

City Council Meeting

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA



Mayor Trinity Burruss · Mayor Pro Tem Marnie Mendoza
Councilmembers · David Ackerman · Joe Fatula · Sean Lomen

REGULAR MEETING AGENDA

March 23, 2022

Closed Session 5:00PM

Regular Session: 6:00PM

This Regular Meeting of the City Council is being held pursuant to Government Code Section 54953(e) which authorizes meetings to be held by teleconference. The Governor’s proclaimed state of emergency remains in effect and the City Council has made or will make the legal findings necessary to hold meetings by teleconference. You may access the meeting and address the Council by any of the following means:

ZOOM at

<https://us02web.zoom.us/j/81389519367>

Dial in by calling one of the numbers listed below and enter the Webinar ID:

813 8951 9367

1 (669) 900-6833

1 (346) 248-7799

1 (312) 626-6799

1 (929) 205-6099

1 (253) 215-8782

1 (301) 715-8592

Facebook Live on our City of Colfax page: City of Colfax, California.

You may also submit written comments to the City Clerk via email at

city.clerk@colfax-ca.gov, via regular mail to P.O. Box 702, Colfax CA 95713, or

by dropping them off at City Hall, 33 S. Main Street, Colfax CA 95713. Please

submit written comments by 4:00 pm on the day of the meeting. Comments

received will be submitted to Council and made a part of the record.

1 CLOSED SESSION

1A. Call Closed Session to Order

1B. Roll Call

1C. Public Comment on Closed Session Items

1D. Closed Session:

(a) Public employee performance evaluation pursuant to Government Code Section 54957

Title: City Manager

*****PUBLIC COMMENTS FOR CLOSED SESSION MUST BE RECEIVED BY 4:00 PM,**

MARCH 23,2022***

OPEN SESSION

2A. Call Open Session to Order



Colfax City Council Meetings are ADA compliant. If you need disability-related modification or accommodation including auxiliary aids or services to participating in this meeting, please contact the City Clerk at (530) 346-2313 at least 72 hours prior to make arrangements for ensuring your accessibility.

March 23, 2022

- 2B. Report from Closed Session
- 2C. Pledge of Allegiance
- 2D. Roll Call
- 2E. Approval of Agenda Order

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

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

3 CONSENT CALENDAR

Matters on the Consent Calendar are routine in nature and will be approved by one blanket motion with a Council vote.

No discussion of these items ensues unless specific items are pulled for discussion and separate action. If you wish to have an item pulled from the Consent Agenda for discussion, please notify the Mayor

- 3A. **Cash Summary – February 2022** Pages 4-11
Recommendation: Accept and File
- 3B. **Minutes** Pages 12-14
Recommendation: By Motion, approve the Colfax City Council minutes of 3/9/22
- 3C. **Schedule of Activities for Collecting Delinquent Sewer and Garbage Charges on Annual Tax Rolls** Page 15
Recommendation: Information Only
- 3D. **2021 Annual Housing Element Progress Report** Pages 16-19
Recommendation: Adopt Resolution __-2022 accepting the 2021 Annual Housing Element Progress Report and authorize staff to send the report to the state.
- 3E. **An Ordinance Repealing and Replacing Colfax Municipal Code Title 8, Chapter 8.20 “Refuse Collection”** Pages 20-39
Recommendation: Waive the second reading and adopt Ordinance __, an Ordinance Repealing and Replacing Colfax Municipal Code Title 8, Chapter 8.20 “Refuse Collection”, to be effective 30 days after adoption.

*** End of Consent Calendar ***

4 AGENCY REPORTS

- 4A. Placer County Sheriff Department
- 4B. CHP
- 4C. Placer County Fire Department/CALFIRE
- 4D. Chamber of Commerce

5 PRESENTATION

- 5A. **Presentation by Mayor Burruss** Page 40
Proclamation in recognition of Tony Martello’s Football Coaching Career at Colfax High.

6 PUBLIC HEARING (None)



7 **PUBLIC COMMENT**

Members of the public are permitted to address the Council orally or in writing on matters of concern to the public within the subject matter jurisdiction of the City that are not listed on this agenda. Please make your comments as succinct as possible. Oral comments made at the meeting may not exceed three (3) minutes per speaker. Written comments should not exceed 500 words. Written comments received before the close of an agenda item may be read into the record, with a maximum allowance of three (3) minutes in length. Council cannot act on items not listed on this agenda but may briefly respond to statements made or questions posed, request clarification, refer the matter to staff, or place the matter on a future agenda.

8 **COUNCIL AND STAFF**

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

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

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

9 **COUNCIL BUSINESS**

9A. **California Hazard Mitigation Grant Program - Subapplication** Pages 41-42

Recommendation: Discuss and consider authorizing the City Manager to submit a subapplication for California Hazard Mitigation Grant Program projects – Community Home Hardening and Defensible Space and Energy Resilience – Generator Installation for Critical Facilities and Infrastructure in an amount not to exceed \$6,850,000.

10 **GOOD OF THE ORDER**

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

11 **ADJOURNMENT**

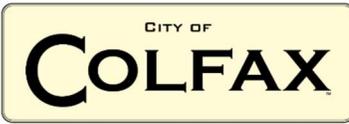
I, Marguerite Bailey, City Clerk for the City of Colfax, declare that this agenda was posted in accordance with the Brown Act at Colfax City Hall and Colfax Post Office. The agenda is also available on the City website at <http://colfax-ca.gov/>

Marguerite Bailey

Marguerite Bailey, City Clerk

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





Staff Report to City Council

FOR THE MARCH 23, 2022 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Laurie Van Groningen, Finance Director
Subject: Cash Summary – February 2022

Budget Impact Overview:

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

Summary/Background

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

The purpose of these reports is to provide the 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 February 2022. Some monthly highlights are listed below:

- February revenues included:
 - Allocation for Sales Tax revenues reported/paid to the State for the month of December 2021 (two-month lag).
 - Ongoing monthly receipts for Sewer services
- February expenditures included:
 - Repair costs for water damage at Sheriff substation.
 - Franchise fee audit costs (to be reimbursed).
 - Ongoing monthly operating expenses and approved capital project expenditures.
- Negative cash fund balances at the end of February are due to timing of funding allocations and reimbursements:
 - Fund 203 – Cares Act Funding CDBG. This grant funding was for City Subsistence Assistance program. The City has elected to close this program due to lack of participation. Grant closeout and request for reimbursement have been submitted.
 - Fund 250 – Streets – Roads/Transportation. These expenses are funded by annual Transportation funding through Placer County Transportation Agency (PCTPA), City Gas Tax revenues, and a General Fund allocation. PCTPA Funding was requested in December and initial allocation is anticipated in March 2022.

- Fund 358 – CDBG Road Rehabilitation. This is a reimbursable grant – final funding of grant is still pending. CDBG has approved start date of expenditures. Any unfunded expenditures would require allocation from the General Fund.
- Fund 367 – SB2 Planning Grant – this is a reimbursable grant. Second round of Reimbursement requests were submitted in February and payment is anticipated in March 2022.
- Fund 373 – S Auburn/Whitcomb improvements. This project will be funded with Road Mitigation fees at project completion. Final costs and fund transfers are pending final negotiation of shared costs with Placer County Water Agency.
- Fund 575 – WWTP Construction Grant. This is a reimbursable grant. Reimbursement requests are scheduled to be submitted quarterly – final grant award was processed in December. The first reimbursement request was submitted in early March 2022.
- Fund 576 – Phase II – Pond 3 Fissure Repair. This project is anticipated to be funded by insurance. Final Project costs were submitted for reimbursement in early March 2022.
- Fund 585 – Lift station #5 Force Main repair. Current expenditures include design work being performed by GHD (approved \$50K). Future repair work estimated at \$532K and will be funded at completion by Sewer Connection fees and American Rescue Plan Act (ARPA) funding.
- Anticipated revenues/expenditures for March include:
 - Revenues
 - Allocation for Sales Tax revenues reported/paid to the State for the month of January 2022 (two-month lag).
 - Expenditures
 - Ongoing monthly operating expenses.
 - Approved capital project expenditures – expect an increase as WWTP solar project, Lift Station #5 repairs, and Generator replacement projects have expected increased activity.

