YEAR RENEWAL/DURATION. ADDITIONAL TIME BEYOND ONE YEAR ORIGINATION = ADDITIONAL COST
(B) NO CLEARING, GRUBBING, GRADING OF THE FENCE LINE. NO PATCHING OF THE AC. NO GROUNDING OF THE FENCE.
(C) TRAFFIC CONTROL WITH CONES ONLY. NO SIGNAGE. NO ELECTRICAL WORK. CONCRETE WASH-OUT PROVIDED BY GC.
(D) BASIC INS. COV. IN BID: GL. - 1M(2M AG), AUTO LIA. - 1M. EXCESS LIA. 2M & WRKMN'S COMP 1M-NO RAILROAD INSURANCE.
(E) ALL POST HOLE DIGGING OPERATIONS TO BE DONE WITH MOTORIZED EQUIPMENT, I.E. BOBCAT / DANDY DIGGER.
(G) CONTRACTOR TO PROVIDE CLEAR ACCESS ALL ALONG SIDE OF AND ADJACENT TO PROPOSED FENCE LINE FOR ACCESS WITH EQUIPMENT
(H) OTHER THAN NOTED ABOVE, THERE IS NO REMOVAL OF EXISTING FENCE, NO TREE FENCE.
(J) NO CONCRETE WORK, EXCEPT FENCE POST FOOTINGS. NO CONCRETE GATE TRACK PADS, RE-BAR OR RETAINING WALLS. NO SAW-CUTTING, NO CORE-DRILLING.
(K) ALL POSTS IN CONCRETE SLABS/WALLS/BRIDGES TO BE SET PRIOR TO POUR OR TO BE BLOCKED OUT BY GC.
(L) JOB FIGURED FOR 3 MOVE IN(S). ADDITIONAL MOVE IN(S) AT \$ 2,520.00 EACH.
REMOBES = A) JOB JOINTLY SCHEDULED FOR INSTALL, PFDI SHOWS UP, JOB NOT READY = REMOBE
B) CREW ON JOB, PULLED OFF BY GC OR OWNER AT NO FAULT OF PFDI = REMOBE
(M) ON SITE UNDERGROUND NOT COVERED BY USA TO BE LOCATED BY GC. OR OWNER.
(N) ENGINEERING CALCS, IF REQUIRED, ARE NOT INCLUDED.
(O) NO PERMITS, NO PERMIT FEES.
(Q) THIS PROPOSAL IS VALID FOR 30 DAYS AFTER THE ABOVE DATE. IN ADDITION, DUE TO A VOLATILE STEEL-MARKET, THE MATERIAL PRICE COMPONENT OF THIS PROPOSAL IS VALID FOR ONLY 30 DAYS AFTER THE ABOVE DATE AND THEREAFTER IS SUBJECT TO INCREASE AT ANY TIME (SAID INCREASE TO BE PASSED ON BY PFDI TO CONTRACTOR), INCLUDING AFTER ACCEPTANCE OF THE PROPOSAL AND/OR EXECUTION OF A CONTRACT. UPON EXPIRATION OF THE 30 DAY PERIOD, THE MATERIAL PRICE COMPONENT CAN BE LOCKED IN BY ISSUANCE OF WRITTEN DIRECTION AUTHORIZING PFDI TO PURCHASE THE MATERIAL REQUIRED FOR THE PROJECT AND RECEIPT OF ADVANCE PAYMENT FOR SAID PURCHASE.
(R) "BUY AMERICAN ACT" : YES
(S) PRIOR TO COMMENCEMENT OF CONSTRUCTION, A CONTRACT CONTAINING TERMS MUTUALLY AGREEABLE TO BOTH PARTIES SHALL BE PREPARED AND EXECUTED. \*\*THIS PROPOSAL LETTER SHALL BE ATTACHED TO AND BECOME A PART OF THE CONTRACT. IN THE EVENT OF ANY INCONSISTENCY BETWEEN SUCH CONTRACT AND THIS PROPOSAL, THE TERMS OF THIS PROPOSAL SHALL PREVAIL.

