



# City Council Meeting

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA

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

## REGULAR MEETING AGENDA

April 24, 2019

Regular Session: 7:00PM

### 1 **CLOSED SESSION** (NO CLOSED SESSION ITEMS)

### 2 **OPEN SESSION**

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

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

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

### 3 **PRESENTATION**

#### 3A. **Mosquito and Vector Control Awareness Week April 21-27, 2019**

Joel Buettner, General Manager of Placer County Mosquito and Vector Control District

**Recommendation:** Receive presentation and adopt Resolution 10-2019 recognizing West Nile Virus and Mosquito and Vector Control Awareness Week 2019.

### 4 **PUBLIC HEARING**

<b>NOTICE TO THE PUBLIC:</b> City Council will take the following actions when considering a matter scheduled for hearing:	
Open the public hearing	Presentation by staff
Statement from applicant (if applicable)	Council comments and questions
Accept public testimony	Council comments and questions
Close public hearing. (No public comment is taken after the hearing is closed)	City Council action
Public hearings that are continued will be announced. The continued public hearing will be listed on a subsequent Council Meeting Agenda and posting of that agenda will serve as notice.	

#### 4A. **Public Hearing for Colfax Net Variance to allow a reduced setback to permit installation of a 60-80-foot-high telecommunication tower with antennas**

**Staff Presentation:** Amy Feagans, Planning Director

**Recommendation:** Conduct a Public Hearing and decide whether to grant, grant with modifications, or deny the requested variance.

### 5 **CONSENT CALENDAR**

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

**Recommended Action:** Approve Consent Calendar

#### 5A. **Minutes – Regular Meeting of April 10, 2019**

**Recommendation:** Approve the Minutes of the Regular Meeting of April 10, 2019.



5B. **Project List for Road Repair – SB-1 Funding**

**Recommendation:** Adopt Resolution 11-2019 adopting a list of potential projects to be funded in full or in part by the SB-1 Fiscal Year 2019-2020 funding allocation: The Road Repair and Accountability Act ensuring eligibility for State of California Road Maintenance and Rehabilitation Account (RMRA) revenues.

5C. **Cash Summary Report – March 2019**

**Recommendation:** Accept and file.

**6 PUBLIC COMMENT**

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

**7 COUNCIL STAFF AND OTHER REPORTS**

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

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

7B. **City Operations Update – City Manager**

7C. **Agency Partner Reports**

**8 COUNCIL BUSINESS**

8A. **South Auburn Hotel Mitigation and Impact Fee Reimbursement Agreement**

**Staff presentation:** Wes Heathcock, City Manager

**Recommendation:** Discuss and consider adopting Resolution 12-2019 approving the reimbursement agreement for Mitigation and Impact Fees for development of the South Auburn Hotel to allow split payments of the fees, and the fee schedule shall not be increased before June 27, 2021.

8B. **Temporary Interfund Loan to finalize purchase a portion of “Lot of Arts” from Scott Miles as approved by Council as approved by Council on April 11, 2018**

**Staff Presentation:** Wes Heathcock, City Manager

**Recommendation:** Discuss and consider adopting Resolution 13-2019 authorizing an interfund loan from Fund 100 to Fund 213 in the amount of \$30,000 to complete the purchase of the Lot of Arts from Scott Miles.

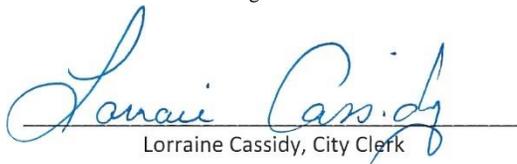
**9 GOOD OF THE ORDER**

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

**10 ADJOURNMENT**

---

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



Colfax City Council Meetings are ADA compliant. If you need special assistance to participate in this meeting, please contact the City Clerk at (530) 346-2313 at least 72 hours prior to make arrangements for ensuring your accessibility.

**April 24, 2019**

Page 2 of 2



# Staff Report to City Council

## FOR THE APRIL 24, 2019 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Lorraine Cassidy, City Clerk  
**Subject:** Mosquito and Vector Control Awareness Week April 21-27, 2019  
*Budget Impact Overview:*

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

**RECOMMENDED ACTION:** Receive presentation and adopt Resolution 10-2019 recognizing West Nile Virus and Mosquito and Vector Control Awareness Week 2019.

### Summary/Background

The City of Colfax has potential mosquito breeding habitat which could lead to mosquito caused health issues. In 2018, West Nile virus resulted in 10 human deaths in California and over 215 individuals in 31 counties tested positive for West Nile. The California Department of Public Health and the federal Centers for Disease Control and Prevention predict West Nile virus will again pose a public health threat in California in 2019.

Adequately funded mosquito and vector control, disease surveillance, and public awareness programs, coupled with best management practices emphasizing nonchemical approaches, are the best ways to manage mosquito and vector populations and prevent outbreaks of West Nile virus and other diseases borne by mosquitoes and other vectors. As a means of increasing public awareness, the Placer Mosquito and Vector Control District has supported the Mosquito and Vector Control Association of California by designating the week of April 21 to April 29, 2019 as West Nile Virus and Mosquito and Vector Control Awareness Week. In addition to increasing public awareness to the threat of diseases, West Nile Virus and Mosquito and Vector Control Awareness Week will encourage the public to take action in preventing mosquito and vector-transmitted diseases, and will highlight the activities of various mosquito and vector research and control agencies working to reduce the health threat within California. Staff recommends that the City Council join the Placer County Mosquito and Vector Control District in declaring April 21-27, 2019 as West Nile Virus and Mosquito and Vector Control Awareness Week.

### Attachments

1. Resolution 10-2019
2. Presentation Slides

# City of Colfax

## City Council

### Resolution № 10-2019

---

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX RECOGNIZING WEST NILE VIRUS AND MOSQUITO AND VECTOR CONTROL AWARENESS WEEK 2019

---

**WHEREAS**, the Mosquito and Vector Control Association of California has designated the week of April 21 to April 27, 2019 as West Nile virus and Mosquito and Vector Control Awareness Week; and,

**WHEREAS**, West Nile virus is a mosquito-borne disease that can result in debilitating cases of meningitis and encephalitis and death to humans, horses, avian species, and other wildlife; and,

**WHEREAS**, mosquitoes and other vectors, including, but not limited to, ticks, rats, fleas, and flies, continue to be a source of human suffering, illness, and death, and a public nuisance in California and around the world; and,

**WHEREAS**, in 2018, West Nile virus resulted in 10 human deaths in California, and 215 individual cases in 31 counties; and,

**WHEREAS**, in 2018, West Nile virus surveillance resulted in 230 West Nile virus-positive mosquito samples, 44 West Nile virus-positive dead birds, 4 sentinel chicken seroconversions, and 9 human cases, including 2 deaths in Placer County; and,

**WHEREAS**, adequately funded mosquito and vector control, disease surveillance, and public awareness programs, coupled with best management practices emphasizing nonchemical approaches, are the best ways to manage mosquito and vector populations and prevent outbreaks of West Nile virus and other diseases borne by mosquitoes and other vectors; and,

**WHEREAS**, the Placer Mosquito and Vector Control District, along mosquito and vector control agencies throughout the State of California, works closely with local public and environmental health officials, the United States Environmental Protection Agency and the State Department of Public Health to reduce pesticide risks to humans, animals, and the environment while protecting human health from mosquito vectors; and,

**WHEREAS**, West Nile Virus and Mosquito and Vector Control Awareness Week will increase the public's awareness of the threat of diseases and encourage the public to take action in preventing mosquito and vector-transmitted diseases, and will highlight the activities of various mosquito and vector research and control agencies working to reduce the health threat within California; and,

**WHEREAS**, The Mosquito and Vector Control Association of California has designated the week of April 21 to April 27, 2019, inclusive, as West Nile Virus and Mosquito and Vector Control Awareness Week in the State of California.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Colfax hereby recognizes April 21 to April 27, 2019 as West Nile virus and Mosquito and Vector Control Awareness Week

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

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

Joe Fatula, Mayor

ATTEST:

---

Lorraine Cassidy, City Clerk




## Placer Mosquito & Vector Control District



## District Mission

*“To effectively and efficiently manage the risks from vectors and vector-borne disease in order to protect public health and quality of life in Placer County”*




## Integrated Vector Management

*IVM is a science-based decision-making process focused on protecting public health*

IVM is achieved through:

- Management of vector populations
- Interrupting the transmission of vector-borne pathogens
- Use of environmentally-sound methods




## California West Nile virus Activity

	2018
Human Cases	218
Dead Birds	501
Mosquito Samples	1963
Sentinel Chickens	163



## West Nile Virus Activity in California Counties 2018 YTD



Human Cases: 218  
 Deceased: 11  
 Dead Birds: 501  
 Mosquito samples: 1963  
 Sentinel chickens: 163

Updated 04/03/19  
 N = 31 counties with human cases



## Placer County West Nile Virus Activity

	2017	2018
Human Cases	0	9
Dead Birds	4	44
Mosquito Samples	59	230
Sentinel Chickens	5	4



## 5-Year West Nile virus activity




## Challenges for 2019

- Potential for invasive mosquito species
- Return to pre-drought water use (and misuse) behaviors



### Invasive Mosquitoes



***Aedes albopictus (Asian tiger mosquito)*** detected in 2011 in Los Angeles county



### Invasive Mosquitoes



***Aedes aegypti (yellow fever mosquito)*** detected in Fresno, Madera, and San Mateo counties in 2013. Imperial County in 2014.



### Invasive Mosquitoes

Why are they important?

- *Aedes aegypti* has the ability to transmit Zika virus, dengue virus, chikungunya and yellow fever.
- *Aedes albopictus* has the ability to transmit dengue and chikungunya viruses but also: West Nile, Eastern equine encephalitis, Japanese encephalitis dog heartworm parasites.
- They are hard to eradicate.



### Innovations for 2019

- Invasive Mosquito Pre-detection Surveillance
- Statewide data project – Visual Gateway
- Expansion of the MAC-UAS program



### How Can You Protect Public Health?

- Identify and report potential mosquito sources
- Report dead birds (877) 968-2473
- Collaborate with the District to address mosquito sources
- Alert residents and provide accurate and up-to-date mosquito control information by being partners in District outreach efforts and social media



**Placer Mosquito & Vector Control District**

1-888-768-2343  
(1-888-PMVCD-HELP)

[www.placermosquito.org](http://www.placermosquito.org)



# Staff Report to City Council

## FOR THE APRIL 24, 2019 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Amy Feagans, Planning Director  
**Subject:** Public Hearing for Colfax Net Variance to allow a reduced setback to permit installation of a 60-80-foot-high telecommunication tower with antennas

*Budget Impact Overview:*

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

**RECOMMENDED ACTION:** Conduct a Public Hearing and decide whether to grant, grant with modifications, or deny the requested variance.

**Project Notice:** This public hearing has been noticed in accordance with the requirements of California Government Code Title 7, Division 1 “Planning and Land Use”, Section 65000 et seq., as amended.

**Project Notice:**

**Project Title:** Colfax Net Setback Variance  
**Applicant/Owner:** Corey Juchau/Robert Amick  
**Location:** Sierra Sky Court  
**Land Use (existing):** Vacant, undeveloped (Wireless Communication antennas in trees)

**Surrounding Uses**

**North:** Large Lot Single family residence  
**South:** Large Lot Single family residence  
**East:** Large lot Single family residence  
**West:** Large lot Single family residence

**Assessor’s Parcel Number:** 100-100-030  
**Zoning District:** R-1-10, Single family residential  
**General Plan Designation:** Low density Residential

**Project Description/Request**

The applicant, Corey Juchau owner of Colfax Net, has applied for a variance from section 17.132.030-A9 of the zoning ordinance to construct a maximum 80-foot high telecommunications tower within 10 feet of the property line instead of the 160-foot setback the zoning code requires for an 80-foot tower. If the variance is approved, a new tower will replace a dead tree that is currently housing the Colfax Net antennas to provide internet service to Colfax Net customers.

The site is located on Sierra Sky Court, near the top of the ridge on Beacon Hill. The applicant has a recorded easement that allows him use of an approximately 50' by 50' section in the northwest corner of an 8.5-acre parcel adjacent to two residential parcels. A map showing the general location of the dead tree and the proposed location of the tower is attached as Attachment 2.

The easement language is very specific and was granted for “the purpose of locating, constructing, operating and maintaining communication facilities owned or operated by the grantee.” (See attachment 3). The applicant does not have the right to construct a tower outside the easement area. Because the easement is located near the corner of the parcel, the applicant is seeking approval of a variance to allow for a substandard setback from property lines so the tower can be constructed within the easement boundaries.

### **Project Analysis**

The Colfax Zoning Code allows telecommunication facilities in all zones but outlines certain requirements such as setback and height limitations. Chapter 17.132 of the Colfax Municipal Code addresses Antennas and Communication Facilities; specifically, Section 17.132.030 A-9 states:

“Telecommunication facilities located on a lot adjacent to a residential zone district shall be set back from the residential zone by a distance not less than two feet for each one foot of total height. The required setback shall be measured at its widest potential position.”

The existing antennas are located in a dead tree that is approximately 60 feet tall. There is no artificial tower within the easement area. The applicant proposes to construct a tower that will accommodate future growth of surrounding trees and therefore is requesting a maximum tower height of 80 feet. Because the location of the easement is in the upper (northern) corner of the 8.5-acre parcel, and because the easement is relatively small (approximately 50' x 50'), the applicant is limited to where the tower can be placed on the parcel. Therefore, he is seeking a variance that will allow him to install the tower and a 36 square foot weatherproof equipment box approximately 150 feet closer to the property line than the zoning ordinance allows so it can remain within the easement area.

### **Neighborhood Conditions and Proposed Tower**

Beacon Hill is a very low-density residential area. Although the minimum lot size is 10,000 square feet, most parcels are well over three acres and developed with low-density single-family homes, or remain undeveloped. Sierra Sky Court is a private road and provides access to the houses on Beacon Hill. The terrain is sloped with vegetation of pine trees, native oaks and scrub brush such as manzanita. In addition to the dead tree in which the Colfax Net antennas are located on parcel 100-100-030, there are a number of other larger OES-type antenna towers in the area. (Refer to attachment 4).