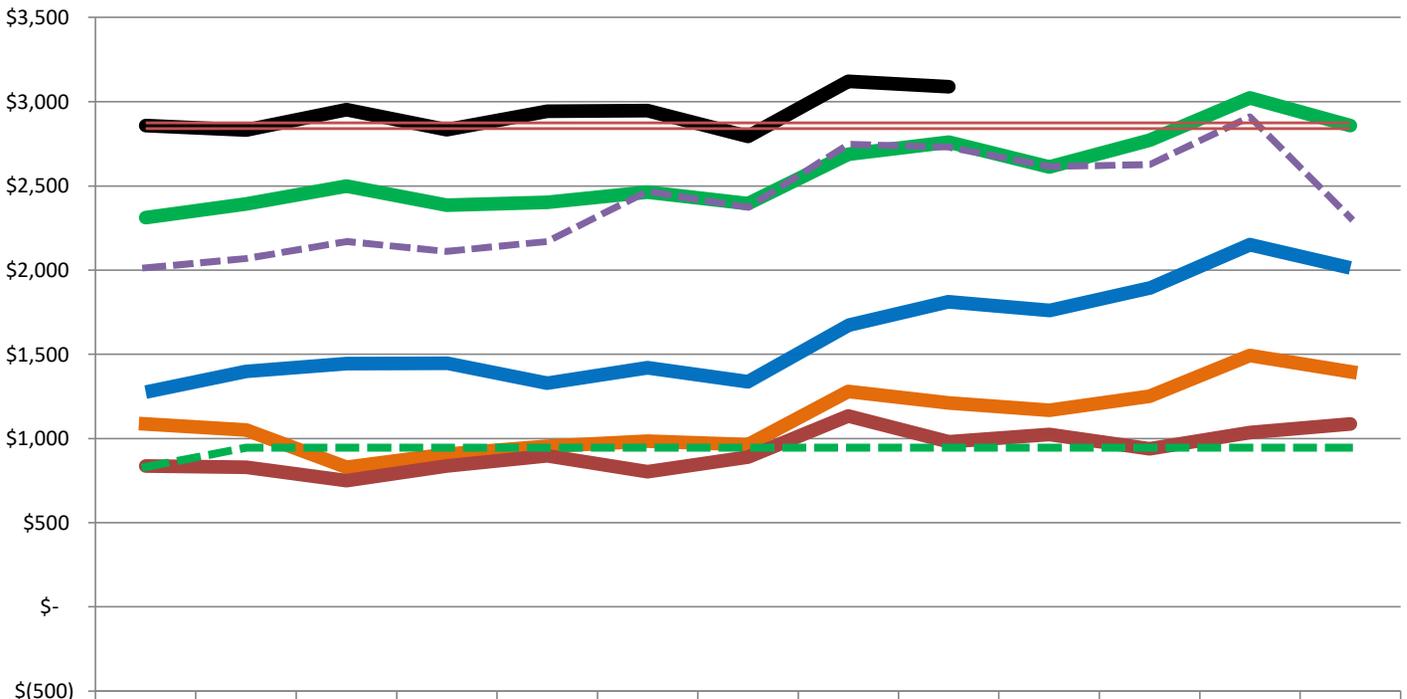
Attachments:

1. General Fund Reserved Cash Analysis Graph
2. Cash Activity Reports
 - a. Cash Summary
 - b. Cash Transactions Report – by individual fund
 - c. Check Register Report - Accounts Payable

City of Colfax - February 2022 General Fund Reserved Cash Analysis

(Dollars in Thousands)

Fiscal Year 2021-22 >>



	Prev Yr	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
— Cash Balance FY2021-22	\$2,857	\$2,831	\$2,953	\$2,833	\$2,943	\$2,946	\$2,794	\$3,120	\$3,088				
— Cash Balance FY2020-21	\$2,311	\$2,392	\$2,497	\$2,386	\$2,402	\$2,463	\$2,393	\$2,688	\$2,760	\$2,612	\$2,771	\$3,023	\$2,857
- - - Cash Balance FY2019-20	\$2,013	\$2,069	\$2,169	\$2,110	\$2,170	\$2,467	\$2,373	\$2,747	\$2,730	\$2,615	\$2,627	\$2,910	\$2,311
— Cash Balance FY2018-19	\$1,275	\$1,398	\$1,444	\$1,447	\$1,329	\$1,420	\$1,336	\$1,672	\$1,812	\$1,760	\$1,893	\$2,151	\$2,013
— Cash Balance FY2017-18	\$1,086	\$1,050	\$828	\$905	\$954	\$983	\$962	\$1,280	\$1,212	\$1,168	\$1,250	\$1,493	\$1,396
— Cash Balance FY2016-17	\$838	\$829	\$750	\$835	\$897	\$802	\$889	\$1,133	\$981	\$1,022	\$938	\$1,034	\$1,086
- - - *Reserves (Ops, Cap, Pen)	\$830	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945	\$945
— Budget FY2021-22	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857	\$2,857

**City of Colfax
Cash Summary
February 28, 2022**

	Balance 01/31/2022	Revenues In	Expenses Out	Transfers	Balance 02/28/22
US Bank	\$ 204,865.21	\$ 272,048.70	\$ (268,220.34)	\$ -	\$ 208,693.57
LAIF	\$ 8,522,952.05	\$ -		\$ -	\$ 8,522,952.05
Total Cash - General Ledger	<u>\$ 8,727,817.26</u>	<u>\$ 272,048.70</u>	<u>\$ (268,220.34)</u>	<u>\$ -</u>	<u>\$ 8,731,645.62</u>
Petty Cash (In Safe)	\$ 300.00				\$ 300.00
Total Cash	<u>\$ 8,728,117.26</u>	<u>\$ 272,048.70</u>	<u>\$ (268,220.34)</u>	<u>\$ -</u>	<u>\$ 8,731,945.62</u>

Change in Cash Account Balance - Total \$ 3,828.36

Attached Reports:

1. Cash Transactions Report (By Individual Fund)		
2. Check Register Report (Accounts Payable)	\$ (173,666.52)	
Cash Receipts	\$ 112,607.62	
Payroll Checks and Tax Deposits	\$ (77,800.69)	
Utility Billings - Receipts	\$ 141,512.40	
CalPERS EFT (check date Nov)	\$ -	
Void Check	\$ 1,175.55	
LAIF Interest	\$ -	
	<u>\$ 3,828.36</u>	\$ (0.00)

Prepared by: Laurie Van Groningen, Finance Director
Laurie Van Groningen, Finance Director