Sincerely,

Proposal is accepted

Joe Klein
Chief Estimator

X.....
(sign and date)

(O) 916.726.1173, (F) 916.726.1198 / jklein@pisorfence.net

Your signature above will serve as a letter of intent, however, no work will be performed until a contract has been executed



# Proposal

CA Lic # 886544, AZ Lic # 256234, NV Lic # 0073998,  
UT Lic # 7691490-5501, NM Lic # 364108, HI Lic # CT-31078

**ITEM 7B**  
**Contract # 13**

DIR#1000000850 EXP. 6/30/17

## Fencecorp Inc.

### Oceanside Office

2401 Industry st.  
Oceanside, CA 92054  
Ph. 760-754-8372  
Fax. 760-754-9810

### Riverside Corporate Office

111 N. Main Street  
Riverside, CA 92501  
Ph. 951-686-3170  
Fax. 951-788-7759

### Sacramento Office

6837 Power Inn Rd.  
Sacramento, CA 95828  
Ph. 916-388-0887  
Fax. 916-383-5769

<b>PROPOSAL SUBMITTED TO:</b> City of Colfax		<b>SPEC. SECTION</b> NA	<b>BID DATE</b> 2/7/2017	<b>BID TIME</b>
<b>STREET</b> ATTN: Wes Heathcock		<b>JOB NAME</b> Repair/Replace of MBGR		
<b>CITY STATE &amp; ZIP CODE</b> Colfax, Ca		<b>JOB LOCATION</b> Various locations		

We hereby submit an estimate to furnish Labor and Materials for:

Canyon Way OC- R & R 1 Fleat terminal system	\$5,335.00
S. Auburn St.- R & R 1 MBGR post and install new B terminal	\$4,791.00
NOTE: These two locations to be completed together.	
Siems Rd.- R & R 37.5 l/f of MBGR	\$3,643.00
Iowa Hill- R & R 37.5 l/f of MBGR	\$3,643.00
NOTE: These two locations to be completed together.	
Note: Traffic control to be provided by The City of Colfax.	

Contact info: 916-388-0887 office 559-994-6336 cell

Addenda Noted:NA

F & I per plans & specs.

Move-ins included:2

Add'l move ins: \$1000.00

Union Bondable

This quote to become part of any subsequent contract.

EXCLUSIONS: Bond premiums, demo., grading, grub & clear, staking, surveys, permits, struct. calcs., signs, traffic control, embeds, post pockets in walls or barriers, A/C or concrete patching, electrical Or fence grounding, backfilling post holes, Temp. Fence maint., locating new or non USA member utilities, potholing, mow strips, Knox boxes or switches, import /export of dirt or spoils, railroad insurance, core drilling, dust control.

We Propose hereby to furnish Materials and Labor - complete in accordance with above specs for the sum of:

\$ 17,412.00

### Payments to be made as follows:

### Notice

All materials are guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specification involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our worker are fully covered by workman's Compensation Insurance. All property markers must be visible at the start of construction or otherwise we do not assume any responsibility whatsoever for any fences in their wrong location

"Under the Mechanics' Lien law (California Code of Civil Procedure, Section 1181 et seq. Any contractor, subcontractor, laborer, supplier, or other person who helps to improve your property but is not paid for his work or supplies. Has a right to enforce a claim against your property. This means that, after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your own contractor in full, if the subcontractor, laborer or supplier remains unpaid."

### ACCEPTANCE OF PROPOSAL:

AUTHORIZED SIGNATURE: 

SIGNATURE \_\_\_\_\_

MIKE YOUNG

DATE \_\_\_\_\_

NOTE: This proposal shall be deemed withdrawn by us if not accepted within 30 days

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If to Contractor:

**Section 23. Execution.**

This Agreement may be executed in original counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties when at least one original counterpart is signed by both parties hereto. In proving this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

**Section 24. Successors.** This Agreement shall be binding on and inure to the benefit of the respective parties hereto except to the extent of any contrary provision in this Agreement.

**Section 25. Attorney's Fees.** If any party to this Agreement commences legal proceedings to enforce any of its terms or to recover damages for its breach, the prevailing party shall be entitled to recover its reasonable attorney's fees, costs and the expenses of expert witnesses, including any such fees costs and expenses incurred on appeal.