As proposed, the new tower will be a three-sided lattice structure. At the base, it will be approximately 10' x 10' x 10', and will narrow down to 6' to 8' across at the top.(Attachment 5) When asked, the applicant was unable to provide exactly how many antennas will be located on the tower stating “*The engineering calculations will determine that and so will available room on the tower due to the heavy tree coverage in the area. We currently have about 20 antennas at the site. Most of these will initially be relocated to the tower, some will be retired. With technology changes this number goes up and goes down. During transition periods, we may have duplicated antennas that will ultimately be removed. The tower is not that large so we're not sure of what the maximum may be. We can assure you that we will position them all so that they are the least visible as possible.*” The antennas vary in size, based on

information provided by the applicant, the dish antennas range from 17” to 24” in diameter and a sector antenna will be approximately 28” x 5”.

The applicant believes that given the existing tree coverage in the vicinity, the new tower will be relatively obscured when viewed from the road as well as from the nearby houses and has provided exhibits indicating such. The closest residence is over 400 feet from the tower site. (please refer to Attachment 2).

### Project History and Customer Support

Colfax Net has been providing internet access to Colfax area (and beyond) residents and businesses since 2002. The operation has equipment sites in many remote hilltops throughout the area including this tree on Sierra Sky Court. As stated above, the existing easement provides a location to erect a new tower, but the project must still comply with City zoning requirements.

Staff has received a number of phone calls, visits to the front counter and phone calls from local customers (both from within and outside of the City) expressing strong support for the new tower and continued service provided by Colfax Net.

### Neighborhood Opposition

A number of current neighbors on Beacon Hill have expressed to staff their strong opposition to the proposed tower. Their concerns and contentions include:

- The tower will be visible from various locations on their scenic ridge.
- The tower will result in more trees being removed
- There are other options available to locate the tower (although not on this parcel)
- There are other ISP operators in the area – Colfax Net is not the only provider in town

### Variance Findings

Colfax Municipal Code Section 17.40.070 G requires the Council to make all of the following findings to approve a variance:

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

### Environmental Review:

The project is categorically exempt from CEQA review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines.

**Staff Recommendation:**

Staff recommends the Council open the public hearing and after taking public testimony and discussing the merits of the project, take one of the following actions and direct staff to prepare the appropriate findings to support the decision made. The Council may take any of the following actions:

1. Approve the Variance as requested - findings required
2. Deny the Variance – findings required
3. Approve the Variance with conditions – conditions and findings required
4. Continue the item and request additional information

This item is a semi-judicial action and requires a majority of the full Council (three “yes” votes) to approve any of the actions listed above.

**Attachments**

1. Applicant letter dated November 13, 2018
2. Overview Map
3. Easement Deed
4. Photograph of existing antennas in the neighborhood
5. Example of proposed tower
6. Site Plan
7. Misc. Photographs
  - a. Existing antennas in dead tree
  - b. Aerial vicinity photo



ColfaxNet, LLC  
PO Box 1597  
Colfax, CA 95713  
530.346.8411  
[cs@colfaxnet.com](mailto:cs@colfaxnet.com)

November 13, 2018

Amy Feagans  
Colfax City Planning Department  
PO Box 702  
Colfax, CA 95713

Re: Colfax Hill tower MUP application

Ms. Feagans:

Thank you for your time going over our Minor Use Permit application with us.

Please find the attached application and supporting documentation you requested for a Minor Use Permit to replace the tree tower currently located on Sierra Sky Court on Colfax Hill. We have also included a \$2000.00 check as a deposit for the application.

ColfaxNet has been providing much needed Internet services to Colfax and the surrounding areas since 2002, well before any other high-speed Internet Service Provider. ColfaxNet has committed an enormous amount of capital investment to this service by mortgaging our home. ColfaxNet has never taken any government monies. We have never raised our monthly service rates to our customers. We have only expanded and enhanced the service by constantly upgrading our equipment and service to our customers. We are proud to have been voted Colfax's Best of the Best by the readers of the Colfax Record and Auburn Journal for the last four years, since the program's inception. We are proud to say that the votes were unsolicited, write-ins..

We have held a current FCC license and Business Licenses with both Placer County and The City of Colfax since our inception.

Our ever-expanding network provides Internet services to Colfax, Meadow Vista, Weimar, Applegate, Foresthill, unincorporated areas of Placer and Nevada County, Auburn, Grass Valley, Chicago Park, Alta, Dutch Flat, Baxter and many of their surrounding areas. We operate an intricate and complex network of numerous transmitters and receivers located throughout all parts of the areas listed above in order to distribute our Fiber Optic Internet Signal to our customers.

Our equipment sites are located on many different remote hilltops in the area. Each site is vital to the overall operation of our network. One of our sites is located in an obscure and remote location on Colfax Hill over 400' from any structure. Due to the terrain, it is obscured from view by the homes in the area. Colfax Hill is an integral part of our network.

We possess a recorded easement on Colfax Hill for the sole purpose of installing and accessing a tower, utilities and related equipment. A copy of the easement, its description and intended use, has been included with the MUP application.

Since the tree tower on Colfax Hill has died, due to bark beetle infestation, it will now need to be replaced. We plan to remove the dead tree and replace the tree tower with a three legged lattice-type tower in the exact same location and a few feet lower than the dead tree as needed to continue to provide internet services. The replacement tower will be located approximately 10' South of the Northernmost property line of parcel 100-100-030. A copy of the map is enclosed.

This tower will be approximately 6-8' across each face at the top of the tower which is smaller in diameter than the existing tree. The tower will be 60' in height, a few feet lower than the dead tree. We plan to paint the tower whatever color is best suited for the location, probably a brown or green color.

We will also extend existing electric utilities underground in the existing Road and Utility easement to the tower site using a boring technique.

We will need to install a small weatherproof equipment enclosure near the tower for the electronic equipment needed to operate the devices on the tower. It will be a 6' x 6' structure.

Please contact us if you have any further questions. We recommend that we meet with a City representative at the site to review the specifics of our plans. Please contact us to arrange a time.

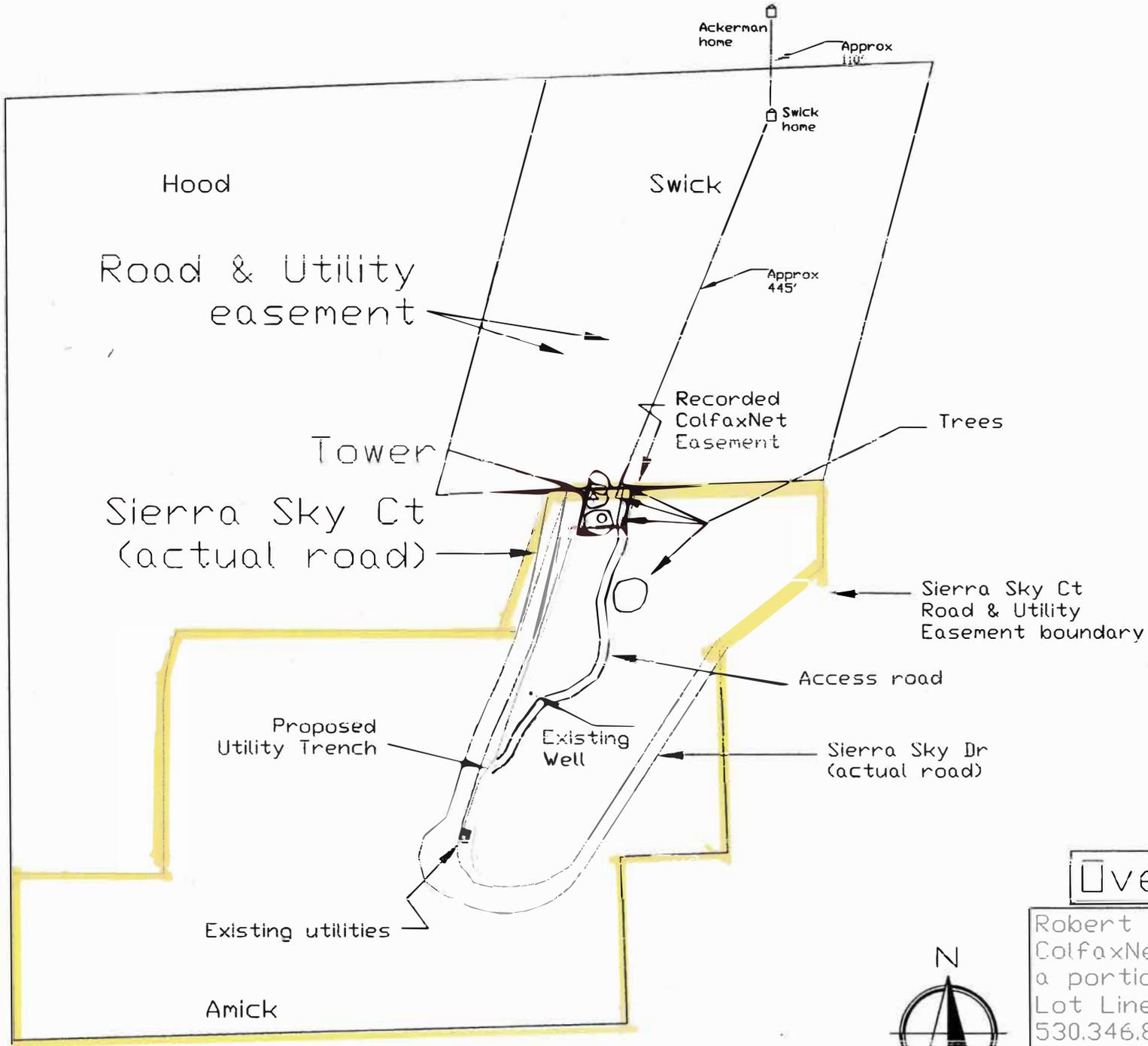
Thank you,



Corey Juchau  
ColfaxNet

Enclosures:

- 1) MUP application
- 2) Vicinity map
- 3) Placer County Map showing parcel and tower location
- 4) Project Overview Map
- 5) Utility installation map
- 6) Site plan
- 7) Picture taken from behind Swick's home looking toward tower
- 8) Picture from the top of the dead tree looking toward Swick and Ackerman homes which are obscured by trees
- 9) Picture of a typical sector antenna
- 10) Picture of a typical backhaul link antenna
- 11) Picture of a typical Point to Point (PTP) antenna
- 12) Sample tower elevation diagram. Only the first 60' will be erected
- 13) Picture of existing equipment in dead tree. Equipment will be moved to tower. Picture shows a backhaul, sector and PTP antenna
- 14) Copy of easement for tower installation
- 15) A sample tower at another ColfaxNet site-painted to blend in
- 16) Picture of existing towers on Colfax Hill.



Overview Map

Robert Amick/  
 ColfaxNet Tower installation  
 a portion of PM 18-43 &  
 Lot Line Adjustment 06-06  
 530.346.8411  
 APN 100-100-30





PLACER, County Recorder 9 of 16  
RYAN RONCO

DOC- 2018-0072343-00

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:**

ColfaxNet  
P.O. Box 1597  
Colfax, CA 95713

TUESDAY, OCT 9, 2018 8:14:15  
MIC \$3.00 | AUT \$3.00 | SBS \$2.00  
ERD \$1.00 | SB2 \$75.00 | REC \$11.00  
ADD \$0.00

Ttl Pd \$95.00 Rcpt # 02726096  
CLK98CT282/SG/1-3

#14

*Transfer Tax \$ Zero*

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**EASEMENT DEED**

This agreement is made and entered into this twenty-sixth day of June, 2018 by Robert E. Amick, as Trustee of the Amick Family Trust, Dated December 10, 1990 (hereinafter "GRANTOR"), being the owner of the property described as APN 100-100-025 ("Servient Estate"), and ColfaxNet (hereinafter "GRANTEE").

In exchange for valuable consideration, receipt of which is hereby acknowledged, GRANTOR grants to GRANTEE, its heirs, administrators, executors, successors and assigns, an easement appurtenant to:

A portion of Parcel B as shown on that certain Parcel Map recorded in Book 18 of Parcel Maps, at Page 43, Records of Placer County, described as follows:

Beginning at a point on the south line of Parcel C as shown on said Parcel Map, from which the southwest corner of said Parcel C bears along said south line South 89°57'53" West 233.66 feet; thence from said point of beginning leaving said south line parallel with the east line of an easement 50 feet in width as described in Document No. 2003-023666, Records of Placer County, South 16°38'34" West 50.00; thence parallel with said south line of Parcel C South 89°57'53" West 55.00 feet to a point on the east line of said easement; thence along said east line North 16°38'34" East 50.00 feet to a point on the south line of said Parcel C; thence along said south line North 89°57'53" East 55.00 feet to the point of beginning.

The parties incorporate by reference the maps and legal descriptions set forth in Exhibits A and B of Document 2005-0164796, Records of Placer County, as if set forth fully herein. The property granted to GRANTEE shall be referred to as the Dominant Estate.

The easement granted herein is for the purpose of locating, constructing, operating and maintaining communication facilities owned or operated by GRANTEE, its heirs, administrators, executors, successors and assigns. Said communications facilities may include, but are not limited to, towers, equipment buildings (non-residential) and utility access to service said facilities.

Said easement is intended to occupy the same area as the easement set forth in Document 2005-0164796, Records of Placer County, with the understanding that the easement is of sufficient

size to allow use by both ColfaxNet and the California Division of Forestry. The easement to GRANTEE, herein, runs with the land and exists independently of the easement set forth in Document 2005-0164796, Records of Placer County, without regard to whether the prior easement is extinguished.

GRANTEE shall have the right to use any existing roadway on the servient estate to access the property conveyed by this Easement Deed.

The GRANTEE hereby agrees to hold and save the GRANTOR harmless from any and all claims, liability and damages arising from the GRANTEE's use, possession and occupancy of the real property as herein granted and hereby further agrees to pay for any such damages.

This Easement Deed and all obligations set forth herein shall be an easement appurtenant binding upon and inure to the benefit of the parties hereto, and their respective heirs, administrators, executors, successors and assigns and shall run with the land.