Reviewed by: Wes Heathcock, City Manager
Wes Heathcock, City Manager

City of Colfax
Cash Transactions Report - February 2022

	Beginning Balance	Debit Revenues	Credit (Expenditures)	Ending Balance
Fund Type: 1.11 - General Fund - Unassigned				
Fund: 100 - General Fund	\$ 3,052,347.62	\$ 99,856.80	\$ (122,706.62)	\$ 3,029,497.80
Fund: 120 - Land Development Fees	\$ 66,504.86	\$ 1,589.20	\$ (9,210.60)	\$ 58,883.46
Fund: 200 - Cannabis Application	\$ 1,392.99	\$ -	\$ (1,500.00)	\$ (107.01)
Fund Type: 1.11 - General Fund - Unassigned	\$ 3,120,245.47	\$ 101,446.00	\$ (133,417.22)	\$ 3,088,274.25
Fund Type: 1.14 - General Fund - Restricted				
Fund: 205 - Escrow Funds	\$ 117,157.00	\$ -	\$ -	\$ 117,157.00
Fund: 571 - AB939 Landfill Diversion	\$ 23,317.26	\$ -	\$ -	\$ 23,317.26
Fund: 572 - Landfill Post Closure Maintenance	\$ 786,827.59	\$ -	\$ (4,083.08)	\$ 782,744.51
Fund Type: 1.14 - General Fund - Restricted	\$ 927,301.85	\$ -	\$ (4,083.08)	\$ 923,218.77
Fund Type: 1.24 - Special Rev Funds - Restricted				
Fund: 201 - CARES Act Funding	\$ -	\$ -	\$ -	\$ -
Fund: 202 - ARPA American Rescue Plan Act	\$ 239,736.15	\$ -	\$ -	\$ 239,736.15
Fund: 203 - CARES Act Funding - CDBG	\$ (16,409.27)	\$ -	\$ -	\$ (16,409.27)
Fund: 210 - Mitigation Fees - Roads	\$ 267,184.19	\$ -	\$ -	\$ 267,184.19
Fund: 211 - Mitigation Fees - Drainage	\$ 5,393.96	\$ -	\$ -	\$ 5,393.96
Fund: 212 - Mitigation Fees - Trails	\$ 74,933.08	\$ -	\$ -	\$ 74,933.08
Fund: 213 - Mitigation Fees - Parks/Rec	\$ 191,900.71	\$ -	\$ -	\$ 191,900.71
Fund: 214 - Mitigation Fees - City Bldgs	\$ 101,227.70	\$ -	\$ -	\$ 101,227.70
Fund: 215 - Mitigation Fees - Vehicles	\$ 22,107.93	\$ -	\$ -	\$ 22,107.93
Fund: 217 - Mitigation Fees - DT Parking	\$ 43,279.28	\$ -	\$ -	\$ 43,279.28
Fund: 218 - Support Law Enforcement	\$ 70,205.05	\$ 18,566.22	\$ -	\$ 88,771.27
Fund: 244 - CDBG Program Inc - ME Lending	\$ 6,003.44	\$ -	\$ -	\$ 6,003.44
Fund: 250 - Streets - Roads/Transportation	\$ (84,777.69)	\$ -	\$ (5,001.19)	\$ (89,778.88)
Fund: 253 - Gas Taxes	\$ 22,894.03	\$ -	\$ (20,429.67)	\$ 2,464.36
Fund: 258 - Road Maintenance - SB1/RSTBG	\$ 144,531.35	\$ 4,200.29	\$ -	\$ 148,731.64
Fund: 270 - Beverage Container Recycling	\$ 19,100.52	\$ 3,367.05	\$ -	\$ 22,467.57
Fund: 280 - Oil Recycling	\$ 3,766.18	\$ -	\$ -	\$ 3,766.18
Fund: 292 - Fire Department Capital Funds	\$ 93,265.04	\$ -	\$ -	\$ 93,265.04
Fund: 342 - Fire Construction - Mitigation	\$ 75,780.39	\$ -	\$ -	\$ 75,780.39
Fund: 343 - Recreation Construction	\$ 75,780.86	\$ -	\$ -	\$ 75,780.86
Fund Type: 1.24 - Special Rev Funds - Restricted	\$ 1,355,902.90	\$ 26,133.56	\$ (25,430.86)	\$ 1,356,605.60
Fund Type: 1.34 - Capital Projects - Restricted				
Fund: 300 - FY2021 ADA Project	\$ -	\$ -	\$ -	\$ -
Fund: 367 - SB2 - Planning Grant	\$ (47,588.34)	\$ -	\$ (1,144.60)	\$ (48,732.94)
Fund: 358 - CDBG Pavement	\$ (92,621.34)	\$ -	\$ -	\$ (92,621.34)
Fund: 373 - S Auburn/Whitcomb Imp	\$ (126,307.15)	\$ -	\$ -	\$ (126,307.15)
Fund: 374 - Roundabout Monument	\$ (0.00)	\$ -	\$ -	\$ (0.00)
Fund: 377 - 101 Railroad Parking Lot	\$ -	\$ -	\$ -	\$ -
Fund Type: 1.34 - Capital Projects - Restricted	\$ (266,516.83)	\$ -	\$ (1,144.60)	\$ (267,661.43)
Fund Type: 2.11 - Enterprise Funds				
Fund: 560 - Sewer	\$ 1,511,256.03	\$ 94,653.78	\$ (83,216.05)	\$ 1,522,693.76
Fund: 561 - Sewer Liftstations	\$ 739,312.35	\$ 14,269.97	\$ (17,940.19)	\$ 735,642.13
Fund: 563 - Wastewater Treatment Plant	\$ 705,088.62	\$ 40,392.74	\$ (1,914.31)	\$ 743,567.05
Fund: 564 - Sewer Connections	\$ 443,017.95	\$ -	\$ -	\$ 443,017.95
Fund: 574 - OES PSPS Grant	\$ 282,612.18	\$ -	\$ (500.00)	\$ 282,112.18
Fund: 575 - WWTP Construction Grant	\$ (17,060.00)	\$ -	\$ (967.00)	\$ (18,027.00)
Fund: 576 - Phase II - Pond 3 Fissure Repair	\$ (24,456.11)	\$ -	\$ (3,500.00)	\$ (27,956.11)
Fund: 585 - LS #5 Force Main Repairs	\$ (50,512.65)	\$ -	\$ (1,108.22)	\$ (51,620.87)
Fund Type: 2.11 - Enterprise Funds - Unassigned	\$ 3,589,258.37	\$ 149,316.49	\$ (109,145.77)	\$ 3,629,429.09
Fund Type: 9.0 - CLEARING ACCOUNT				
Fund: 998 - PAYROLL CLEARING FUND	\$ 1,625.50	\$ 153.84	\$ -	\$ 1,779.34
Fund Type: 9.0 - CLEARING ACCOUNT	\$ 1,625.50	\$ 153.84	\$ -	\$ 1,779.34
Grand Totals:	\$ 8,727,817.26	\$ 277,049.89	\$ (273,221.53)	\$ 8,731,645.62

Check Register Report

Item 3A

Checks Processed February 2022

Date: 03/09/2022

Time: 1:43 pm

CITY OF COLFAX

BANK: US BANK

Page: 1

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
US BANK Checks								
57819	02/04/22	Reconciled		02/28/22	1161	49ER WATER SERVICES	BIOASSAY TESTING JAN 2022	990.00
57820	02/04/22	Reconciled		02/28/22	01448	AMERIGAS - COLFAX	CITY HALL PROPANE	987.90
57821	02/04/22	Reconciled		02/28/22	01448	AMERIGAS - COLFAX	SHERIFF PROPANE	699.22
57822	02/04/22	Reconciled		02/28/22	01448	AMERIGAS - COLFAX	FIRE DEPT PROPANE	65.01
57823	02/04/22	Reconciled		02/28/22	01650	AQUA SIERRA CONTROLS INC.	UV DOSAGE RPR	3,106.25
57824	02/04/22	Reconciled		02/28/22	3484	CLEANNET USA	DEPOT/CITY HALL CLEANING DEC	698.00
57825	02/04/22	Reconciled		02/28/22	30034	CORYELLE, CAROLYN	COLFAX CONN PAPER REIMB	146.76
57826	02/04/22	Reconciled		02/28/22	4187	DAWSON OIL COMPANY	WWTP/LS GENERATOR FUEL	8,692.69
57827	02/04/22	Reconciled		02/28/22	08170	HILLS FLAT LUMBER CO	STMT 1/25/22	250.69
57828	02/04/22	Reconciled		02/28/22	08501	HOME DEPOT CREDIT SERVICES	STMT 1/25/22	1,518.93
57829	02/04/22	Reconciled		02/28/22	8661	HYDROCOMPLIANCE	WWTP SOLAR NOTICE OF INTENT	300.00
57830	02/04/22	Reconciled		02/28/22	10796	KAESER COMPRESSORS	WWTP PARTS	2,112.34
57831	02/04/22	Reconciled		02/28/22	12209	LIEBERT CASSIDY WHITMORE	LEGAL MATTER DEC 2021	484.50
57832	02/04/22	Reconciled		02/28/22	12209	LIEBERT CASSIDY WHITMORE	LEGAL MATTER DEC 2021	1,348.00
57833	02/04/22	Reconciled		02/28/22	12209	LIEBERT CASSIDY WHITMORE	LEGAL MATTER DEC 2021	546.00
57834	02/04/22	Reconciled		02/28/22	16011(2)	PELLETREAU, ALDERSON & CABRAL	LEGAL SVCS JAN 2022	8,215.74
57835	02/04/22	Reconciled		02/28/22	16559	PLAZA TIRE AND AUTO SERVICE	PW TRAILER RPR	119.71
57836	02/04/22	Reconciled		02/28/22	17951	R3 CONSULTING GROUP	FRANCHISE FEE AUDIT	6,422.50
57837	02/04/22	Reconciled		02/28/22	19065	SCI CONSULTING GROUP	CANNABIS COMPLIANCE JAN 2022	1,500.00
57838	02/04/22	Reconciled		02/28/22	19193	SECURE RECORD MANAGEMENT	SHREDDING SVCS Q4 2021	75.00
57839	02/04/22	Reconciled		02/28/22	19279	SERVICE ENGINEERING	LS #2 REPAIR	985.46
57840	02/04/22	Reconciled		02/28/22	19743	WILL STOCKWIN	COLFAX CONN EDITING FEB 2022	300.00
57841	02/04/22	Reconciled		02/28/22	21105	UNICO ENGINEERING	CONST INSP SVCS NOV 2021	7,685.60
57842	02/04/22	Reconciled		02/28/22	21452	URSU, EMMANUEL	PLANNING SVCS NOV 2021	6,160.00
57843	02/04/22	Reconciled		02/28/22	21560	US BANK CORPORATE PMT SYSTEM	STMT 2/3/22	3,880.00
57844	02/04/22	Reconciled		02/28/22	22106	VAN GRONINGEN & ASSOCIATES	FINANCIAL SVCS JAN 2022	6,375.00
57845	02/04/22	Reconciled		02/28/22	22240	VULCAN MATERIALS COMPANY	ASPHALT	250.05
57846	02/04/22	Reconciled		02/28/22	23169	WAVE BUSINESS SOLUTIONS	DEPOT PHONE	18.89
57847	02/14/22	Printed			1161	49ER WATER SERVICES	WWTP TESTING	4,388.00
57848	02/14/22	Reconciled		02/28/22	01414	ALHAMBRA & SIERRA SPRINGS	WATER	9.00
57849	02/14/22	Reconciled		02/28/22	01766	AT&T MOBILITY	CITY CELL PHONES	721.87
57850	02/14/22	Reconciled		02/28/22	2201	BELFOR USA GROUP	SHERIFF STATION FLOOD REPAIRS	22,427.11
57851	02/14/22	Reconciled		02/28/22	03164	CASH- PETTY CASH REIMBURSEMENT	PETTY CASH REIMB	95.99
57852	02/14/22	Reconciled		02/28/22	3425	CINTAS	UNIFORM SVCS JAN 2022	917.58
57853	02/14/22	Reconciled		02/28/22	03562	COMMERCIAL PUMP SERVICE, INC	LS TRANSDUCER RPR	1,500.93
57854	02/14/22	Reconciled		02/28/22	03650	CRANMER ENGINEERING, INC.	LANDFILL GEOTRACKER	185.00
57855	02/14/22	Reconciled		02/28/22	5215	ENGINEERED SOIL REPAIRS, INC	POND 3 PHASE II TESTING	3,500.00
57856	02/14/22	Reconciled		02/28/22	6426	FLYING SQUIRREL TREE CARE	RISING SUN TREE REMOVAL	9,999.00
57857	02/14/22	Reconciled		02/28/22	14859	GHD INC.	ENG SVCS JAN 2022	13,373.75
57858	02/14/22	Printed			07460	GOLD COUNTRY MEDIA	PW JOB POSTING	270.00
57859	02/14/22	Reconciled		02/28/22	8090	HERC RENTALS	CITY HALL GENERATOR RENTAL	754.93
57860	02/14/22	Reconciled		02/28/22	08660	HUNT AND SONS, INC.	FUEL	425.82
57861	02/14/22	Printed			23101	LARRY WALKER ASSOCIATES	NPDES PERMIT ASSIST OCT 2021	464.00
57862	02/14/22	Reconciled		02/28/22	16040	PURCHASE POWER	POSTAGE REFILL	543.49
57863	02/14/22	Reconciled		02/28/22	17951	R3 CONSULTING GROUP	SB1383 COMPLIANCE JAN 2022	1,143.00