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

CITY


Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

CONTRACTOR

Signature 

Printed Name Clark D. Ebinger

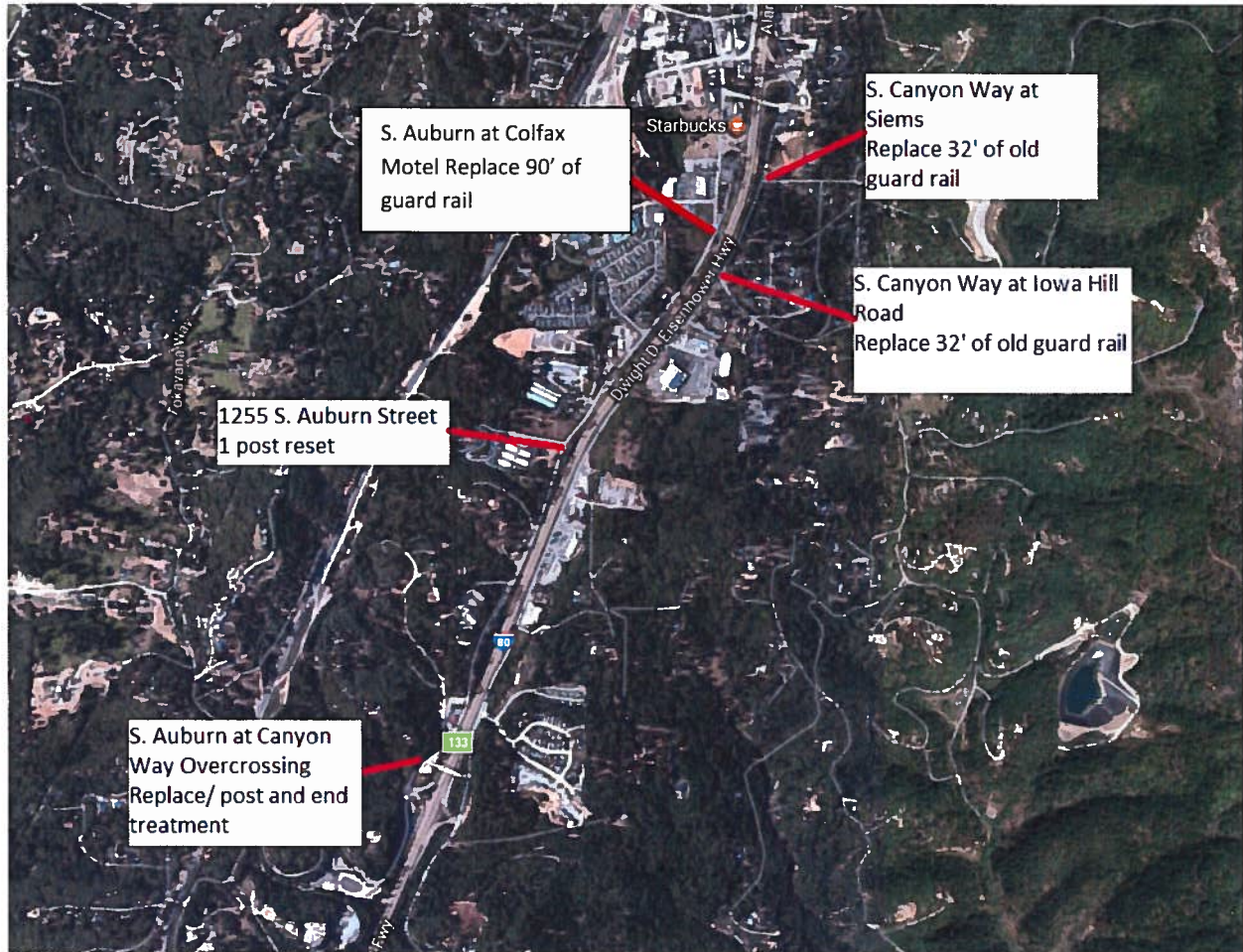
Title President

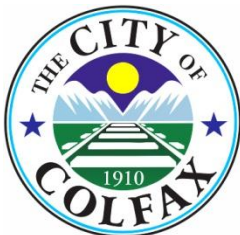
Date 3/1/2017

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

City of Colfax 95713





# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE MARCH 8, 2017 COUNCIL MEETING

**FROM:** John Schempf, City Manager  
**PREPARED BY:** Staff  
**DATE:** March 1, 2017  
**SUBJECT:** California Fruit Growers Association Cold Storage Building Demolition

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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**RECOMMENDED ACTION:** Discuss and direct staff as appropriate.