[Signature]  
Robert E. Amick, as Trustee  
of the Amick Family Trust,  
Dated December 10, 1990, GRANTOR

9/26/18  
Dated

[Signature]  
Lynele Juchau, ColfaxNet, GRANTEE

10/5/18  
Dated

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF PLACER )

On Sept. 26, 2018, before me, Pam Burns, Notary Public, personally appeared Robert E. Amick who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
[Signature]  
SIGNATURE





# All-purpose Acknowledgment California only

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

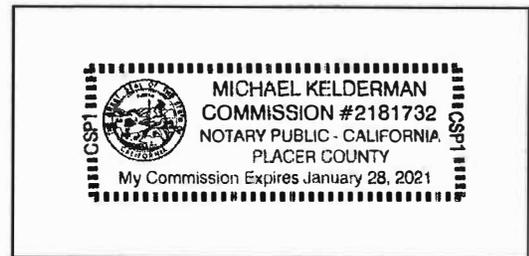
State of California

County of Placer

On 10/3/18 before me, Michael Kelderman, Notary Public (here insert name and title of the officer),

personally appeared Lynelle Suchau

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Notary Seal

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]

**For Bank Purposes Only**

Description of Attached Document

Type or Title of Document Easement Deed

Document Date 9/26/18

Number of Pages 2

Signer(s) Other Than Named Above Robert E Anick



FO01-000DSG5350CA-01

Existing towers at Colfax Hill-seen each time they drive in and out

**Item 4A**

12 of 16

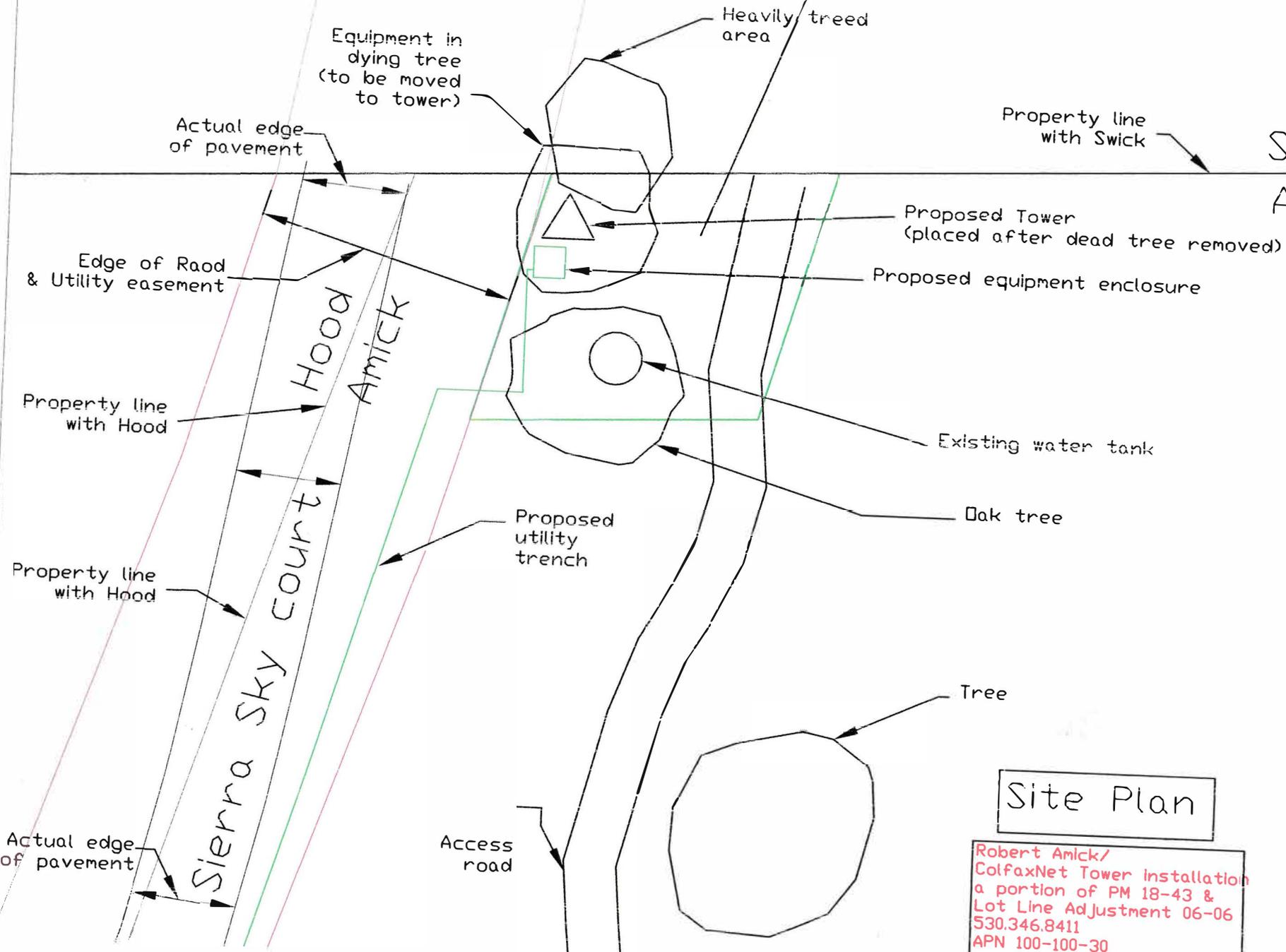
Robert Amick/ColfaxNet  
a portion of PM 18-43 & Lot Line Adjustment 06-06  
530.346.8411  
Tower installation  
APN 100-100-30





ColfaxNet Tower  
APN-100-100-030-000  
Rendering

03/11/2019 16:17



Swick  
Amick

Site Plan

Robert Amick/  
 ColfaxNet Tower Installation  
 a portion of PM 18-43 &  
 Lot Line Adjustment 06-06  
 530.346.8411  
 APN 100-100-30



Picture of existing equipment in dead tree to be relocated to new tower.

**Item 4A**

15 of 16

Robert Amick/ColfaxNet  
a portion of PM 18-43 & Lot Line Adjustment 06-06  
530.346.8411  
Tower installation  
APN 100-100-30



# Vicinity Map

Robert Amick/  
ColfaxNet  
a portion of PM 18-43 &  
Lot Line Adjustment 06-06  
530.346.8411  
Tower installation  
APN 100-100-30

## Legend

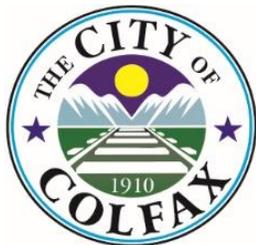
- Approx 445' to Swick home
- Colfax Hill
- Colfax Hill Tower
- Line Measure
- Red Frog
- Sierra Sky Ct

Item 4A

16 of 16



700 ft



# City Council Minutes

Regular Meeting of Wednesday, April 10, 2019  
 City Hall Council Chambers  
 33 S. Main Street, Colfax CA

## 1. CLOSED SESSION (*No closed session items*)

### 2. CALL TO ORDER

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

Mayor Pro Tem Mendoza called the meeting to order at 7:05PM.

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

Tim Ryan, President of the Colfax Area Chamber of Commerce, led the Pledge of Allegiance.

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

Council members Present: Burruss, Douglass, Lomen, Mendoza

Council members Absent: Fatula

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

On a motion by Councilmember Burruss, seconded by Councilmember Lomen, the City Council approved the agenda order.

**AYES:** Burruss, Douglass, Lomen, Mendoza

**ABSENT:** Fatula

Mayor Fatula arrived at 7:08PM.

## 3. PRESENTATION

### 3A. **Earth Day Presentation: Climate Change in Our Community**

Rachelanne Vander Werf, Environmental Scientist

Mayor Pro Tem Mendoza introduced Ms. Vander Werf who gave a PowerPoint presentation regarding Climate effects in Colfax.

There were no questions from the Council.

Jim Dion, Colfax business owner, asked if rain barrels are allowed to catch water. *Ms. Vander Werf stated permission depends on City or County regulations. Staff will check the Municipal Code to see if rain collection is allowable in the City.*

Foxy McCleary, Colfax resident, asked if Colfax residents would be able to capture gray water for use. *Staff will check the regulations on this as well.*

Timothy Dion, local business employee, asked if Ms. Vander Werf is an environmental scientist. *She works for the State but is presenting in her own capacity.*

### 3B. **Cal Fire North Fork American River Shaded Fuel Break**

Steve Garcia, Unit Forester

Mayor Fatula introduced Forester Garcia. He discussed the project to create a fuel break near Colfax. He asked the public to provide their contact information to receive updates as they become available and handed out maps with an overview of the project which extends from Auburn to Cape Horn.

Cal Fire is the lead agency for the fuel break project which requires an environmental approval (California Environmental Quality Act – CEQA) of the project. The CEQA approval requires public

input – this is the third presentation as part of fulfilling CEQA regulations. CEQA approval is only the first step to actually start the project. The next step will be to obtain funding and landowner permissions.

Forester Garcia explained the extent of the project. About 5,000 acres stretching from along the ridge above the American River from Auburn to Cape Horn will be cleared to create a shaded fuel break and protect about 20,000 improved parcels. This is a massive project which may take 10-15 years to complete. The Governor may enact some emergency relief for CEQA requirements so Cal Fire can start soon.

Forester Garcia gave a PowerPoint presentation with slides to show the improvements to the forest and impacts of fire after the fuel reduction has been performed. The goal is to have a resilient forest so the impacts of a fire will not be severe. Large trees will continue to grow and fire will actually be helpful to the habitat once the understory has been cleared. Post treatment forests are much more stable, but will require regular maintenance to remain fire resistant.

Forester Garcia gave a detailed description of the types of processes to improve the forest as well as the mitigation measures to protect the environment.

Members of the public and Council posed several questions which Forester Garcia answered:

- Does Cal Fire help private property owners remove hazardous vegetation? *There are many programs available through the County, State and Cal Fire.*
- Will Cal Fire protect plants which are important to Native Americans? *Yes*
- Who controls the lands adjacent to the project? *The lands belong to the Federal Government and are not part of the project because federal lands require a different environmental impact process (NEPA). Cal Fire is working to coordinate with federal agencies.*
- What can the public do to help? *Each land owner should ensure they have a defensible space around their homes and then work towards creating a fuel break on their own lands beyond the 100-foot defensible space.*
- Is Union Pacific Railroad willing to keep their properties clean of debris and extra fuels? *The railroad realizes they are at risk for liability and are willing to allow their properties to be part of the Fuel Break Project.*
- How does the fuel break impact the land values? *The land will be improved with the reduced fuel load.*

#### **4. CONSENT CALENDAR**

##### **RECOMMENDED ACTION: Approve Consent Calendar**

##### **4A. Minutes – Regular meeting March 13, 2019**

**Recommendation:** Approve the Minutes of the Regular Meeting of March 13, 2019.

##### **4B. Public Works Corporation Yard Roof Replacement**

**Recommendation:** Adopt Resolution 09-2019 authorizing the City Manager to enter into an agreement with Logan Roofing for installation of a new roof on the Public Works Corporation Yard Shop in an amount not to exceed \$26,500.

##### **4C. Cash Summary Report: February 2019**

**Recommendation:** Accept and file.

##### **4D. Schedule of Activities for Collecting Delinquent Sewer and Garbage Charges on Annual Tax Rolls**

**Recommendation:** Information only.

##### **4E. Sales and Use Taxes – Quarter Ended December 31, 2018**

**Recommendation:** Information only.

On a motion by Mayor Pro Tem Mendoza, seconded by Councilmember Lomen, the City Council approved the Consent Calendar.

AYES: Burruss, Douglass, Fatula, Lomen, Mendoza

#### 5. PUBLIC HEARING (*No Public Hearing items*)

#### 6. PUBLIC COMMENT

*David Ackerman, Colfax resident*

- Mr. Ackerman read a letter to Council which explained his opposition to the Colfax Net Tower which will be discussed at a Public Hearing during the next Council meeting.

Councilmember Lomen asked how many will be impacted by the tower. *Four residents will be directly impacted.*

*Rose Swick, Colfax resident*

- Ms. Swick read a letter in opposition to the Colfax Net Tower.

*Tom Swick, Colfax resident*

- Mr. Swick read a letter in opposition to the Colfax Net Tower.

*Andrea Harrison, President of the Colfax Green Machine*

- Ms. Harrison spoke about the recent Crab Feed fundraiser. She thanked everyone for their support.
- She gave a brief update of the plans for the 3<sup>rd</sup> of July event.

*Heidee Harvee, President of the Sierra Foothill Little League*

- Ms. Harvee introduced two players from the Little League, David Harrison and Lucas Clark.
- She thanked the Council for the new shade structures. They are beautiful and have made a huge difference in the way the ballpark looks. The League is very grateful!!

Councilmember Burruss acknowledged the efforts of the previous Council who approved the project.

*Timothy Dion, Cannabis dispensary employee*

- Mr. Dion spoke about how the business reaches beyond Colfax and mentioned obtaining wholesale product is expensive.

#### 7. COUNCIL BUSINESS (*No Council Business items scheduled*)

#### 8. COUNCIL, STAFF AND OTHER REPORTS

##### 8A. **Committee Reports and Colfax Informational Items - All Councilmembers**

*Councilmember Lomen*

- Councilmember Lomen attended the Green Machine Crab Feed.
- The Fire Safe Council will be showing “Wilder than Wild” at the Colfax Theatre on April 17, 2019. A panel will discuss the film after the presentation and answer questions.
- The Recology Spring cleanup will be May 8.

*Councilmember Douglass*

- Councilmember Douglass stated the Sierra Vista Community Center Board is finalizing a survey regarding the possibility of having the Skate Park located at the Sierra Vista Community Center.
- He represented the City on the Sacramento Area Council of Governments (SACOG) Board. He gave a brief report of SACOG budget and grants which may be available.
- He attended the Placer County Transportation Planning Agency Board meeting.

- Councilmember Douglass represents the City on the Pioneer Energy Board. The State is mandating a time-of-use program with higher rates between 4PM and 9PM to PGE but not to Pioneer Energy – The Board is looking for public input about following the State’s lead on this.

*Mayor Pro Tem Mendoza*

- Mayor Pro Tem Mendoza attended the Crab Feed, the Historic Society meeting, and met with the Senior’s First group at the County.
- She is working closely with the Colfax elementary school Hardwork Café Program which encourages 7<sup>th</sup> and 8<sup>th</sup> grade students to implement volunteer projects.
- She has asked an author who includes Colfax history in his books to speak in Colfax.
- Mayor Pro Tem Mendoza had several announcements and brochures available for the public: Placer County Office of Education Pre-K at Colfax Elementary, Auburn Rodeo, Beautiful Minds and Wellness for Therapy, Diabetes Class, Senior’s First, the Restart Program from TCI, Citizens Guide to California Bonds.