Check Register Report

Item 3A

Checks Processed February 2022

Date: 03/09/2022

Time: 1:43 pm

CITY OF COLFAX

BANK: US BANK

Page: 2

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
US BANK Checks								
57864	02/14/22	Reconciled		02/28/22	18378	RICHARDSON & COMPANY, LLP	AUDIT SVCS FY 20/21	7,467.50
57865	02/14/22	Printed			19037	SAFE SIDE SECURITY	WWTP SECURITY DEC 21	95.00
57866	02/14/22	Printed			19037	SAFE SIDE SECURITY	WWTP SECURITY JAN 2022	95.00
57867	02/14/22	Reconciled		02/28/22	01790	SIERRA OFFICE PRODUCTS	OFFICE SUPPLIES	139.50
57868	02/14/22	Reconciled		02/28/22	19319	SOLACE GRAPHICS	FIRE DEPT SIGNAGE	500.00
57869	02/14/22	Reconciled		02/28/22	21500	USA BLUE BOOK, INC	WWTP SUPPLIES	505.01
57870	02/14/22	Reconciled		02/28/22	22134	VISION QUEST	TECH SUPPORT SVCS MAR 2022	1,837.95
57871	02/14/22	Reconciled		02/28/22	23301	WESTERN PLACER WASTE	SLUDGE REMOVAL JAN 2022	959.50
57872	02/14/22	Reconciled		02/28/22	23451	WOOD RODGERS	WWTP GENERATOR REP OCT 21	500.00
57873	02/11/22	Reconciled		02/28/22	03141	CALPERS	HEALTH PREMIUMS FEB 2022	6,048.06
57874	02/15/22	Reconciled		02/28/22	2087	BASIC PACIFIC	FSA BENEFIT PYMT	73.74
57875	02/28/22	Printed			01448	AMERIGAS - COLFAX	DEPOT PROPANE	479.88
57876	02/28/22	Printed			01500	ANDERSON'S SIERRA	WWTP SUPPLIES	274.60
57877	02/28/22	Printed			02901	BUREAU VERITAS NORTH AMERICA	BLDG OFFICIAL SVCS DEC 2021	6,030.00
57878	02/28/22	Printed			02901	BUREAU VERITAS NORTH AMERICA	BLDG OFFICIAL JAN 2022	5,490.00
57879	02/28/22	Printed			03128(2)	CALIFORNIA RURAL WATER ASSOC	ANNUAL MEMBERSHIP	675.00
57880	02/28/22	Printed			03401	CHOICE BUILDER	PREMIUMS MAR 2022	479.57
57881	02/28/22	Printed			3484	CLEANNET USA	DEPOT & CITY HALL CLEANING	698.00
57882	02/28/22	Printed			04592	DACOMM	WWTP INTERNET MAR 2022	99.95
57883	02/28/22	Printed			04234	DE LAGE LANDEN FINANCIAL	COPY MACH LEASE MAR 2022	420.76
57884	02/28/22	Printed			06278	FRONTIER COMMUNICATIONS	WWTP PHONE	200.98
57885	02/28/22	Printed			07570	GRAINGER	WWTP SUPPLIES	23.74
57886	02/28/22	Printed			08070	HANSEN BROS. ENTERPRISES	BALLPARK SOIL	56.23
57887	02/28/22	Printed			08086	HBE RENTALS	AERATOR RENTAL	44.20
57888	02/28/22	Printed			08086	HBE RENTALS	BALLPARK AERATOR RENTAL	77.80
57889	02/28/22	Printed			08086	HBE RENTALS	BALLPARK AERATOR RENTAL	40.00
57890	02/28/22	Printed			08159	HILL BROTHERS CHEMICAL CO.	WWTP CHEMICALS	6,679.67
57891	02/28/22	Printed			08660	HUNT AND SONS, INC.	FUEL	579.15
57892	02/28/22	Printed			09540	INTERSTATE SALES	SPEED LIMIT SIGNS	77.22
57893	02/28/22	Printed			12180	LAWRENCE & ASSOCIATES INC	LANDFILL MONITORING JAN 2022	711.55
57894	02/28/22	Printed			12209	LIEBERT CASSIDY WHITMORE	LEGAL MATTER	39.00
57895	02/28/22	Printed			12209	LIEBERT CASSIDY WHITMORE	LEGAL MATTER	1,180.50
57896	02/28/22	Printed			31015	MRG, LLC	LEGAL MATTER	3,312.50
57897	02/28/22	Printed			18400	NAPAAUTO PARTS	STMT 1/31/22	218.73
57898	02/28/22	Printed			16300	PCWA -PLACER COUNTY	WATER	710.57
57899	02/28/22	Printed			16192	PLACER COUNTY DOCUMENT	ENVELOPES	137.23
57900	02/28/22	Printed			16052	PLACEWORKS	GEN PLAN UPDATE/HOUSING ELEM	234.60
57901	02/28/22	Printed			19037	SAFE SIDE SECURITY	SECURITY RPR	142.50
57902	02/28/22	Printed			19037	SAFE SIDE SECURITY	CORP YARD SECURITY FEB	155.00
57903	02/28/22	Printed			19037	SAFE SIDE SECURITY	WWTP SECURITY	190.00
57904	02/28/22	Printed			19391	SIERRA MEDICAL PARTNERSHIP	COVID TESTING	375.00
57905	02/28/22	Printed			22240	VULCAN MATERIALS COMPANY	ASPHALT	471.58
57906	02/28/22	Printed			23169	WAVE BUSINESS SOLUTIONS	CITY HALL PHONE	226.12
57907	02/28/22	Printed			23169	WAVE BUSINESS SOLUTIONS	FIRE DEPT PHONE	38.15
57908	02/28/22	Printed			23169	WAVE BUSINESS SOLUTIONS	CORP YARD INTERNET	61.87
57909	02/28/22	Printed			23169	WAVE BUSINESS SOLUTIONS	CITY HALL INTERNET	159.90