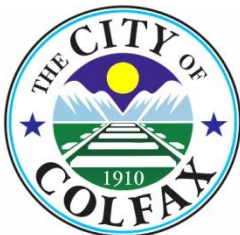
**BACKGROUND AND ANALYSIS:**

The California Fruit Growers Association (CFGAs) Cold Storage Building is located on Union Pacific (UP) property and accessed via Railroad Ave. The building has been vacant for some time and was boarded up during the summer of 2016 for safety reasons. The recent heavy storms caused the roof on a portion of the building to collapse. The City of Colfax Building Official inspected the damage and determined this is an eminent safety risk to the public. At his direction, the building and the area surrounding it, including a portion of Railroad Ave, has been cordoned off while Union Pacific works through the process of having the building demolished. Although the land belongs to Union Pacific, the building is owned by a third party. Union Pacific sent the owner of the building a 30 day notice to remove the building. After the 30 day window, UP will perform a National Environmental Policy Act review of the structure to determine if hazardous materials will need to be mitigated. This process has been Fast Tracked by UP management. Their goal is to demolish the structure no later than December 2017.

Citizens and council members have voiced concern about the length of time Railroad Ave may be closed and the building left in disrepair. Citizens have made various suggestions about how the land could be used if it is vacated. Some have suggested a railroad museum or a skatepark. Others have mentioned creating a master plan to utilize the general area and incorporate UP's land.

Staff recommends fostering the amicable relationship which has developed with Union Pacific recently. If the momentum to resolve this issue is impacted or the timeline is extended, staff will notify Council immediately. Staff is requesting direction from Council.





# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE MARCH 8, 2017 COUNCIL MEETING

**FROM:** John Schempf, City Manager  
**PREPARED BY:** Staff  
**DATE:** February 15, 2017  
**SUBJECT:** Ordinance 533 Authorizing Implementation of a Community Choice Aggregation Program

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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**RECOMMENDED ACTION:** : Introduce Ordinance 533, an Ordinance of the City of Colfax authorizing the implementation of a Community Choice Aggregation Program, by title only, waive the first reading and schedule waiver of the second reading and adoption for the March 22, 2017 Regular Meeting.

**BACKGROUND AND ANALYSIS:**

On February 22, 2017, the City Council approved an amendment of the Sierra Valley Energy Authority Joint Exercise of Powers (JPA) Agreement (the “Agreement”) to authorize the implementation of a Community Choice Aggregate program within the unincorporated area of Placer County and within the areas of the cities of Rocklin, Lincoln, Auburn, Colfax and the Town of Loomis, subject to each city taking action to become a Voting Member of the Authority. Likewise, on February 21, 2017 the Placer County Board of Supervisors approved the amendment to the agreement.

The Public Utilities Code Section 366.2 requires an Ordinance to create the Community Choice Aggregate before the Authority is authorized to conduct and transact business on its own behalf and add the other eligible cities as Voting Members of the Authority.

The proposed Ordinance is the next step in implementing the program.

**ATTACHMENTS:**

1. Ordinance 533

# City of Colfax

## City Council

### Ordinance No 533

#### **AN ORDINANCE OF THE CITY OF COLFAX AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM**

The City Council of the City of Colfax, State of California, does hereby ordain as follows:

**SECTION 1. FINDINGS.** The City Council of the City of Colfax (the “City”) has investigated options to provide electric services to ratepayers within the incorporated area of the City, with the intent of achieving: greater local control and involvement over the provision of electric services, competitive electric rates, the development of local, clean, and renewable energy projects, reduced greenhouse gas emissions, and the wider implementation of energy conservation and efficiency projects and programs; and hereby finds and declares as follows:

**WHEREAS,** the City has evaluated the financial feasibility, assessed risk, and provided due diligence for a community choice aggregation (“CCA”) program in the City under the provisions of the Public Utilities Code section 366.2. The financial feasibility, assessed risk, and due diligence indicates that implementing a community choice aggregation program would provide multiple benefits including:

- Providing ratepayer choice of electrical service providers; and
- Increasing local control and involvement in and collaboration on electric rates and other energy-related matters; and
- Providing more stable and competitive long-term electric rates; and
- Optimizing local energy resources for local use; and
- Increasing local renewable generation capacity; and
- Increasing and optimizing energy efficiency and conservation projects and programs which include the mPOWER program and becoming a Program Administrator for the local public goods charged and collected in Placer County; and
- Increasing local energy independence; and
- Increasing local economic benefit derived from the optimization of local energy resources, energy conservation and efficiency projects, and local investment; and
- Reducing greenhouse gas emissions from electricity consumption in the City; and

**WHEREAS,** the City has entered into an Amended and Restated Joint Powers Agreement for the Sierra Valley Energy Authority (the “Authority”) which has the power to create a Community Choice Aggregation (“CCA”) program. Under the Joint Powers Agreement, cities and towns within Placer County, and the County may participate in the CCA program by adopting an ordinance required by Public Utilities Code section 366.2; and

**WHEREAS,** the Authority will enter into Agreements with electric power suppliers and other service providers, and based upon those Agreements, the Authority will be able to provide power to residents and business at rates that are competitive. Upon approval by the California Public Utilities Commission of the implementation plan created by the Authority, the Authority will provide service to ratepayers within the unincorporated area of Placer County, the incorporated area of the City, and within the jurisdiction of the other cities who have chosen to participate in the CCA program; and

**WHEREAS**, under Pubic Utilities Code section 366.2, ratepayers have the right to opt-out of a CCA program and to continue to receive service from the incumbent utility. Ratepayers who wish to continue to receive service from the incumbent utility will be able to do so; and

**WHEREAS**, on March 8, 2017 the City Council held a public meeting at which time interested persons had an opportunity to comment on implementation of a CCA program in the incorporated area of the City, and

**WHEREAS**, this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, as it is not a “project”, as it has no potential to result in a direct or reasonable foreseeable indirect physical change to the environment. (14 Cal. Code Regs. § 15378(a)). Further, the ordinance is exempt from CEQA, as there is no possibility that the ordinance or its implementation would have a significant effect on the environment. (14 CAL. Code Regs. § 15061 (b)(3)). The City Clerk shall cause a Notice of Exemption to be filed as authorized by CEQA and the CEQA guidelines.

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

**SECTION 1.** The above recitations are true and correct and material to this Ordinance.

**SECTION 2. Authorization to Implement a Community Choice Aggregation Program.**

Based upon the forgoing, and in order to provide business and residents within the incorporated area of the City with a choice of power providers and with the benefits described above, the Colfax City Council shall implement a community choice aggregation program within the jurisdiction of the incorporated area of the City of Colfax by participating as a group with other cities and towns as generally described above in a Community Choice Aggregation Joint Powers Agreement.

**SECTION 3.**This Ordinance shall be in full force and effective 30 days after its adoption, and shall be published and posted as required by law.

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 8<sup>th</sup> day of March, 2017, and passed at a regular meeting of the City Council held on the 22<sup>nd</sup> day of March, 2017, at a duly held regular meeting of the City of Colfax, by the following vote:

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

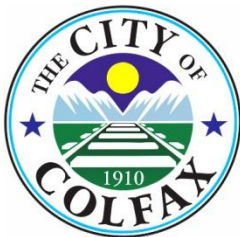
\_\_\_\_\_  
Steve Harvey, Mayor

APPROVED AS TO FORM:

ATTEST:

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

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



# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE FEBRUARY 08, 2017 COUNCIL MEETING

**FROM:** John Schempf, City Manager  
**PREPARED BY:** Lorraine Cassidy, City Clerk  
**DATE:** March 3, 2017  
**SUBJECT:** Council Assignment Update

<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	FUNDED	<input type="checkbox"/>	UN-FUNDED	AMOUNT:	FROM FUND:
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**RECOMMENDED ACTION:** Assign Council members to serve on additional boards and committees.

### BACKGROUND AND ANALYSIS:

On February 22, 2017, the City Council approved the Council Assignment list. It has come to staff's attention that a few other assignments should be included in the list:

An Alternate to the Sierra Valley Energy Authority JPA,  
 Second member for the Bianchini Board,  
 New alternate for SACOG.