*Councilmember Burruss*

- Councilmember Burruss also attended the Crab Feed.
- She represented the City at the Placer County Transportation Planning Agency Board meeting.
- She met with David Carter and the new owners of the Historic Hotel. They are very eager to renovate the building and get a thriving business for downtown. The City is hoping to work together with the owners to facilitate progress toward that goal.

*Mayor Fatula*

- Mayor Fatula had no report for Council.

**8B. City Operations Update – City staff**

*City Manager Heathcock*

- City Manager Heathcock stated staff continues to pursue grants for the City. Staff will meet with USDA next week to discuss grants for Fire equipment and assistance with the loan on the Wastewater Treatment Plant.
- The City is in the pre-application stage for a SACOG Green Means Go grant to obtain \$1,000,000 to be used for economic development. The funds may be used to assist with development of the historic hotel and to repair the cul-de-sac at Hill Flat Lumber.
- He announced the new website is live. It is still a work in progress, so please make comments and report inconsistencies.
- Roundabout construction is out to bid. Hopefully, staff will bring the contract to Council at the May 8, 2019 meeting and schedule a May 13, 2019 ground breaking ceremony.
- He reported on the progress for the Regional Water Quality grant of \$6.5 million –It has been a tedious process – We now have four of the 15 signatures needed.
- Staff has submitted a preliminary design for repairs to the Pond III fissure for approval of the insurance company to go to full design.
- Efforts to keep the Wastewater Treatment Plant running smoothly has paid off and the state is allowing the City to eliminate groundwater monitoring wells, two of which were destroyed this week. This reduces ongoing monitoring costs.

### 8C. Additional Reports – Agency partners

*Chris Nave, Public Information Officer California Highway Patrol, Gold Run Area*

- Officer Nave stated he is hoping the winter storm season with its accompanying congestion is over for the year.
- The CHP has declared April as Distracted Driving Education Month – don't use your hand-held device when driving

City Manager Heathcock asked if the twitter account for winter storm warnings is working.

- Officer Nave stated he has been working on utilizing social media to get the safety messages out. He suggested the California Road Report App for mobile devices.

*Brian Eagan, Cal Fire Battalion Chief*

- Chief Eagan announced burning permits will be required beginning May 1, 2019. Permits may be obtained at the Colfax Calfire Station or on the statewide website.

Mayor Fatula wants to add gutters and vents to the vegetation ordinance which is in progress.

- Chief Eagan stated that topic is more appropriately addressed in the building code.

City Manager Heathcock will work with the building inspector to see if fire safety design can be included in the requirements for the new developments. He will report back to Council

*Dan Jakobs, Placer County Sheriff's Office Deputy*

- Deputy Jakobs reported the deputies answered 155 calls for service with 11 arrests.
- There is an ongoing investigation into a series of gas station burglaries.
- The department has provided 4 detectives to investigate the recent housefire for arson.

*Tim Ryan, Colfax Area Chamber of Commerce President*

- The Chamber has recently met with neighboring Chamber organizations and the Placer County Visitor center to exchange ideas.
- He has been working with City to investigate branding for the City.
- Mr. Ryan met with a representative from Recology. They want to promote the City.
- Winterfest plans are coming along.
- He met with the victims of house fire and reported the community help has been fantastic in giving support and donations.

*Fred Abbott, Colfax Events Liaison*

- Mr. Abbott announced the deadline for articles for the May issue of the Colfax Connections is April 20, 2019.
- Fiesta De Mayo is scheduled for May 4, 2019.
- He is pleased the next issue of the Colfax Connections will be featured on the new website.
- Plans for Railroad Days are progressing.
- There is a list of social organizations included in Colfax Connections

*Foxy McCleary and Sharon Conners, Sierra Vista Community Center representatives*

- Ms. Conners stated the Sierra Vista Community Center bingo event was last Sunday with free lunch provided. They plan to host lunches quarterly.
- The Weimar Institute Food Train will be serving brunch on Sunday.
- Ms. Conners thanked the City for delivering bleachers for the Sierra Vista Community Center ball field
- She invited everyone to the April 19, 2019 Annual dinner.
- Ms. McCleary announced the VFW breakfast on April 14, 2019 and the Chocolate Wine and Art Indulgence on April 27, 2019.

**9. GOOD OF THE ORDER - INFORMAL COUNCIL STATEMENTS REGARDING THE BUSINESS OF THE CITY**

Councilmember Douglass, stated he has information from Project Go to provide funds to citizens for insulation, energy efficient refrigerators, etc.

He mentioned that one of the bills tracked by SACOG is one which will reduce the 2/3 requirement for Ballot Measures associated with taxes. Transportation Bills will be more likely to be passed.

Mayor Pro Tem Mendoza requested support from Council to allow her to represent the City at the Cap to Cap program.

The funds are in the budget and within the signature authority of the City Manager so the decision can be made tonight.

Council discussed the issue and Councilmember Lomen made a motion to provide up to \$5,000 funding for Mayor Pro Tem Mendoza to attend the Cap to Cap event. Councilmember Burruss seconded the motion.

Ms. Conners asked if special expertise is necessary to represent the City. *Mayor Pro Tem Mendoza will be on the Economic Development and Land Use Task Force.*

Ms. McCleary asked if the conference is in Washington DC. *The program is in Washington DC.*

Mr. Dion feels it is a great idea for Mayor Pro Tem Mendoza to attend.

Council unanimously agreed to provide funding for the Mayor Pro Tem.

Councilmember Burruss stated she attended the Colfax High School Olympic Week. She is very impressed with the number of talented students!

Councilmember Burruss stated that since the Colfax Connections is produced as a newsletter from the City, she would like to ensure the entire Council maintains control of the content of the newsletter. She requested that a draft of each issue be placed on consent calendar for Council approval.

Council, staff and the editors discussed the topic and concluded City Manager Heathcock could facilitate Council review by emailing the drafts to each Councilmember who could preview the newsletter and get comments back to City Manager Heathcock within 24 hours.

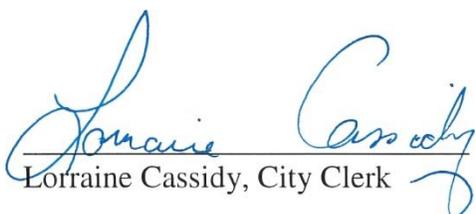
Councilmember Burruss stated if the Colfax Connections is not sponsored by the City, but a private publication, then Council approval would not be necessary. She also stated if the newsletter remains under the auspices of the City, the editors should receive a stipend.

**6 ADJOURNMENT**

On a motion by Mayor Pro Tem Mendoza and a second by Councilmember Burruss, the Council voted unanimously to adjourn.

Mayor Fatula adjourned the meeting at 9:41PM.

Respectfully submitted to City Council this 24<sup>th</sup> day of April, 2019.

  
Lorraine Cassidy, City Clerk



# Staff Report to City Council

## FOR THE APRIL 24, 2019 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Chris Clardy, Community Services Director  
**Subject:** Project List for Road Repair – SB-1 Funding  
*Budget Impact Overview:*

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

**RECOMMENDED ACTION:** Adopt Resolution 11-2019 adopting a list of potential projects to be funded in full or in part by SB-1 Fiscal Year 2019-2020 funding allocation: The Road Repair and Accountability Act ensuring eligibility for State of California Road Maintenance and Rehabilitation Account (RMRA) revenues.

### Summary/Background

State Senate Bill (SB 1), also known as the Road Repair and Accountability Act (RMRA) of 2017, was signed into law by Governor Brown on April 28, 2017. SB 1 establishes funding to address deferred maintenance on the State highway system and local street and road systems. The bill provides that funds shall be used for: Road Maintenance and Rehabilitation, Safety Projects, Railroad Grade Separations, Complete Street Components or, Traffic Control Devices.

The City is expected to receive about \$35,586 in SB-1 Funds in Fiscal Year 2019-2020. SB-1 revenues should increase in subsequent years.

To be considered for funding, SB-1 requires all projects proposed for the SB-1 Funding be named and acknowledged by resolution. Staff is recommending the following project priorities in order of appearance:

- S. Auburn Street & I-80 Roundabout Project - The cost of this project is approximately \$3,500,000. The project is intended to improve traffic flow and the quality of the roadway; improve pedestrian, bicycle, and vehicle safety.
- Culver Street Reconstruction (Phase I) – This project involves reconstructing Culver Street from W. Oak Street to Newman Street. The project is estimated at \$225,000. The project is intended to provide a new roadway surface to improve traffic flow and the quality of the roadway.

- Culver Street Reconstruction (Phase II) - This project involves reconstructing Culver Street from W. Oak Street to Church Street. The project is estimated at \$185,000. The project is intended to provide a new roadway surface to improve traffic flow and the quality of the roadway.
- Kneeland St. Project – This project involves reconstructing the east half of Kneeland Street from Depot Street to West Grass Valley Street in conjunction with the Shadow Wood Residential Development. The project is estimated at \$100,000. The project is intended to provide a new roadway surface to improve traffic flow and the quality of the roadway.
- South Auburn Street Project – This project involves reconstructing approximately 800 feet on the south side of South Auburn Street from Whitcomb Street to the property line of Dollar General and the Colfax Car Wash. The project would be in conjunction with the Best Western Hotel Development and has a projected estimate of \$180,000. The project is intended to provide a new roadway surface and to improve traffic flow and the quality of the roadway.
- Whitcomb Avenue Project – This project involves reconstructing the east side of Whitcomb Avenue from South Auburn Street to Corto Passi Lane. The project would be in conjunction with the Best Western Hotel Development and has a projected estimate of \$50,000. The project is intended to provide a new roadway surface to improve traffic flow and the quality of the roadway.

**Budget Impacts**

There is no direct fiscal impact, since the SB-1 Funding is in addition to anticipated Gas Tax revenues which are included in the City's Budget. Projects funded from SB-1 in future fiscal years will be recognized, listed, and adopted to continue City eligibility for SB-1 Funding. Staff will continue to pursue grant opportunities to supplement SB-1 Funding.

**Attachments**

1. Resolution 11-2019

# City of Colfax

## City Council

### Resolution № 11-2019

---

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX ADOPTING A LIST OF POTENTIAL PROJECTS TO BE FUNDED IN FULL OR IN PART BY THE SB-1 FISCAL YEAR 2019-2020 FUNDING ALLOCATION: THE ROAD REPAIR AND ACCOUNTABILITY ACT ENSURING ELIGIBILITY FOR STATE OF CALIFORNIA ROAD MAINTENANCE AND REHABILITATION ACCOUNT (RMRA) REVENUES.

---

**WHEREAS**, Senate Bill-1 (SB-1), the Road Repair and Accountability Act of 2017 was passed by the State Legislature and signed into law by the Governor on April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and,

**WHEREAS**, SB-1 includes accountability and transparency provisions that will ensure the residents of the City of Colfax are aware of the projects proposed for funding and which projects have been completed each fiscal year; and,

**WHEREAS**, the City of Colfax must adopt a list by resolution of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB-1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and,

**WHEREAS**, the City of Colfax, will receive an estimated \$35,586 in RMRA funding in Fiscal Year 2019-20 from SB-1; and,

**WHEREAS**, the City of Colfax adopted its City of Colfax 2018 Pavement Management Plan and used said Pavement Management Plan to develop the SB-1 project list to ensure SB-1 funds are being used on the highest-priority projects and in the most cost-effective way; and,

**WHEREAS**, the funding from SB-1 will help the City of Colfax maintain and/or rehabilitate street and roads within the City of Colfax this year and similar projects into the future.

**NOW, THEREFORE, BE IT RESOLVED** the City Council of the City of Colfax,

1. The foregoing recitals are true and correct.
2. The City of Colfax hereby adopts the following list of projects to be funded in part or solely with fiscal year 2019-20 Road Maintenance and Rehabilitation Account revenues:
  - South Auburn Street & I-80 Roundabout
    - *Description:* This project proposes to replace, realign, and reconstruct the existing South Auburn Street and I-80 on and off ramp intersection (new roundabout) and portions of South Auburn Street to address safety and congestion needs.
    - *Location:* South Auburn Street between Hwy 174 and Whitcomb Avenue at I-80 Westbound on and off ramps
    - *Estimated Useful Life of Project:* 20 years
    - *Estimated Year of Construction:* 2019

- Culver Street Reconstruction (Phase I)
  - *Description:* Street reconstruction involving re-use of existing asphalt materials. The project is estimated at \$225,000. The project is intended to provide a new roadway surface to improve traffic flow and the quality of the roadway.
  - *Location:* Culver Street from W. Oak Street to Newman Street
  - *Estimated Useful Life of Project:* 20 years
  - *Estimated Year of Construction:* 2019
- Culver Street Reconstruction (Phase II)
  - *Description:* Street reconstruction involving re-use of existing asphalt materials. The project is estimated at \$185,000. The project is intended to provide a new roadway surface to improve traffic flow and the quality of the roadway.
  - *Location:* Culver Street from W. Oak Street to Church Street
  - *Estimated Useful Life of Project:* 20 years
  - *Estimated Year of Construction:* 2019
- Kneeland Street Project
  - *Description:* Street reconstruction involving re-use of existing asphalt materials. The project is estimated at \$100,000. The project is intended to provide a new roadway surface to improve traffic flow and the quality of the roadway.
  - *Location:* Kneeland Street from W. Grass Valley Street to Depot Street
  - *Estimated Useful Life of Project:* 20 years
  - *Estimated Year of Construction:* 2019
- South Auburn Street Project
  - *Description:* Street reconstruction, thin to thick AC overlay, involving re-use of existing asphalt materials. The project is estimated at \$180,000. The project is intended to provide a new roadway surface to improve traffic flow and the quality of the roadway.
  - *Location:* S. Auburn Street from Whitcomb Ave. to Colfax Car Wash
  - *Estimated Useful Life of Project:* 20 years
  - *Estimated Year of Construction:* 2019
- Whitcomb Avenue Project
  - *Description:* Street reconstruction thick AC overlay, involving re-use of existing asphalt materials. The project is estimated at \$50,000. The project is intended to provide a new roadway surface to improve traffic flow and the quality of the roadway.
  - *Location:* Whitcomb Ave. from S. Auburn St. to Corto Passi Lane
  - *Estimated Useful Life of Project:* 20 years
  - *Estimated Year of Construction:* 2019