Check Register Report

Item 3A

Checks Processed February 2022

Date: 03/09/2022

Time: 1:43 pm

Page: 3

CITY OF COLFAX

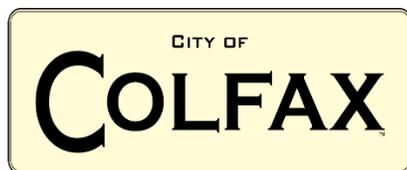
BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
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Total Checks: 91	Checks Total (excluding void checks):	173,666.52
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Total Payments: 91	Bank Total (excluding void checks):	173,666.52
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Total Payments: 91	Grand Total (excluding void checks):	173,666.52
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City Council Minutes

Regular Meeting of Colfax City Council

Wednesday, March 9, 2022

City Hall Council Chambers, 33 S Main Street,

Colfax CA and attended via Teleconference through ZOOM

1 **CLOSED SESSION** (NO CLOSED SESSION)

2 **OPEN SESSION**

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

Mayor Burruss called the open session to order at 6:13pm

2B. **Report from Closed Session**

No Closed Session

2C. **Pledge of Allegiance**

2D. **Roll Call**

Present: Councilmember Fatula, Mayor Pro Tem Mendoza, and Mayor Burruss.

Absent: Councilmember Lomen, and Councilmember Ackerman.

2E. **Approval of the Agenda Order**

MOTION made by Fatula and seconded by Mendoza to approve the agenda order

AYES: Fatula, Mendoza, Burruss

NOES:

ABSTAIN:

ABSENT: Lomen, Ackerman

3 **CONSENT CALENDAR**

3A. **Authorize remote teleconference meetings pursuant to Government Code Section 54953(e) [AB 361]**

Recommendation: Adopt Resolution 09-2022 authorizing remote teleconference meetings pursuant to Government Code Section 54953(e) [AB 361].

3B. **Minutes**

Recommendation: By Motion, approve the Colfax City Council minutes of 2/23/22

3C. **Sewer Collection System and Waste Water Treatment Plant Improvements Construction Management and Inspection - Psomas**

Recommendation: Adopt Resolution 10-2022 authorizing the City Manager to execute an agreement with Psomas

End of Consent Calendar

MOTION made by Fatula to approve the consent calendar, and seconded by Mendoza and approved by the following vote:

AYES: Fatula, Mendoza, Burruss

NOES:

ABSTAIN:

ABSENT: Lomen, Ackerman

4 **AGENCY REPORTS**



Colfax City Council Meetings are ADA compliant. If you need disability-related modification or accommodation including auxiliary aids or services to participating in this meeting, please contact the City Clerk at (530) 346-2313 at least 72 hours prior to make arrangements for ensuring your accessibility.

- 4A. **Placer County Sheriff Office** – Officer John Tannarome provided crime statistics.
- 4B. **Placer County Fire/CALFIRE** – Battalion Chief Jeff Loveless spoke about recent events in the City and the findings of the River Fire investigation. Deputy Chief Mike Rufenacht also spoke about the River Fire determination.
- 4C. **Colfax Chamber of Commerce** – Tim Ryan announced that he would be back as the President of the Chamber.

5 **PRESENTATION** (None)

6 **PUBLIC HEARING**

SB 1383 Compliance

Presentation: Carrie Baxter, Project Manager with R3 Consulting Group, Inc. presented the ordinance. There was no public testimony. Council discussed changes.

MOTION made by Fatula to move the ordinance forward with the following changes:

Definition of “Approved solid waste container”, strike the second sentence that refers to the contractor approved container.

2. Definition of “Bulky Waste” add “as defined by the state code”.
3. Definition of Exempt Waste: add lithium ion batteries.
4. Definition of “Food Waste”, add parenthetical reference that defines putrescible. Also under definition of solid waste and 8.20.190H.
5. Page 43, subsection I, strike “twice”.
6. Page 43, subsection P: also exclude streets that cannot accommodate where containers can be placed.
7. 20.230: nothing to do; just general discussion.
8. Remove health officer and chief of police from 8.20.270 C, 8.20.050, 8.20.190C, 8.20.270B, 8.20.270C, 8.20.270D.

Seconded by Mendoza and approved by the following vote:

AYES: Fatula, Mendoza, Burruss

NOES:

ABSTAIN:

ABSENT: Lomen, Ackerman

7 **PUBLIC COMMENT**

Tim Ryan commented about the ordinance processes during Council Meetings.

Mark Garabedian requested to discuss and resurrect Item 3C Sewer Collection System and Waste Water Treatment Plant Improvements Construction Management and Inspection – Psomas.

City Manager, Wes Heathcock provided an explanation and update (via ZOOM). No requests to revote were made.

8 **COUNCIL AND STAFF**

- 8A. **Committee Reports and Colfax Informational Items – All Councilmembers** – Mayor Burruss explains that there will be a mobile help center outside of the Sierra Vista Community Center on March 10, 2022 to help answer questions about re-establishing power for rebuilt homes and businesses after the River Fire.
- 8B. **City Operations Update – City Manager** – No reportable action.

9 **COUNCIL BUSINESS**

9A. **Fiscal Year 2021-2022 Mid-Year Operating Budget Review**

Finance Director, Laurie Vangroningen presents the report and Council discusses findings. Tim



Ryan asks about clarification on the Transient Occupancy Tax.

MOTION made by Fatula and seconded by Mendoza to approve the budget amendments.

AYES: Fatula, Mendoza, Burruss

NOES:

ABSTAIN:

ABSENT: Lomen, Ackerman

9B. Placer Homelessness Action Phase One Report – Letter of Recommended Guidance

City Manager, Wes Heathcock explains the item and its intent. Council discusses their concerns and issues with the Consultant and the County report.

Diane Greene, Mary Fatula and Mike Garabedian make public comment on this item.

MOTION made by Fatula to approve sending a letter to the County with the following changes:

request a new consultant, find the root causes of the issue and target solutions specific to those causes. Seconded by Mendoza and approved by the following vote:

AYES: Fatula, Mendoza, Burruss

NOES:

ABSTAIN:

ABSENT: Lomen, Ackerman

10 GOOD OF THE ORDER

Mayor Burruss explains that there will be a mobile help center outside of the Sierra Vista Community Center on March 10, 2022 to help answer questions about re-establishing power for rebuilt homes and businesses after the River Fire.

Councilmember Fatula requests to agendize a street light project with an estimated cost of \$20,000.

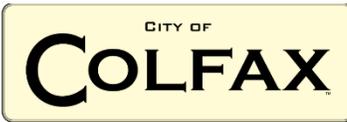
11 ADJOURNMENT

As there was no further business on the agenda, Mayor Burruss adjourned the meeting, by motion and without objection at 8:00 pm. Respectfully submitted to City Council this 23rd day of March, 2022.

Marguerite Bailey

Marguerite Bailey, City Clerk





Staff Report to City Council

FOR THE MARCH 23, 2022 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Laurie Van Groningen, Finance Director
Subject: Schedule of Activities for Collecting Delinquent Sewer and Garbage Charges on Annual Tax Rolls

Budget Impact Overview:

N/A: ✓	Funded:	Un-funded:	Amount:	Fund(s):
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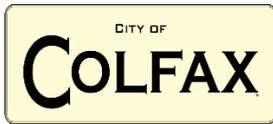
RECOMMENDED ACTION: Information Only

Summary/Background

Annually, the City collects delinquent sewer and garbage (on behalf of Franchisee) charges which have accrued, together with the interest thereon, on the Placer County Tax Rolls in the same manner and at the same time as general property tax.

Staff has initiated the process for FY2021-2022 collection and is providing the schedule of activities for Council information.