### ATTACHMENTS:

1. Assignment List

# 2017 Committee Assignment List

Committee	Colfax Representative	Meeting Information	Reimbursement/ Stipend
<b>Placer County Economic Development Board (PCEDB)</b> Various Meeting Locations	Kim Douglass Alt: Tony Hesch	3 <sup>rd</sup> Thursday 4X/year	Submit to City/ No Stipend
<b>Weimar, Applegate, Colfax/Municipal Advisory Council (WAC/MAC)</b> City of Colfax, Council Chambers	Will Stockwin Alt: Tony Hesch	6:00 pm 3 <sup>rd</sup> Wednesday	Submit to City No Stipend
<b>Sierra Economic Development Corporation (SEDCorp)</b> 560 Wall Street, Suite F, Auburn	Kim Douglass Alt: Marnie Mendoza	1:00 pm 1 <sup>st</sup> Wednesday	Submit to City No Stipend
<b>Sacramento Area Council of Governments (SACOG)</b> 1415 L. St. Sacramento	Kim Douglass Alt: Will Stockwin	9:30 am 3 <sup>rd</sup> Thursday	Submit to SACOG \$100 Stipend
<b>Placer County Air Pollution Control District (PCAPCD)</b> BOS Chambers 175 Fulweiler Ave. Auburn	Tony Hesch Alt: Steve Harvey	2:30 pm 2 <sup>nd</sup> Thursday 6X/year	Submit to PCAPCD \$100 Stipend
<b>Placer Mosquito &amp; Vector Control District (PMVCD)</b> 2021 Opportunity Dr. Roseville	Will Stockwin No Alternate	4:30 pm 3 <sup>rd</sup> Monday	Submit to City \$100 Stipend
<b>Project Go</b> 801 Vernon St, Roseville	Kim Douglass Alt: Tony Hesch	5:30 pm 3 <sup>rd</sup> Thursday	Submit to Project Go No Stipend
<b>Placer County Transportation Planning Agency (PCTPA)</b> BOS Chambers 175 Fulweiler Ave. Auburn	Tony Hesch Alt: Steve Harvey	9:00 am 4 <sup>th</sup> Wednesday	Submit to PCTPA \$100 Stipend
<b>Local Agency Formation Commission (LAFCO)</b> BOS Chambers 175 Fulweiler Ave. Auburn	Colfax is rotated out	4:00 pm 2 <sup>nd</sup> Wednesday	Submit to City \$100 Stipend
<b>Solid Waste Task Force</b> Auburn Veterans Hall 100 East St Auburn	Wes Heathcock	9:00am 1 <sup>st</sup> Thursday 4x/yr	Submit to City No Stipend
<b>Placer Sierra Fire Safe Council</b> City of Colfax Council Chambers	Will Stockwin Alt. Marnie Mendoza	6:00 pm 4 <sup>th</sup> Thursday	Submit to City No Stipend
<b>Placer County Selection Committee</b>	Mayor	Yearly	Submit to City No Stipend
<b>League of California Cities Sacramento Valley Division Liaison</b>	Marnie Mendoza Alt: Steve Harvey	4X/year	Submit to City No Stipend
<b>Bianchini Advisory Board</b>	Tony Hesch		No Stipend
<b>Sierra Vista Community Center Liaison</b>	Kim Douglass		No Stipend
<b>Colfax Schools Liaison</b>	Kim Douglass		No Stipend
<b>Sierra Valley Energy Authority</b>	Kim Douglas Alt:		No Stipend

# 2017 Committee Assignment List

Council Committees	
<b>Grants Oversight</b> (approves change orders over \$5,000)	Steve Harvey Kim Douglass
<b>Land Use</b>	Steve Harvey Tony Hesch
<b>Risk Assessment</b>	Steve Harvey Marnie Mendoza
<b>General Plan/Circulation Element Update</b>	Steve Harvey Tony Hesch
<b>Landfill Discussion Representative</b>	Kim Douglass
<b>Animal Control Alternatives</b>	Kim Douglass Will Stockwin
<b>Employee Handbook</b>	Will Stockwin Kim Douglass
<b>NID</b>	Steve Harvey Tony Hesch
<b>CDBG</b>	Steve Harvey Tony Hesch