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** at the Regular Meeting of the City Council of the City of Colfax held on the 24<sup>th</sup> day of April 2019 by the following vote of the Council:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**Joe Fatula, Mayor**

**ATTEST:**

---

**Lorraine Cassidy, City Clerk**



# Staff Report to City Council

---

## FOR THE APRIL 24, 2019 REGULAR CITY COUNCIL MEETING

---

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

*Budget Impact Overview:*

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

**RECOMMENDED ACTION:** Accept and file.

### Summary/Background

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 March 2019. Monthly highlights include:

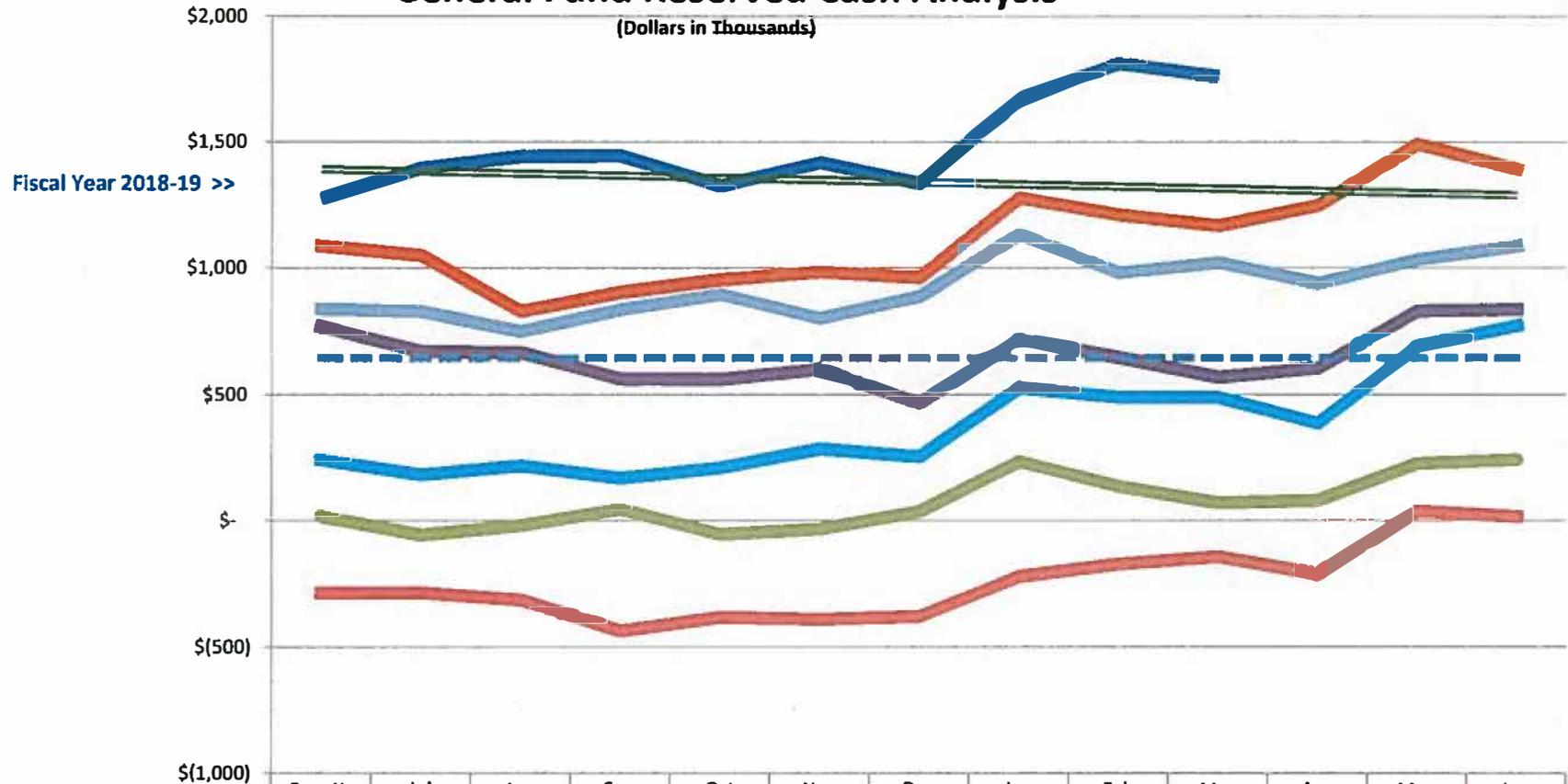
- Cash balance increases for March included deposit of \$450,000 into Developer Escrow account based on the Development Agreement between the City and Colfax Auburn, LLC (Developer).
- Expenditures for the month of March included the quarterly payment for contracted Sheriff Services in the amount of \$169,000.
- Negative cash fund balances are due to timing of funding allocations and reimbursements.
  - Fund 250 – To be funded by Streets & Roads monies through Placer County Transportation Agency (PCTPA) and budgeted fund transfers (funds 100/253). We received first allocation of funding from PCTPA in December and second allocation is expected before end of fiscal year. Full funding of budgeted transfers from Gas Tax Fund and General Fund will be recorded in fiscal year end closing process.

- Capital Projects – All expenditures are anticipated to be reimbursed by grant funds, developer fees (Note: Funds currently in escrow accounts), Special Revenue funds, and fund transfers as budgeted.

**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)

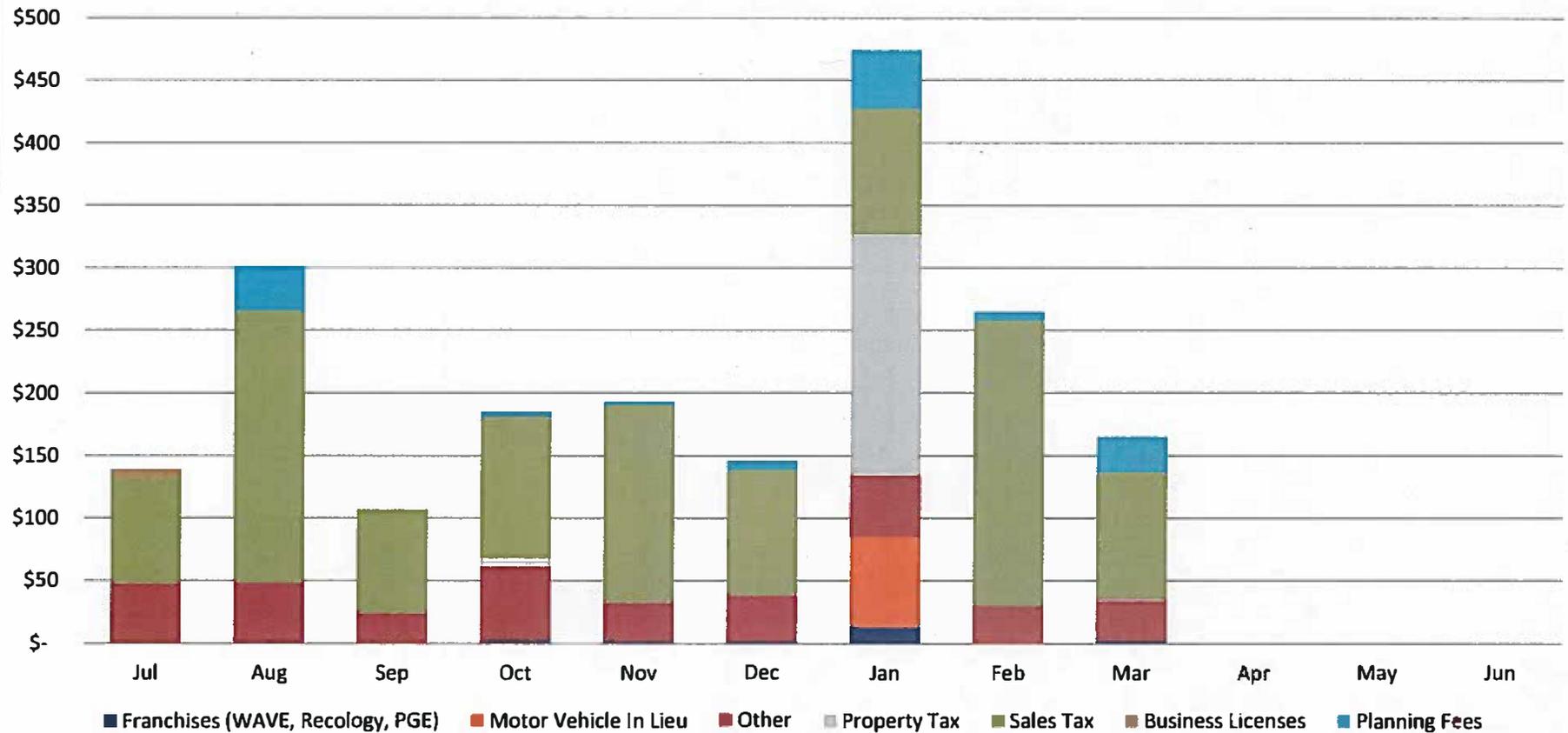
### City of Colfax - March 2019 General Fund Reserved Cash Analysis



	Prev Yr	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Cash Balance FY2018-19	\$1,275	\$1,398	\$1,444	\$1,447	\$1,329	\$1,420	\$1,336	\$1,672	\$1,812	\$1,760			
Cash Balance FY2017-18	\$1,086	\$1,050	\$828	\$905	\$954	\$983	\$962	\$1,280	\$1,212	\$1,168	\$1,250	\$1,493	\$1,396
Cash Balance FY2016-17	\$838	\$829	\$750	\$835	\$897	\$802	\$889	\$1,133	\$981	\$1,022	\$938	\$1,034	\$1,086
Cash Balance FY2015-16	\$768	\$670	\$666	\$562	\$561	\$601	\$466	\$717	\$647	\$569	\$605	\$831	\$838
Cash Balance FY2014-15	\$240	\$181	\$217	\$167	\$209	\$284	\$253	\$528	\$491	\$489	\$385	\$691	\$773
Cash Balance FY2013-14	\$15	\$(57)	\$(20)	\$45	\$(55)	\$(34)	\$36	\$233	\$134	\$69	\$79	\$225	\$240
Cash Balance FY2012-13	\$(287)	\$(286)	\$(314)	\$(438)	\$(383)	\$(391)	\$(380)	\$(221)	\$(173)	\$(144)	\$(212)	\$37	\$15
*Reserves (Ops, Cap, Pen)	\$645	\$645	\$645	\$645	\$645	\$645	\$645	\$645	\$645	\$645	\$645	\$645	\$645
Budget FY2018-19	\$1,393	\$1,385	\$1,376	\$1,368	\$1,359	\$1,351	\$1,342	\$1,334	\$1,325	\$1,317	\$1,308	\$1,300	\$1,291

\*City Administrative policy stipulates General Fund Reserve of 25% (3 months) of annual General Fund Revenues.

**City of Colfax - March 2019**  
**General Fund Reserved Cash - Revenues by Month**  
 (Dollars in Thousands)







## City of Colfax

## Cash Transactions Report - March 2019

	Beginning Balance	Debit Revenues	Credit (Expenditures)	Ending Balance
<b>Fund Type: 1.11 - General Fund - Unassigned</b>				
Fund: 100 - General Fund	\$ 1,917,663.00	\$ 136,633.49	\$ (200,713.35)	\$ 1,853,583.14
Fund: 120 - Land Development Fees	\$ (10,042.08)	\$ 28,621.41	\$ (15,856.63)	\$ 2,722.70
Fund: 570 - Garbage Fund	\$ (95,264.20)	\$ -	\$ -	\$ (95,264.20)
<b>Fund Type: 1.11 - General Fund - Unassigned</b>	<b>\$ 1,812,356.72</b>	<b>\$ 165,254.90</b>	<b>\$ (216,569.98)</b>	<b>\$ 1,761,041.64</b>
<b>Fund Type: 1.14 - General Fund - Restricted</b>				
Fund: 200 - Cannabis Application	\$ -	\$ -	\$ -	\$ -
Fund: 205 - Escrow Funds	\$ 221,634.61	\$ 450,010.24	\$ -	\$ 671,644.85
Fund: 571 - AB939 Landfill Diversion	\$ 28,117.26	\$ -	\$ (1,200.00)	\$ 26,917.26
Fund: 572 - Landfill Post Closure Maintenance	\$ 785,778.42	\$ -	\$ (4,567.32)	\$ 781,211.10
<b>Fund Type: 1.14 - General Fund - Restricted</b>	<b>\$ 1,035,530.29</b>	<b>\$ 450,010.24</b>	<b>\$ (5,767.32)</b>	<b>\$ 1,479,773.21</b>
<b>Fund Type: 1.24 - Special Rev Funds - Restricted</b>				
Fund: 210 - Mitigation Fees - Roads	\$ -	\$ -	\$ -	\$ -
Fund: 211 - Mitigation Fees - Drainage	\$ 3,145.00	\$ -	\$ -	\$ 3,145.00
Fund: 212 - Mitigation Fees - Trails	\$ 44,059.89	\$ -	\$ -	\$ 44,059.89
Fund: 213 - Mitigation Fees - Parks/Rec	\$ 69,155.84	\$ -	\$ -	\$ 69,155.84
Fund: 214 - Mitigation Fees - City Bldgs	\$ -	\$ -	\$ -	\$ -
Fund: 215 - Mitigation Fees - Vehicles	\$ -	\$ -	\$ -	\$ -
Fund: 217 - Mitigation Fees - DT Parking	\$ -	\$ -	\$ -	\$ -
Fund: 218 - Support Law Enforcement	\$ 68,318.65	\$ 18,653.54	\$ (73,746.54)	\$ 13,225.65
Fund: 244 - CDBG Program Inc - ME Lending	\$ 205,538.32	\$ -	\$ -	\$ 205,538.32
Fund: 250 - Streets - Roads/Transportation	\$ (55,118.35)	\$ -	\$ (15,054.80)	\$ (70,173.15)
Fund: 253 - Gas Taxes/SB1 Road Maint	\$ 45,266.78	\$ 6,004.88	\$ (1,410.91)	\$ 49,860.75
Fund: 270 - Beverage Container Recycling	\$ 18,393.92	\$ -	\$ -	\$ 18,393.92
Fund: 280 - Oil Recycling	\$ 3,626.81	\$ -	\$ -	\$ 3,626.81
Fund: 292 - Fire Department Capital Funds	\$ 88,918.68	\$ -	\$ -	\$ 88,918.68
Fund: 342 - Fire Construction - Mitigation	\$ 2,505.06	\$ -	\$ -	\$ 2,505.06
Fund: 343 - Recreation Construction	\$ 2,505.53	\$ -	\$ -	\$ 2,505.53
<b>Fund Type: 1.24 - Special Rev Funds - Restricted</b>	<b>\$ 496,316.13</b>	<b>\$ 24,658.42</b>	<b>\$ (90,212.25)</b>	<b>\$ 430,762.30</b>
<b>Fund Type: 1.34 - Capital Projects - Restricted</b>				
Fund: 300 - Capital Projects - Gen (ADA project)	\$ -	\$ -	\$ -	\$ -
Fund: 351 - Rising Sun Project	\$ (104,321.61)	\$ -	\$ (310.00)	\$ (104,631.61)
Fund: 355 - CDBG Pavement - Culver	\$ (14,878.51)	\$ -	\$ (310.00)	\$ (15,188.51)
Fund: 385 - Roundabout	\$ (283,582.13)	\$ -	\$ (21,959.86)	\$ (305,541.99)
<b>Fund Type: 1.34 - Capital Projects - Restricted</b>	<b>\$ (402,782.25)</b>	<b>\$ -</b>	<b>\$ (22,579.86)</b>	<b>\$ (425,362.11)</b>
<b>Fund Type: 2.11 - Enterprise Funds - Unassigned</b>				
Fund: 560 - Sewer	\$ 1,002,160.77	\$ 93,626.69	\$ (68,002.82)	\$ 1,027,784.64
Fund: 561 - Sewer Liftstations	\$ 330,412.75	\$ 15,069.20	\$ (16,984.35)	\$ 328,497.60
Fund: 563 - Wastewater Treatment Plant	\$ 379,610.32	\$ 42,719.71	\$ -	\$ 422,330.03
Fund: 564 - Sewer Connections	\$ 41,080.00	\$ -	\$ -	\$ 41,080.00
Fund: 567 - Inflow & Infiltration	\$ 530,903.90	\$ -	\$ -	\$ 530,903.90
<b>Fund Type: 2.11 - Enterprise Funds - Unassigned</b>	<b>\$ 2,284,167.74</b>	<b>\$ 151,415.60</b>	<b>\$ (84,987.17)</b>	<b>\$ 2,350,596.17</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>\$ 5,225,588.63</b>	<b>\$ 791,339.16</b>	<b>\$ (420,116.58)</b>	<b>\$ 5,596,811.21</b>