City of Colfax - 2021-2022 Auditor Direct Charges			
Schedule of Activities for Placing Delinquent Sewer and Garbage Charges on Annual Tax Rolls			
Compile delinquent report - City Sewer	City	5/6/2022	All accounts > 60 days past due
Compile delinquent report - Recology Garbage	Recology	5/6/2022	Recology submits delinquent list to City
Recology submits draft delinquent letter to City for review	Recology	5/6/2022	
City send Delinquent Letter to affected property owners	City	5/20/2022	Same letter as last year - Describes processing and hearing date
Recology send Delinquent Letter to affected property owners	Recology	5/20/2022	Same letter as last year - Describes processing and hearing date
Public Hearing Notice - Auburn Journal	City	6/2/2022	Must be noticed for two consecutive weeks - same notice as last year. Needs to be to newspaper by 05/19/2022
Public Hearing Notice - Auburn Journal	City	6/9/2022	Must be noticed for two consecutive weeks - same notice as last year
Hold Public Hearing - Sewer and Garbage combined hearing	City	6/22/2022	Regularly scheduled Council Meeting
Resolutions to place delinquents on Tax Rolls	City	6/22/2022	Council confirms sewer and garbage reports and placing liens
Submit Unsecured amounts to County	City	6/30/2022	Final date to be submitted to County*
Submit Secured amounts to County	City	7/22/2022	Final date to be submitted to County*
<i>*Estimated date based on previous years - pending final notification from Placer County</i>			



Staff Report to City Council

FOR THE MARCH 23, 2022 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Emmanuel Ursu, City Planner
Subject: 2021 Annual Housing Element Progress Report

Budget Impact Overview:

N/A: √	Funded:	Un-funded:	Amount:	Fund(s):
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RECOMMENDED ACTION: Adopt Resolution __-2022 accepting the 2021 Annual Housing Element Progress Report and authorize staff to send the report to the state.

Summary/Background

State law requires local jurisdictions to report annually on their progress implementing the Housing Element of their General Plan. The Annual Progress Report (APR) is to be filed with the California Department of Housing and Community Development (HCD) and the Office of Planning and Research (OPR) by April 1st (with a 60-day grace period) for the prior calendar year (2021). The APR must be considered at a City Council meeting prior to submission to the State.

2021 ANNUAL PROGRESS REPORT

Pursuant to Government Code Section 65400(a)(2) local jurisdictions must provide an Annual Progress Report (APR) to the State of California. State law requires local jurisdictions to present the report to the City Council at a meeting prior to submission to HCD and OPR (California Government Code Section 65400(a)(2)(B)).

Staff has prepared a draft completed APR (Attachment 2). The following is a summary of the City's completed 2021 APR form:

Attachment 2 lists the projects for which net new residential units were approved for an entitlement (0), issued a building permit (9 in Sierra Oaks Subdivision and 5 in Shadow Wood subdivision), or had a final building permit inspection for a completed unit (19 in Shadow Wood subdivision, 6 in Sierra Oaks subdivision and 1 on Hunter Lane). Homes in the Shadow Wood subdivision sold at prices affordable to moderate-income households (households that earn 120% of Area Median Income) and the other homes completed in 2021 are in the above moderate-income category.

Attachments

1. Resolution __-2022
2. 2021 Housing Element Annual Progress Report

City of Colfax

City Council

Resolution №__-2022

ACCEPTING THE UPDATE ON THE 2021 ANNUAL HOUSING ELEMENT PROGRESS REPORT AND AUTHORIZING STAFF TO SEND THE REPORT TO THE STATE

WHEREAS, California Government Code Section 65400(a)(2) requires the planning agency to provide an annual report to the City Council, the Governor's Office of Planning and Research and the State Department of Housing and Community Development (HCD) regarding progress toward implementation of the housing element of the general plan; and,

WHEREAS, planning staff has prepared an annual progress report for the calendar year 2021, utilizing the prescribed forms and instructions provided by the California Department of Housing and Community Development; and,

WHEREAS, the City Council has reviewed all written evidence and oral testimony presented to date.

NOW THEREFORE, BE IT RESOLVED the City Council of the City of Colfax accepts the update on the 2021 Annual Housing Element Progress Report and authorizes staff to send the report to the State.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED at the Regular Meeting of the City Council of the City of Colfax held on the 23rd of March 2022 by the following vote of the Council:

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

Trinity Burruss, Mayor

ATTEST:

Marguerite Bailey, City Clerk

Project Identifier		- Building Permits		
1		8		
Current APN	Street Address	Moderate- Income Non Deed Restricted	Above Moderate- Income	Building Permits <u>Date Issued</u>
Start Data Entry Below		5	9	
006-150-005	109 Shadow Wood Place	1		4/15/2021
006-150-004	107 Shadow Wood Place	1		4/15/2021
006-150-002	103 Shadow Wood Place	1		5/6/2021
006-150-003	105 Shadow Wood Place	1		5/6/2021
006-150-001	101 Shadow Wood Place	1		5/6/2021
101-210-007	500 Chase Court		1	4/6/2021
101-210-008	504 Chase Court		1	4/15/2021
101-210-021	1116 Sierra Oaks Drive		1	4/15/2021
101-210-022	1120 Sierra Oaks Drive		1	4/15/2021
101-210-023	1124 Sierra Oaks Drive		1	4/15/2021
101-210-024	1128 Sierra Oaks Drive		1	4/15/2021
101-210-025	1132 Sierra Oaks Drive		1	4/15/2021
101-210-027	1140 Sierra Oaks Drive		1	4/15/2021
101-210-026	1136 Sierra Oaks Drive		1	4/15/2021

Project Identifier		Affordability by Household Incomes - Certificates of Occupancy						
1		10					11	
Current APN	Street Address	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>
Start Data Entry Below		0	0	0	0	19	9	
006-150-005	109 Shadow Wood Place					1		8/18/2021
006-150-004	107 Shadow Wood Place					1		9/16/2021
006-150-002	103 Shadow Wood Place					1		9/23/2021
006-150-003	105 Shadow Wood Place					1		9/27/2021
006-150-001	101 Shadow Wood Place					1		9/16/2021
101-210-007	500 Chase Court							
101-210-008	504 Chase Court							
101-210-021	1116 Sierra Oaks Drive							
101-210-022	1120 Sierra Oaks Drive							
101-210-023	1124 Sierra Oaks Drive							
101-210-024	1128 Sierra Oaks Drive							
101-210-025	1132 Sierra Oaks Drive							
101-210-027	1140 Sierra Oaks Drive							
101-210-026	1136 Sierra Oaks Drive							
101-210-018	408 Rubicon Court						1	2/16/2021
101-210-019	404 Rubicon Court						1	2/11/2021
101-210-010	512 Chase Ct						1	2/18/2021
101-210-009	508 Chase Ct						1	2/11/2021
006-150-006	111 Shadow Wood Place					1		9/7/2021
006-150-007	113 Shadow Wood Place					1		4/15/2021
006-150-008	115 Shadow Wood Place					1		4/15/2021
006-150-009	117 Shadow Wood Place					1		1/5/2021
006-150-010	119 Shadow Wood Place					1		1/12/2021
006-150-012	118 Shadow Wood Place					1		1/5/2021
006-150-013	116 Shadow Wood Place					1		1/12/2021
006-150-014	114 Shadow Wood Place					1		5/27/2021
006-150-015	112 Shadow Wood Place					1		5/27/2021
006-150-016	110 Shadow Wood Place					1		7/6/2021
006-150-017	108 Shadow Wood Place					1		7/27/2021
006-150-018	106 Shadow Wood Place					1		9/2/2021
006-150-019	104 Shadow Wood Place					1		9/7/2021
006-150-020	102 Shadow Wood Place					1		9/2/2021
101-210-001	1100 Sierra Oaks Dr						1	5/15/2021
101-210-002	1104 Sierra Oaks Dr						1	4/22/2021
101-210-003	1108 Sierra Oaks Dr						1	7/1/2021
101-210-004	1112 Sierra Oaks Drive						1	4/13/2021
006-030-057	195 Hunter Lane						1	10/28/2021



Staff Report to City Council

FOR THE March 23, 2022 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Wes Heathcock, City Manager
 Alfred A. “Mick” Cabral, City Attorney
Subject: An Ordinance Repealing and Replacing Colfax Municipal Code Title 8, Chapter 8.20 “Refuse Collection”

Budget Impact Overview:

N/A: ✓	Funded:	Un-funded:	Amount:	Fund(s):
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RECOMMENDED ACTION: Waive the second reading and adopt Ordinance ____, an Ordinance Repealing and Replacing Colfax Municipal Code Title 8, Chapter 8.20 “Refuse Collection”, to be effective 30 days after adoption.