Check Register Report

A/P Checks - March 2019

Item 5C

Date: 04/03/2019

Time: 8:44 pm

Page: 1

CITY OF COLFAX

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
<b>US BANK Checks</b>								
54424	03/05/2019	Reconciled		03/31/2019	03141	CALPERS	MARCH 2019 HEALTH PREMIUMS	7,747.94
54425	03/07/2019	Reconciled		03/31/2019	01121	3FOLD COMMUNICATIONS	OUTREACH CAMPAIGN FY 18/19	1,200.00
54426	03/07/2019	Reconciled		03/31/2019	01448	AMERIGAS - COLFAX	FIRE DEPT PROPANE	81.35
54427	03/07/2019	Reconciled		03/31/2019	01448	AMERIGAS - COLFAX	CITY HALL PROPANE	547.91
54428	03/07/2019	Reconciled		03/31/2019	01448	AMERIGAS - COLFAX	DEPOT PROPANE	308.11
54429	03/07/2019	Reconciled		03/31/2019	01448	AMERIGAS - COLFAX	SHERIFF DEPT PROPANE	604.53
54430	03/07/2019	Reconciled		03/31/2019	01460	AMERIPRIDE UNIFORM SERVICE	UNIFORM SVCS FEB 2019	421.40
54431	03/07/2019	Reconciled		03/31/2019	03482	CLEAR PATH LAND EVOLVEMENT,	FIRE DEPT LAND SURVEY	2,845.00
54432	03/07/2019	Reconciled		03/31/2019	06730	COLFAX FARM AND COUNTRY STORE	STMT 2/24/19	102.10
54433	03/07/2019	Reconciled		03/31/2019	14859	GHD INC.	ROUNABOUT ENG FEB 2019	18,583.61
54434	03/07/2019	Reconciled		03/31/2019	08170	HILLS FLAT LUMBER CO	STMT 2/25/19	382.72
54435	03/07/2019	Reconciled		03/31/2019	08660	HUNT AND SONS, INC.	PW/WWTP FUEL	446.78
54436	03/07/2019	Reconciled		03/31/2019	16011(2)	PELLETREAU, ALDERSON & CABRAL	LEGAL SVCS FEB 2019	6,781.67
54437	03/07/2019	Reconciled		03/31/2019	03580	PLACER COUNTY HHS	Q3 18/19 ANIMAL & FIELD SVCS	7,014.83
54438	03/07/2019	Reconciled		03/31/2019	16200	PLACER COUNTY SHERIFF DEPT.	SHERIFF CONTRACT FY 18/19 Q3	169,038.00
54439	03/07/2019	Reconciled		03/31/2019	16559	PLAZA TIRE AND AUTO SERVICE	VACTRON TRAILER TIRE RPR	20.00
54440	03/07/2019	Reconciled		03/31/2019	18400	RIEBES AUTO PARTS	STMT 2/28/19	212.26
54441	03/07/2019	Reconciled		03/31/2019	19396	SIERRA SAFETY COMPANY	ROY TOMS BATHROOM SIGNS	559.27
54442	03/07/2019	Reconciled		03/31/2019	19591	STANLEY CONVERGENT SECURITY	DEPOT SECURITY MONITORING	140.52
54443	03/07/2019	Reconciled		03/31/2019	21560	US BANK CORPORATE PMT SYSTEM	STMT 2/22/19	2,420.24
54444	03/07/2019	Reconciled		03/31/2019	22106	VAN GRONINGEN & ASSOCIATES	FINANCIAL SVCS FEB 2019	6,806.25
54445	03/07/2019	Reconciled		03/31/2019	23169	WAVE BUSINESS SOLUTIONS	CITY HALL PHONE	214.38
54446	03/07/2019	Reconciled		03/31/2019	23450	WINNER CHEVROLET, INC.	PW TRUCK OIL CHANGE	57.35
54447	03/08/2019	Reconciled		03/31/2019	2087	BASIC PACIFIC	FSA BENEFIT PAYMENT	8.44
54448	03/13/2019	Reconciled		03/31/2019	01414	ALHAMBRA & SIERRA SPRINGS	CITY HALL/WWTP WATER	120.88
54449	03/13/2019	Reconciled		03/31/2019	02829	BLUE RIBBON PERSONNEL SERVICES	WWTP TEMP LABOR THRU 2/21/19	266.88
54450	03/13/2019	Reconciled		03/31/2019	02901	BUREAU VERITAS NORTH AMERICA	ENG SVCS JAN 2019	6,090.00
54451	03/13/2019	Reconciled		03/31/2019	03401	CHOICE BUILDER	APR 2019 PREMIUMS	751.80
54452	03/13/2019	Reconciled		03/31/2019	03493	COASTLAND CIVIL ENGINEERING	ENG SVCS FEB 2019	11,975.38
54453	03/13/2019	Reconciled		03/31/2019	04165	DANKERT COMMUNICATION CO.	CITY HALL PHONE RPR	310.00
54454	03/13/2019	Reconciled		03/31/2019	04234	DE LAGE LANDEN FINANCIAL	COPY MACH MAINT	468.34
54455	03/13/2019	Reconciled		03/31/2019	07465	GOLD MINER PEST CONTROL	DEPOT PEST CONTROL	75.00
54456	03/13/2019	Reconciled		03/31/2019	11105	KOFF & ASSOCIATES	HR SVCS FEB 2019	650.00
54457	03/13/2019	Reconciled		03/31/2019	13262	MEYERS NAVE	LEGAL MATTER 2019.002	889.35
54458	03/13/2019	Reconciled		03/31/2019	14356	NORTHERN CALIFORNIA GLOVE	PW GLOVES	140.71
54459	03/13/2019	Reconciled		03/31/2019	16035	PG&E	ELECTRICITY	16,560.54
54460	03/13/2019	Reconciled		03/31/2019	19037	SAFE SIDE SECURITY	CORP YARD SECURITY	95.00
54461	03/13/2019	Reconciled		03/31/2019	01790	SIERRA OFFICE PRODUCTS	OFFICE SUPPLIES	241.91
54462	03/13/2019	Reconciled		03/31/2019	22134	VISION QUEST	TECH SUPPORT CALLS FEB 2019	1,531.50
54463	03/13/2019	Reconciled		03/31/2019	23169	WAVE BUSINESS SOLUTIONS	CORP YARD INTERNET	54.90
54464	03/22/2019	Reconciled		03/31/2019	01448	AMERIGAS - COLFAX	DEPOT PROPANE	89.51
54465	03/22/2019	Printed			01500	ANDERSON'S SIERRA	FIREHOUSE ALLEY DRAIN RPR	302.45
54466	03/22/2019	Reconciled		03/31/2019	01766	AT&T MOBILITY	CITY CELL PHONES FEB 2019	713.48
54467	03/22/2019	Reconciled		03/31/2019	02829	BLUE RIBBON PERSONNEL SERVICES	WWTP TEMP LABOR THRU 3/7/19	1,024.80
54468	03/22/2019	Reconciled		03/31/2019	02901	BUREAU VERITAS NORTH AMERICA	BLDG OFFICIAL SVC FEB 2019	5,440.00
54469	03/22/2019	Printed			03128(2)	CALIFORNIA RURAL WATER ASSOC	CRWA ANNUAL MEMBERSHIP	612.00

Check Register Report

A/P Checks - March 2019

Item 5C

Date: 04/03/2019

Time: 9:06:11 am

Page: 2

CITY OF COLFAX

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
<b>US BANK Checks</b>								
54470	03/22/2019	Printed			04592	DACOMM	WWTP INTERNET MAR 2019	99.95
54471	03/22/2019	Reconciled		03/31/2019	07465	GOLD MINER PEST CONTROL	FIRE STATION 36 PEST CONTROL	148.00
54472	03/22/2019	Reconciled		03/31/2019	07570	GRAINGER	WWTP SUPPLIES	8.26
54473	03/22/2019	Reconciled		03/31/2019	08050	HACH COMPANY	WWTP LAB SUPPLIES	374.86
54474	03/22/2019	Reconciled		03/31/2019	08159	HILL BROTHERS CHEMICAL	WWTP CHEMICALS	6,742.06
54475	03/22/2019	Reconciled		03/31/2019	08660	HUNT AND SONS, INC.	PW/WWTP FUEL	488.02
54476	03/22/2019	Reconciled		03/31/2019	12180	LAWRENCE & ASSOCIATES INC	CANDFILL MONITORING FEB 2019	115.00
54477	03/22/2019	Printed			19390	MAR-VAL'S SIERRA MARKET	STMT 2/28/19	49.87
54478	03/22/2019	Reconciled		03/31/2019	14356	NORTHERN CALIFORNIA GLOVE	PW SUPPLIES	64.03
54479	03/22/2019	Reconciled		03/31/2019	16300	PCWA -PLACER COUNTY	WATER	845.92
54480	03/22/2019	Reconciled		03/31/2019	21900	UV DOCTOR LAMPS LLC	WWTP BALLAST RPR	2,149.42
54481	03/22/2019	Reconciled		03/31/2019	23169	WAVE BUSINESS SOLUTIONS	CITY HALL INTERNET	159.90
54482	03/22/2019	Reconciled		03/31/2019	23169	WAVE BUSINESS SOLUTIONS	DEPOT PHONE	17.21
54483	03/29/2019	Reconciled		03/31/2019	2087	BASIC PACIFIC	FSA PLAN FEES MARCH 2019	45.00
54484	03/29/2019	Printed			01500	ANDERSON'S SIERRA	LYONS PARK IRRIGATION	64.27
54485	03/29/2019	Printed			02829	BLUE RIBBON PERSONNEL SERVICES	WWTP TEMP LABOR THRU 3/17/19	512.40
54486	03/29/2019	Printed			02901	BUREAU VERITAS NORTH AMERICA	ENG SVCS FEB 2019	4,480.00
54487	03/29/2019	Printed			04511	DIETZ EQUIPMENT	FIRE TRUCK RPR	16,315.89
54488	03/29/2019	Printed			06278	FRONTIER COMMUNICATIONS	WWTP PHONE	183.30
54489	03/29/2019	Printed			07570	GRAINGER	WWTP OIL	38.57
54490	03/29/2019	Printed			08070	HANSEN BROS. ENTERPRISES	STMT 3/25/19	165.74
54491	03/29/2019	Printed			08086	HBE RENTALS	DINKY FENCE REPLACEMENT	159.60
54492	03/29/2019	Printed			08170	HILLS FLAT LUMBER CO	STMT 3/25/19	766.16
54493	03/29/2019	Printed			08501	HOME DEPOT CREDIT SERVICES	CITY FENCE RPRS	131.20
54494	03/29/2019	Printed			08660	HUNT AND SONS, INC.	FIRE DEPT FUEL	106.13
54495	03/29/2019	Printed			09455	INLAND BUSINESS SYSTEMS	COPY MACH OVERAGE CHARGES	578.67
54496	03/29/2019	Printed			13243	MEDICH ELECTRIC	DEPOT LIGHT REPLACEMENT	638.12
54497	03/29/2019	Printed			14356	NORTHERN CALIFORNIA GLOVE	WWTP SUPPLIES	209.50
54498	03/29/2019	Printed			16142	PLACER COUNTY	ENVELOPES	377.64
54499	03/29/2019	Printed			16165	PLACER COUNTY ENVIRONMENTAL	WWTP HAZMAT TESTING	1,075.00
54500	03/29/2019	Printed			16820	PSI	UTILITY BILL CARDS	364.25
54501	03/29/2019	Printed			18194	RGS - REGIONAL GOV SERVICES	PLANNING SVCS FEB 2019	4,987.50
54502	03/29/2019	Printed			19070	SCORE - SMALL CITIES ORGANIZED	WORKER'S COMP Q4 FY 18/19	18,767.29
54503	03/29/2019	Printed			21500	USA BLUE BOOK, INC	WWTP SUPPLIES	154.33
54504	03/29/2019	Printed			23169	WAVE BUSINESS SOLUTIONS	FIRE DEPT PHONE	35.19
54505	03/29/2019	Printed			23169	WAVE BUSINESS SOLUTIONS	CITY HALL PHONES	214.19

Total Checks: 82

Checks Total (excluding void checks): 336,581.53

Total Payments: 82

Bank Total (excluding void checks): 336,581.53

Total Payments: 82

Grand Total (excluding void checks): 336,581.53

DAILY CASH SUMMARY REPORT

03/01/2019 - 03/31/2019

Item 5C

10/3/2019  
1:24 pm

City of Colfax

		Debit	Credit	Net Chng
<b>Fund: 100 - General Fund</b>				
03/01/2019	Daily Totals	175.00	0.00	175.00
03/05/2019	Daily Totals	494.75	0.00	494.75
03/08/2019	Daily Totals	2,714.72	0.00	2,714.72
03/11/2019	Daily Totals	2,331.45	0.00	2,331.45
03/14/2019	Daily Totals	3,682.36	253.92	3,428.44
03/15/2019	Daily Totals	0.00	37.00	-37.00
03/21/2019	Daily Totals	6,304.56	0.00	6,304.56
03/25/2019	Daily Totals	109,241.43	0.00	109,241.43
03/26/2019	Daily Totals	332.25	0.00	332.25
03/28/2019	Daily Totals	700.00	0.00	700.00
<b>Fund: 100 - General Fund</b>	<b>TOTALS:</b>	<b>125,976.52</b>	<b>290.92</b>	<b>125,685.60</b>
<b>Fund: 120 - Land Development Fees</b>				
03/21/2019	Daily Totals	22,020.16	0.00	22,020.16
03/26/2019	Daily Totals	3,600.00	0.00	3,600.00
<b>Fund: 120 - Land Development Fees</b>	<b>TOTALS:</b>	<b>25,620.16</b>	<b>0.00</b>	<b>25,620.16</b>
<b>Fund: 205 - Escrow Account - Developers</b>				
03/29/2019	Daily Totals	10.24	0.00	10.24
<b>Fund: 205 - Escrow Account - Developers</b>	<b>TOTALS:</b>	<b>10.24</b>	<b>0.00</b>	<b>10.24</b>
<b>Fund: 218 - Support Law Enforcement</b>				
03/21/2019	Daily Totals	18,653.54	0.00	18,653.54
<b>Fund: 218 - Support Law Enforcement</b>	<b>TOTALS:</b>	<b>18,653.54</b>	<b>0.00</b>	<b>18,653.54</b>
<b>Fund: 253 - Gas Taxes</b>				
03/04/2019	Daily Totals	3,284.24	0.00	3,284.24
03/22/2019	Daily Totals	2,720.64	0.00	2,720.64
<b>Fund: 253 - Gas Taxes</b>	<b>TOTALS:</b>	<b>6,004.88</b>	<b>0.00</b>	<b>6,004.88</b>
<b>Fund: 560 - Sewer</b>				
03/01/2019	Daily Totals	122.66	0.00	122.66

DAILY CASH SUMMARY REPORT

Item 5C

03/01/2019 - 03/31/2019

4/3/2019  
11:01 AM  
1:24 pm

City of Colfax

		Debit	Credit	Net Chng
03/05/2019	Daily Totals	200.00	0.00	200.00
<b>Fund: 560 - Sewer</b>		<b>TOTALS:</b>	<b>322.66</b>	<b>0.00</b>
<b>Fund: 561 - Sewer Liftstations</b>				
03/19/2019	Daily Totals	407.00	0.00	407.00
<b>Fund: 561 - Sewer Liftstations</b>		<b>TOTALS:</b>	<b>407.00</b>	<b>0.00</b>
<b>GRAND TOTALS:</b>		<b>176,995.00</b>	<b>290.92</b>	<b>176,704.08</b>



# Staff Report to City Council

## FOR THE APRIL 24, 2019 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Lorraine Cassidy, City Clerk  
**Subject:** South Auburn Street Hotel Mitigation and Impact Fee Reimbursement Agreement  
*Budget Impact Overview:*

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

**RECOMMENDED ACTION:** Discuss and consider adopting Resolution 12-2019 approving the reimbursement agreement for Mitigation and Impact Fees for development of the South Auburn Hotel to allow split payments of the fees, and the fee schedule shall not be increased before June 27, 2021.

### Summary/Background

On June 13, 2018, Council Resolution 43-2018 adopting a Mitigated Negative Declaration (MND) and approving the design review and site plan review for the South Auburn Hotel Project which includes a 69-room, three-story hotel on a 2.07 acre parcel of undeveloped land on South Auburn Street near the intersection of Whitcomb Avenue, generally described as Placer County Assessor's Parcel Nos. 100-230-022, 100-230-023 and 100-230-024 (the "Project").

The Colfax Municipal Code requires the Owner and Project to pay the mitigation impact fees designated for Roads, Drainage, Trails, Parks & Recreation, City Buildings, City Vehicles, and Downtown Parking, as well as the sewer impact fees. All of the fees are collectively referred to as the Project Mitigation Impact Fees.

On June 7, 2018, the City's Land Use/New Development Strategies Committee and representatives of the owner, Colfax Hospitality Partners (formerly known as R&R Partners) met and negotiated an agreement regarding the Project Mitigation Impact Fees. On June 27, 2018, the City Council adopted Resolution 46-2018 approving that agreement.

The mitigation fees approved by Council in Resolution 46-2018 are as follows:

	2017 Office	Unadjusted Fees	Adjustment	Negotiated Value for South Auburn Hotel
Roads	\$5,285	\$168,480.52	\$0	\$168,480.52
Drainage Study	\$57	\$1,817.10	(\$1,817.10)	\$0
Trails	\$35	\$1,115.77	\$0	\$1,115.77
Parks and Recreation	\$178	\$5,674.46	\$0	\$5,674.46
City Buildings	\$2,007	\$63,981.15	(\$10,000)	\$53,981.15
City Vehicles	\$380	\$12,114.02	\$0	\$12,114.02
Downtown Parking	\$1,705	\$54,353.70	(\$10,000)	\$44,353.70
Sewer Impact Fee	\$8,470	\$183,799	\$0	\$183,799
	Total	\$491,335.71	(\$21,817.10)	\$469,518.62

Colfax Hospitality Partners has requested a modification to the agreement to include the ability to split payments of the Project Mitigation Impact Fees with half of the fees due when the building permit application is submitted (\$234,759.31) and the balance due (\$234,759.31) when the occupancy permit is issued for the Project. In addition, the fee basis would not be increased until after June 27, 2021. Further delay in obtaining a project occupancy permit may be subject to fee increases.

The issuance of the building permit is anticipated to occur during the summer of 2019. The final on the improvement (occupancy permit) would be approximately 1½ (early 2021) years after the building permit is issued.

Staff has evaluated this request and recommends approval of allowing the developer to split the payments as stated.

### **Budget Impacts**

The total Mitigation and Sewer Impact fee revenues negotiated/approved were budgeted in fiscal year 2018-2019, budget expenditures for the fiscal year were minimal (\$5,764 parks and recreation). Due to project delays, the anticipated timing of receipt of fees has already been identified and may not have been received in this fiscal year. The budget review for Fiscal Year 2019-2020 (and on following years) will reflect the change in timing based on current project schedule and this agreement amendment if approved.

### **Attachments**

1. Resolution 12-2019
2. Contract with Exhibit A

# City of Colfax

## City Council

### Resolution № 12-2019

---

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX  
APPROVING THE REIMBURSEMENT AGREEMENT FOR MITIGATION AND  
IMPACT FEES FOR DEVELOPMENT OF SOUTH AUBURN HOTEL TO ALLOW  
SPLIT PAYMENTS OF THE FEES, AND THE FEE SCHEDULE SHALL NOT BE  
INCREASED BEFORE JUNE 27, 2021

---

**WHEREAS**, in June of 2018 the City Council approved the design and site plan for the South Auburn Hotel Project; and,

**WHEREAS**, the Colfax Municipal Code subjects the Owner and Project to payment of mitigation impact fees designated for Roads, Drainage, Trails, Parks & Recreation, City Buildings, City Vehicles, and Downtown Parking, as well as the sewer impact fees, referred to collectively to as the Project Mitigation Impact Fees; and,

**WHEREAS**, in June of 2018, the City's Land Use/New Development Strategies Committee negotiated an agreement regarding the Project Mitigation Impact Fees which was adopted on June 27, 2018 through Resolution 46-2018 approving the agreement; and,

**WHEREAS**, the developers of the Project, Colfax Hospitality Partners, have requested a modification to the agreement to include the ability to split payments of the Project Mitigation Impact Fees with half of the fees due when the building permit application is submitted (\$234,759.31) and the balance due (\$234,759.31) when the occupancy permit is issued for the Project, and the fee schedule shall not be increased before June 27, 2021; and,

**WHEREAS**, the City Council has determined it is in the best interest of the City to grant the request of the developer as stated,

**NOW, THEREFORE, BE IT RESOLVED** the City Council of the City of Colfax, authorizes the City Manager to execute a Mitigation Fee Agreement with Colfax Hospitality Partners in the form attached.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** at the Regular Meeting of the City Council of the City of Colfax held on the 24<sup>th</sup> day of April 2019 by the following vote of the Council:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**Joe Fatula, Mayor**

**ATTEST:**

---

**Lorraine Cassidy, City Clerk**

**CITY OF COLFAX  
MITIGATION FEE AGREEMENT  
FOR THE SOUTH AUBURN HOTEL PROJECT**

**1. PARTIES AND DATE**

This Agreement is made effective the 25<sup>th</sup> day of April, 2019 by and between the City of Colfax, a municipal corporation and California general law city (the “City”), and Colfax Hospitality Partners, a limited liability company (the “Owner”).

**2. RECITALS**

2.1 On June 13, 2018 the City adopted its Resolution 43-2018 whereby it adopted a Mitigated Negative Declaration (MND) and approved the design review and site plan review for the South Auburn Hotel Project which includes a 69-room, three-story hotel on a 2.07 acre parcel of undeveloped land on South Auburn Street near its intersection with Whitcomb Avenue, generally described as Placer County Assessor’s Parcel Nos. 100-230-022, 100-230-023 and 100-230-024 (the “Project”).

2.2 Colfax Municipal Code (CMC) Chapter 3.56 subjects the Owner and Project to payment of the mitigation impact fees designated therein for Roads (CMC 3.56.030A), Drainage (CMC 3.56.030B & C), Trails (CMC 3.56.030D), Parks & Recreation (CMC 3.56.030E), City Buildings (CMC 3.56.030F), City Vehicles (CMC 3.56.030G), and Downtown Parking (CMC 3.56.030H), and CMC Chapter 13.08, Article II subjects the Owner and Project to payment of the sewer impact fees required thereby. All of the fees referred to in this Section 2.2 will be referred to collectively as the Project Mitigation Impact Fees.

2.3 On June 7, 2018, the City’s Land Use/New Development Strategies Committee and the Owner met and negotiated an agreement regarding the Project Mitigation Impact Fees. On June 27, 2018, the City Council adopted Resolution 46-2018 approving that agreement. A copy of Resolution 46-2018 is attached as Exhibit A hereto and is incorporated herein by this reference. This Agreement memorializes and modifies the agreement memorialized in Resolution 46-2018.

**3. MITIGATION IMPACT FEES**

3.1 Amount of Fees. Owner shall pay the following mitigation impact fees for the Project. All mitigation impact fees imposed by the City on this Project shall not be increased until at least June 27, 2021.

	<b>2017 Office</b>	<b>Unadjusted Fees</b>	<b>Adjustment</b>	<b>Negotiated Value for South Auburn Hotel</b>
Roads	\$5,285	\$168,480.52	\$0	<b>\$168,480.52</b>
Drainage Study	\$57	\$1,817.10	(\$1,817.10)	<b>\$0</b>
Trails	\$35	\$1,115.77	\$0	<b>\$1,115.77</b>
Parks and Recreation	\$178	\$5,674.46	\$0	<b>\$5,674.46</b>
City Buildings	\$2,007	\$63,981.15	(\$10,000)	<b>\$53,981.15</b>

City Vehicles	\$380	\$12,114.02	\$0	<b>\$12,114.02</b>
Downtown Parking	\$1,705	\$54,353.70	(\$10,000)	<b>\$44,353.70</b>
Sewer Impact Fee	\$8,470	\$183,799	\$0	<b>\$183,799</b>
	Total	\$491,335.71	(\$21,817.10)	<b>\$469,518.62</b>

3.2 Payment of Mitigation Impact Fees. All mitigation impact fees related to the Project shall be due and payable as follows: 50% upon application for building permit for the Project and the remaining 50% prior to issuance of an occupancy permit for the Project.

3.3 Payment of Other Fees and Charges. This Agreement only, and conditionally, limits the Project Mitigation Impact Fees. It is not intended to, and shall not be interpreted or construed to, affect Owner’s obligation to pay any other City fees, charges or exactions, or third-party fees, charges and exactions, all of which shall be paid by Owner as and when required.

3.4 City Expense Charges. The City imposes a variety of fees and charges (“City Expense Charges”), which are not intended as a general revenue source, but instead are intended to reimburse the City for the cost of processing development applications. As of the effective date of this Agreement, such City Expense Charges include building permit fees, plan check fees, mechanical permit fees, electrical permit fees, plumbing permit fees, insulation permit fees, use permit fees, design review fees, environmental review and engineering plan check and inspection fees. Owner shall pay all such City Expense Charges to the City when due, at the rates in effect when paid.

3.5 Third Party Fees. Owner shall pay, at the time when normally due, all charges and fees which the City is required by law or interagency agreement to collect on behalf of, and pass through to, other public agencies that are not within or related to the City, or within or a component of the Project Mitigation Impact Fees or other fee or charge that is established or assessed by the City (“Third Party Fees”). Owner shall also pay, at the time when normally due, all school district fees which the City is required by law or interagency agreement to collect, and such future amounts as are assessed by any school district or other third parties in conformance with legal requirements.