Summary/Background

At the March 9, 2022, regular meeting, Council introduced the proposed ordinance by title only, conducted a public hearing, and scheduled the ordinance for adoption at the March 23, 2022, regular meeting. Council requested the following clarifications, all of which have been incorporated into the draft ordinance scheduled for adoption at this meeting:

1. Definition of “Approved solid waste container”, strike the second sentence that refers to the contractor approved container.
2. Definition of “Bulky Waste” add “as defined by the state code”.
3. Definition of Exempt Waste: add lithium-ion batteries.
4. Definition of “Food Waste”, add parenthetical reference that defines putrescible. Also under definition of solid waste and 8.20.190H.
5. Page 43 (Ordinance page 13 of 19), subsection I, strike “twice”.
6. Page 43 (Ordinance page 13 of 19), subsection P: also exclude streets that cannot accommodate containers.
7. Remove health officer and chief of police from 8.20.050, 8.20.190C, 8.20.270B, 8.20.270C, 8.20.270D.

The balance of this staff report reiterates the March 9, 2022 staff report.

The California legislature has enacted several laws that regulate the handling of organic waste materials by commercial businesses and multifamily properties, as well as other commercially generated recyclable materials. Organic waste materials release methane gas when disposed in landfills during the decomposition process, which is a potent greenhouse gas. The intent of the organic recycling laws, including AB 1826 and SB 1383, is to reduce landfill disposal of organic materials in an effort to mitigate climate change.

The proposed ordinance was prompted by the passage of SB 1383, which requires persons who generate organic waste to comply with local requirements for collection and recovery of organic waste onsite, and with the use of collection services or through self-hauling. “Organic waste” includes food and green waste but is also broadly defined to include materials such as food scraps, coffee grounds, peelings, vegetable trimmings, bones, bread scraps, and used pizza boxes. The net effect of the law and its implementing regulations is that organic waste, including food waste, can no longer be placed in the landfill and must be diverted through a high diversion recovery facility or single source separation waste process.

CalRecycle has legal authority to begin enforcement proceedings and assess penalties for violations effective January 1, 2022. Although Colfax is presently not subject to these provisions, it likely will be in the future and needs to consider taking steps to prepare to obtain compliance.

The proposed ordinance has several intended purposes: (1) to achieve compliance with SB 1383 and its implementing regulations; (2) to divert food waste from going to the landfill and to minimize waste disposal costs to homeowners; and (3) recovery of edible food that would otherwise go to waste and redistribute it to feed people in need.

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

Fiscal Impacts

None anticipated unless enforcement becomes an issue.

Attachments:

1. Draft Ordinance.

Chapter 8.20 ~~REFUSE-SOLID WASTE COLLECTION AND EDIBLE FOOD RECOVERY~~

Sections:

8.20.010 Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

"Act" means the California Integrated Waste Management Act of 1989 (commencing with Section 40000 of the Public Resources Code), as amended, including but not limited to, the Jobs and Recycling Act of 2011 (AB 341), SB 1016 (Chapter 343, Statutes of 2008 [Wiggins, SB 1016]), the Mandatory Commercial Organics Recycling Act of 2014 (AB 1826), and the Short-Lived Climate Pollutants Bill of 2016 (SB 1383), and as implemented by the regulations of CalRecycle.

"Approved ~~refuse-solid waste~~ container" or "Container" means a commercially manufactured can made of galvanized metal, heavy-duty plastic, pressed fiberboard or other nonbreakable watertight material ~~of at least twenty-six (26) gallons capacity, but not to exceed thirty-five (35) gallons capacity,~~ with a close-fitting, removable insect-proof cover and including a cover handle and side handles. ~~An approved refuse-solid waste container may also include any other container approved by the contractor.~~ Approved ~~solid waste~~refuse containers shall be maintained in such a manner as to be free from rough edges or jagged surfaces which would be likely to cause injuries to persons handling them.

"Bin and bin service" means a heavy-gauged metal box, suitable for mechanical unloading, from one to six cubic yards in capacity, furnished by the ~~refuse-collection~~ contractor to service business and commercial establishments.

"Bulky Waste" means large items of solid waste such as appliances (white goods), e-waste (except for universal waste as defined by state code), furniture, tires, carpets, mattresses and similar large items, large auto parts, trees, branches, stumps, and other oversize wastes whose large size precludes or complicates their handling by normal collection, processing, or disposal methods. It does not include abandoned vehicles or household hazardous waste.

~~"Business establishment" means any commercial, professional or industrial use and any multiple-family dwelling housing three or more residential units, where refuse is gathered collectively for all units and/or residents.~~

"CCR" means the California Code of Regulations. CCR references in this Chapter are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).

"City" means that portion of incorporated territory known as the city, including its disposal area.

"City Manager" means the City Manager of the City of Colfax, or their designee, which may include city employees.

"Collection" ~~means to take physical possession of solid waste at, and remove from, the place of generation for transport to a solid waste facility or other recovery activity.~~ ~~means the accumulation and disposal of refuse.~~

"Commercial business", "commercial" or "business establishment" means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multi-family dwelling, or as otherwise defined in 14 (CCR) Section 18982(a)(6). A multi-family dwelling that consists of five (5) or more dwelling units is "Commercial", for the purposes of this Chapter.

“Commercial Edible Food Generator” means a Tier One or a Tier Two Commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73) and (a)(74). Food recovery organizations and food recovery services are not commercial edible food generators.

“Community composting” means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).

“Composting” means the process of controlled biological decomposition of organic waste.

“Construction and demolition debris” or “C&D” means used or discarded materials resulting from construction, renovation, remodeling, repair, demolition, excavation or construction clean-up operations on any pavement or structure.

“Contractor,” “contract agent” or “franchisee” means an agent or employee of the city or any person or the agents or employees thereof, with whom the city shall have duly contracted pursuant to the provisions of this chapter to collect, transport through the streets, alleys and public ways and dispose of solid waste (other than solid waste generated by a permitted building project) garbage, rubbish and refuse produced within the city.

“Disposal” means the final disposition of Solid Waste at a Solid Waste Facility permitted for disposal.

“Disposal area,” “dump” or “sanitary landfill” means any site, location, tract, area, building, structure or premises so specifically designed and authorized for solid waste refuse disposal.

“Diversion” means activities reducing or eliminating the amount of Solid Waste from Solid Waste Disposal, and which return these materials to use in the form of raw materials for new, reused, or reconstituted products, which meet the quality standards necessary for commercial use, or for other purposes of reuse.

“Dwelling unit” means one (1) or more rooms with internal access between all rooms, which provide complete independent living facilities for at least one (1) family, including provisions for living, sleeping, eating, cooking, bathing, and sanitary facilities.

“Edible food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this chapter or in 14 CCR, Division 7, Chapter 12 requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

“Enforcement Action” means an action of the city to address non-compliance with this ordinance including, but not limited to, issuing administrative notices, citations, fines, penalties, or using other remedies.

“Enforcement Agency” means an entity with the authority to enforce part or all of this chapter as specified herein. Employees and agents of an Enforcement Agency may carry out inspections and enforcement activities pursuant to this chapter. Nothing in this chapter authorizing an entity to enforce its terms shall require that entity to undertake such enforcement except as agreed to by that entity and the City. The City is an Enforcement Agency for all Sections of this chapter. The City may choose to additionally delegate enforcement responsibility for certain sections, to other public entities, including the County of Placer.

“Exempt waste” means biohazardous or biomedical waste, Hazardous Waste, medical waste, regulated radioactive waste, waste that is volatile, corrosive, or infectious, waste treatment or processing sludge, contaminated soil and dirt, contaminated concrete, contaminated asphalt, automobiles, automobile parts, boats, boat parts, boat trailers, internal combustion engines, lead-acid batteries, lithium ion batteries, any matter or materials which are not acceptable for disposal at a solid waste landfill as defined in AB 939 and subsequent legislation, and those wastes under the control of the Nuclear Regulatory Commission.

“Food recovery organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

- a. A food bank as defined in Section 113783 of the Health and Safety Code;
- b. A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and,
- c. A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

“Food recovery service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

“Food waste” means food scraps and trimmings and other putrescible waste (wastes that are capable of being decomposed by micro-organisms with sufficient rapidity as to cause odors, gases, and similar objectionable conditions) that result from food production, preparation, cooking, storage, consumption or handling. Food Waste includes but is not limited to meat, fish and dairy waste, fruit and vegetable waste and grain waste. Food Waste does not include Exempt Waste.