**4. GENERAL PROVISIONS**

4.1 Notice. Any notices required or desired to be sent pursuant to this Agreement shall be addressed as follows:

CITY:  
 City Manager  
 City of Colfax  
 33 S. Main Street  
 P.O. Box 702  
 Colfax, CA 95713

## OWNER:

Colfax Hospitality Partners  
7858 Cook-Riolo Road  
Antelope, CA 94583

4.2 Termination.

In the event that Owner materially defaults in the performance of any of its obligations under this Agreement or materially breaches any of the provisions of this Agreement, City shall have the option to terminate this Agreement, but only in accordance with following provisions. The City shall provide written notice to Owner that sets forth the basis for the City's determination that Owner has defaulted or breached the Agreement. Owner shall have ten (10) days after the date of the City's notice to notify the City in writing either (i) that Owner disputes the City's allegation of a default or breach, or (ii) that Owner will cure the alleged default or breach, in which case Owner will have thirty (30) days after the date of the City's notice to cure the default or breach. If Owner disputes the City's alleged breach or default, the parties shall attempt to resolve the dispute in good faith through negotiation. If the parties have not resolved the dispute within twenty (20) days after the City's notice, the parties shall, on the request of either party, submit the disputed objections to the dispute resolution procedures set forth in this Agreement. If Owner fails to timely cure any material breach or default as set forth in this Agreement, the City may immediately terminate this Agreement by written notice to Owner.

4.3 Attorney's Fees / Arbitration Fees. In the event that any party hereto institutes any action or proceeding, including arbitration, for a declaration of the rights of the parties under this Agreement, for an alleged breach or default of, or any other action arising out of, this Agreement, or the transactions contemplated hereby, or in the event any party is in default of its obligations pursuant thereto, whether or not suit is filed or prosecuted to final judgment, the non-defaulting party or prevailing party shall be entitled to its actual attorneys' fees and to any court costs incurred, in addition to any other damages or relief awarded.

4.4 Dispute Resolution.

(a) Before resorting to mediation, arbitration or other legal process, the primary contacts of the parties shall meet and confer and attempt to amicably resolve any dispute arising from or relating to this Agreement subject to the following provisions. Any party desiring to meet and confer shall so advise the other party pursuant to a written notice. Within fifteen (15) days after provision of that written notice by the party desiring to meet and confer, the primary contacts for each party shall meet in person and attempt to amicably resolve their dispute. Each primary contact, or the person acting in their absence with full authority to resolve the dispute, shall attend the meeting and shall be prepared to devote an entire day thereto. If any dispute remains unresolved at the end of the meeting, any party to this Agreement shall have the right to invoke the mediation process provided for in subparagraph (b) below.

(b) Subject to the provisions of subparagraph (a), any dispute that remains unresolved after the meet and confer shall immediately be submitted to non-binding

neutral mediation, before a mutually acceptable, neutral retired judge or justice at the Office of the Judicial Arbitration and Mediation Service (JAMS) nearest to Colfax, or at such other similar service that the parties may agree to. If within five (5) days after the meet and confer the parties are unable to agree upon the selection of a neutral mediator, then the first available retired judge or justice at the Sacramento office of JAMS, or the JAMS office closest to Colfax if there is no Sacramento JAMS office, shall serve as the neutral mediator. The parties agree to commit to at least one full day to the mediation process, or two half days as may be arranged. Additionally, to expedite the resolution of any dispute that is not resolved by mediation, the parties agree to each bring to the neutral mediation a list of at least five neutral arbitrators, including those arbitrator's resumes, whose availability for an arbitration hearing within one hundred and twenty (120) days after the mediation has been confirmed or as otherwise agreed to by the parties.

(c) If mediation is unsuccessful, before the mediation concludes, the parties shall mediate the selection of a neutral arbitrator to assist in the resolution of their dispute. If the parties are unable to agree on an arbitrator, the parties agree to submit selection of an arbitrator to the mediator, whose decision shall be binding on the parties. In that case, the mediator shall select a neutral arbitrator from the then active list of retired judges or justices at the Sacramento Office of the Judicial Arbitration and Mediation Service (JAMS), or the JAMS office closest to Colfax if there is no Sacramento JAMS office. The arbitration shall be conducted pursuant to the provisions of the California Arbitration Act, sections 1280-1294.2 of the California Code of Civil Procedure. In such case, the provisions of Code of Civil Procedure Section 1283.05 and 1283.1 shall apply and are hereby incorporated into this Agreement.

**NOTICE: BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTERS INCLUDED IN THE 'DISPUTE RESOLUTION PROCEDURES' PROVISIONS DECIDED BY NEUTRAL MEDIATION AND ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE 'DISPUTE RESOLUTION PROCEDURES' PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY. WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE 'DISPUTE RESOLUTION PROCEDURES' PROVISION TO NEUTRAL ARBITRATION.**

Owner's INITIALS \_\_\_\_\_ CITY'S INITIALS \_\_\_\_\_

4.5 Entire Agreement. This Agreement contains the entire agreement of the parties hereto with respect to the subject matter hereof, and supersedes all prior understandings or agreements regarding that subject matter. The provisions of this Agreement shall be construed as to the fair meaning and not for or against any party based upon any attribution of such party as the sole source of the language in question. This Agreement shall be construed under and pursuant to the laws of the State of California.

4.6 Assignment. Except as provided herein, this Agreement shall not be assigned without consent of the parties hereto, and any assignment without such written consent shall be void and ineffective.

4.7 Time of Essence. Time is of the essence for this Agreement

4.8 Recitals. All of the Recitals in Article 2 are incorporated into this Agreement and constitute a part hereof.

CITY OF COLFAX

BY: \_\_\_\_\_  
WES HEATHCOCK, CITY MANAGER

ATTEST:

BY: \_\_\_\_\_  
LORRAINE CASSIDY, CITY CLERK

Owner:

Colfax Hospitality Partners

BY: \_\_\_\_\_  
Rajinder Singh, Partner

## Exhibit A

# City of Colfax

## City Council

## Resolution No 46-2018

### APPROVING ADJUSTMENTS TO THE MITIGATION AND IMPACT FEES FOR THE SOUTH AUBURN HOTEL AS AGREED UPON BY THE LAND USE/NEW DEVELOPMENT STRATEGIES COMMITTEE

---

**WHEREAS**, City Council adopted Resolution 43-2018 approving the South Auburn Hotel Project on June 13, 2018; and,

**WHEREAS**, the City Council Land Use/New Development Strategies Subcommittee negotiated adjustments to the mitigation impact fees with the developer on behalf of the City; and,

**WHEREAS**, the committee and developer agreed to a mitigation impact fee schedule for this development project; and,

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

1. The City approves the following Mitigation Impact fee schedule for the South Auburn Hotel Project:

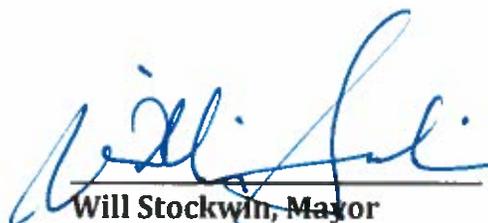
	2017 Office	Unadjusted Fees	Adjustment	Negotiated Value for South Auburn Hotel
Roads	\$5,285	\$168,480.52	\$0	\$168,480.52
Drainage Study	\$57	\$1,817.10	(\$1,817.10)	\$0
Trails	\$35	\$1,115.77	\$0	\$1,115.77
Parks and Recreation	\$178	\$5,674.46	\$0	\$5,674.46
City Buildings	\$2,007	\$63,981.15	(\$10,000)	\$53,981.15
City Vehicles	\$380	\$12,114.02	\$0	\$12,114.02
Downtown Parking	\$1,705	\$54,353.70	(\$10,000)	\$44,353.70
Sewer Impact Fee	\$8,470	\$183,799	\$0	\$183,799
	Total	\$491,335.71	(\$21,817.10)	\$469,518.62

Exhibit A

2. The development impact fees established by this schedule shall not be increased for this development project sooner than June 27, 2019.
3. Upon approval of these fees and conditions by Council, the City Attorney will draft an agreement to be signed by the developer and the City Manager.

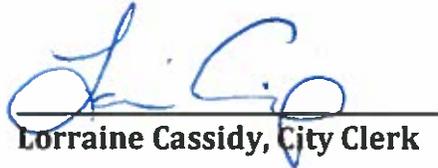
**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** at the Regular Meeting of the City Council of the City of Colfax held on the 27th day of June, 2018 by the following vote of the Council:

<b>AYES:</b>	<b>Douglass, Harvey, Mendoza, Stockwin</b>
<b>NOES:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>None</b>



Will Stockwin, Mayor

**ATTEST:**



Lorraine Cassidy, City Clerk



# Staff Report to City Council

## FOR THE APRIL 24, 2019 REGULAR CITY COUNCIL MEETING

**From:** Wes Heathcock, City Manager  
**Prepared by:** Laurie Van Groningen, Finance Director  
**Subject:** Temporary Interfund Loan to finalize purchase a portion of “Lot of Arts” from Scott Miles as approved by Council on April 11, 2018

*Budget Impact Overview:*

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

**RECOMMENDED ACTION:** Discuss and consider adopting Resolution 13-2019 authorizing an interfund loan from Fund 100 to Fund 213 in the amount of \$30,000 to complete the purchase of a portion of the Lot of Arts from Scott Miles.

### Summary/Background

In April 2018, City Council approved Resolution No. 22-2018 Authorizing the City Manager to enter into a vacant land purchase agreement on behalf of the City to purchase APN#006-066-028, a portion of the area on Main Street known as “Lot of Arts” from Scott Miles for \$45,000. This land purchase and the recently completed shade structure for the bleachers at the ballfield in the amount of \$48,000 were based on the 2018-2019 budgeted/anticipated receipt of Mitigation Fees for Parks and Recreation – City Fund 213. Fund 213 is currently short approximately \$25,000 to complete these two projects due to the timing of Mitigation Fees payments for the Hotel on S. Auburn Street and the Sierra Oaks housing project. It is anticipated that these Mitigation Fees will be received by the City within one year.

To address this short-term deficit, Council could approve an interfund loan. Interfund loans are the lending of cash from one City fund to another for a specific purpose and with a requirement for repayment. The practice of interfund loans is a recognized and necessary aspect of municipal finance. Such loans are typically short-term in nature, and constitute the allocation of resources between individual funds for working capital purposes and to cover temporary timing differences between revenues and expenses. The City of Colfax Administrative Policies and Procedures allows Council to approve interfund loans to address short-term downturns in revenues or temporary gaps in cash flow. Working capital to cover Council-approved reimbursable grants/projects have been the only Interfund Loans in recent City history. The source fund for working capital interfund loans is typically the City General Fund. The loans are short-term, and only for validated project expenditures based upon reimbursement agreements.

City staff recommends an Interfund Loan from the Fund 100 - City General Fund to Fund 213 – Mitigation Fees Parks and Recreation in the amount of \$30,000 to complete the purchase of land described above. Interest on short term loans is imposed at investment earnings as if loan did not occur.

### Attachments

Resolution 13-2019

Resolution 22-2018 Approving Purchase of portion of Lot of Arts from Scott Miles

# City of Colfax

## City Council

### Resolution № 13-2019

---

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX  
AUTHORIZING AN INTERFUND LOAN FROM FUND 100 TO FUND 213 IN THE  
AMOUNT OF \$30,000 TO COMPLETE THE PURCHASE OF A PORTION OF THE  
LOT OF ARTS FROM SCOTT MILES**

---

**WHEREAS**, in April 2018, the City Council adopted Resolution 22-2018 authorizing the City Manager to execute a Vacant Land Purchase agreement for APN #066-066-028, commonly known as a part of the Lot of Arts, from Scott Miles for \$45,000; and,

**WHEREAS**, the City purchase will be funded through the Mitigation Fees for Parks and Recreation – City Fund 213; and,

**WHEREAS**, Fund 213 currently has a temporary shortfall due to the timing of payments from approved development projects; and,

**WHEREAS**, the City of Colfax Administrative Policies and Procedures allows the City Council to approve Interfund Loans for validated project expenditures based upon reimbursement agreements.

**NOW, THEREFORE, BE IT RESOLVED** the City Council of the City of Colfax, approves Interfund Loan from the Fund 100 - City General Fund to Fund 213 – Mitigation Fees Parks and Recreation in the amount of \$30,000 to complete the purchase of land described above.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** at the Regular Meeting of the City Council of the City of Colfax held on the 24<sup>th</sup> day of April 2019 by the following vote of the Council:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**Joe Fatula, Mayor**

**ATTEST:**

---

**Lorraine Cassidy, City Clerk**

**City of Colfax  
City Council**

**Resolution № 22-2018**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A VACANT  
LAND PURCHASE AGREEMENT ON BEHALF OF THE CITY TO  
PURCHASE APN #006-066-028, A PORTION OF THE AREA ON MAIN  
STREET KNOWN AS "LOT OF ARTS," FROM SCOTT MILES FOR  
\$45,000**

---

**WHEREAS**, the City was approached to purchase the undeveloped land at APN#006-066-028 located between 5 South Main Street and 25 S. Main Street which is two-thirds of the area commonly known as "Lot of Arts"; and,

**WHEREAS**, the City Council has determined the \$45,000 purchase price for the parcel is reasonable; and,

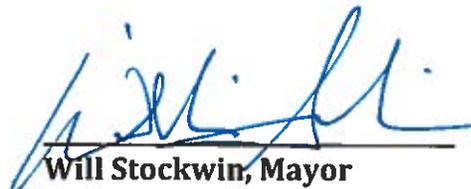
**WHEREAS**, the City Parks and Recreation Plan identifies the need to expand park land; and

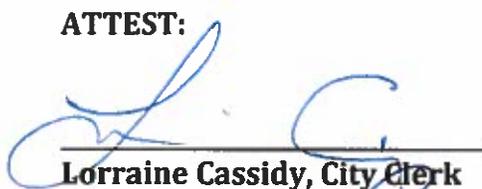
**WHEREAS**, the acquisition will allow the City to make permanent improvements to the parcel.

**NOW THEREFORE, BE IT RESOLVED** the City Council of the City of Colfax authorizes the City Manager to execute on behalf of the City a Vacant Land Purchase Agreement in the form attached to purchase APN #066-066-028 from Scott Miles for \$45,000.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** at the Regular Meeting of the City Council of the City of Colfax held on the 11th day of April, 2018 by the following vote of the Council:

**AYES:** Douglass, Harvey, Mendoza, Stockwin  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

  
\_\_\_\_\_  
Will Stockwin, Mayor

**ATTEST:**  
  
\_\_\_\_\_  
Lorraine Cassidy, City Clerk