"Franchise" means any license or permit issued or contract entered into pursuant to the provisions of this chapter to engage in the occupation of collecting, removing and disposing of garbage, ~~rubbish and refuse~~recyclable material and organic material.

Franchisee. See definition of "contractor" in this section.

"Garbage" is a sub-classification of ~~refuse~~ solid waste and means all non-recyclable packaging and other waste attributed to normal activities of a service unit. Garbage must be generated by and at the service unit wherein the garbage is collected. Garbage does not include recyclable materials, organic materials, debris from construction and demolition, large items, e-waste, universal waste, hazardous waste, household hazardous waste or exempt waste. and includes all animal and vegetable kitchen waste, all household waste which has resulted from the preparation of food, all table refuse or offal and every accumulation of animal, vegetable or other matter that attends the preparation, consumption, packing, canning, storage and decay of meats, fish, fowl, vegetables and fruits intended for human and animal consumption.

"Garden refuse" is a sub-classification of refuse ~~organic materials~~ and shall include grass, tree or shrub trimmings and other plant materials accumulated as a result of noncommercial gardening and fireplace ashes.

“Generators,” for the purpose of this Chapter, means a person or entity, including commercial generators and residential generators, that is responsible for the initial creation of organic materials, or as otherwise defined as “organic waste generator” in 14 CCR Section 18982(a)(48).

“Green waste” is a sub-classification of organic materials and shall include compostable vegetative cuttings, shrubs, stumps, brush, tree trimmings, grass, and related materials.

"Health office" or "health officer" means the county department of health and/or its duly authorized representatives.

“High Diversion Organic Waste Processing Facility” means a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average mixed waste organic content Recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for Organic Waste received from the “Mixed waste organic collection stream” as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).

"Inspection" means a site visit where a Jurisdiction or its designee or Designated Entity, reviews records, containers, and an entity's collection, handling, recycling, or disposal of solid waste or edible food handling to determine if the entity is complying with requirements set forth in this ordinance, or as otherwise defined in 14 CCR Section 18982(a)(35).

"Occupant" means and includes every owner, tenant, occupant or person who is in possession of or who is the inhabitant of or has the care or control of any place or premises.

"Organic material" or "organic waste" means solid wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food waste, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46).

"Owner" means and includes any person, firm, association, partnership, business trust, joint venture, corporation or company having part or full interest in any real property in the city as shown on the most recent records in the office of the county assessor.

"Person" means and includes any individual, firm, corporation, association, public agency or other legal entity.

"Place or premises" means every dwelling house, dwelling unit, apartment house, multiple-dwelling building, trailer or mobilehome park, store, restaurant, rooming house, hotel, motel, office building, department store, manufacturing, processing or assembling shop or plant, warehouse and every other place or premises where any person resides or any business is carried on or conducted within the city.

"Recyclable (source separated) materials" means any material designated to be separated from the waste stream for purposes of recycling (adapted from PRC, Section 41951). This designation shall be made by the city and the contractor based on good public practice, ability to receive an acceptable economic return, and feasibility of separating the material from the waste stream at the point of collection.

"Recycling" means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become garbage and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace. Recycling does not include transformation as defined in Public Resources Code § 40201. (CCR, Title 14, Section 17225.54).

"Residential" means, for the purposes of this chapter, any premise consisting of between one (1) and four (4) dwelling units, and onsite domestic uses accessory to these dwelling units. A multi-family dwelling that consists of fewer than five (5) dwelling units is "Residential", for the purposes of this Chapter. "Refuse" is a general classification which includes the sub-classifications of garbage, garden refuse and solid waste (also known as rubbish).

Sanitary Landfill. See definition of "disposal area" in this section.

"Refuse collection area or point" means that space and/or place on the premises where refuse is deposited by occupants and where such refuse is stored until it is transferred into or onto a collection vehicle and removed from the premises.

"Residence or residential" means any single building housing from two or fewer families in separate units.

Rubbish. See definition of "solid waste" in this section.

Sanitary Landfill. See definition of "disposal area" in this section.

"Solid waste" or "refuse" has the same meaning as defined in Public Resources Code Section 40191, which defines solid waste as all putrescible (wastes that are capable of being decomposed by micro-organisms with

sufficient rapidity as to cause odors, gases, and similar objectionable conditions) and nonputrescible solid and semisolid wastes, including garbage, recyclable materials, organic materials, demolition and construction wastes, bulky waste, discarded home and industrial appliances, manure, vegetable or animal solid or semisolid wastes, and other discarded solid and semisolid wastes with the exception that Solid Waste does not include any of the following wastes: (1) Hazardous waste, as defined in the Public Resources Code Section 40141, (2) Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the Health and Safety Code) and (3) Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the Public Resources Code. Recyclable materials and organic materials are a part of solid waste. means combustible and noncombustible waste materials not included in the term "garbage" and includes paper, pasteboard, magazines, books, rags, rubber, carpets, clothing, boots, shoes, hats, furniture, bedding, bottles, cans, metals, mineral matter, glass, crockery, dirt, dust, packing boxes and cartons, crates, packing materials and all other kinds of rubbish, trash or waste materials which ordinarily accumulate in the operation of a residence or a business.

"Solid waste collection area or point" means that space and/or place on the premises where solid waste is deposited by occupants and where such solid waste is stored until it is transferred into or onto a collection vehicle and removed from the premises.

"Solid waste collection service" means collection of solid waste originating in the City, by a person, firm or corporation, and doing so under a contract or franchise agreement with the City.

"Solid waste facility" or "facility" means a solid waste transfer or processing station including Material Recovery Facilities, a recycling facility, a composting facility, a gasification facility, a transformation facility, an Engineered Municipal Solid Waste conversion facility, and a disposal facility. Solid waste facility additionally includes a solid waste operation that may be carried out pursuant to an enforcement agency notification, as provided in regulations adopted by CalRecycle, or otherwise set forth in the Act.

"Special solid waste" means and includes construction ~~refuse and demolition debris~~ (rocks, debris, concrete or large quantities of earth) resulting from the construction, rehabilitation, remodeling or repair of buildings or other structures; dead animals, manure, sewage waste, wastewater, explosive or radioactive substances and other materials which have been exposed to highly infectious or contagious diseases or other highly dangerous materials; junk, abandoned and partially cannibalized automobiles, trucks, mobilehomes and trailers and their parts and appliances.

"Special solid waste" means solid waste to be disposed of under special arrangements.

"Standard service" means curbside collection service provided on a weekly basis to occupants not receiving bin service.

"Tier One commercial edible food generator" means a Commercial Edible Food Generator that is one of the following as defined in 14 CCR Section 18982(a):

- a. Supermarkets with gross annual sales of \$2,000,000 or more
- b. Grocery store with a total facility size equal to or greater than 10,000 square feet.
- c. Food service provider, which means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.
- d. Wholesale food vendor, which means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.

e. Food Distributor, which means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

“Tier Two commercial edible food generator” means a Commercial Edible Food Generator that is one of the following as defined in 14 CCR Section 18982(a):

a. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.

b. Hotel with an on-site food facility and 200 or more rooms.

c. Health facility with an on-site food facility and 100 or more beds.

d. Large Venue, which means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue.

e. Large Event, which means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event..

f. A state agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.

g. A local education agency facility with an on-site food facility. “Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to Solid Waste, or as otherwise defined in 14 CCR Section 18982(a)(40).

(Prior code § 6-2.01)

8.20.020 Refuse-Solid waste collection and disposal system—Findings.

- A. The council finds that, for the preservation of the public health, safety and welfare, the establishment of a municipal system for the collection and disposal of all solid waste refuse is necessary.
- B. The council finds that, for the purpose of maintaining adequate control of a refuse-solid waste disposal collection system service, the city must retain exclusive rights to the system service.
- C. The council finds that the disposal of refuse-solid waste by individuals on a voluntary basis, throughout California cities, has been unsuccessful. Therefore mandatory subscription to a refuse-disposal-system solid waste collection service is necessary.
- D. The council finds that the periodic collection of refuse-solid waste from all places and premises in the city benefits all people in the city and that inasmuch as it is necessary that charges be assessed to support the cost of the refuse-disposal-system solid waste collection service, then such charges shall be assessed to all places and premises where refuse-solid waste is produced or generated to assure the equitable spread of financial liability. This means that all places and premises, regardless of whether the occupant places such solid waste refuse for collection in a manner prescribed in this chapter or not and regardless of whether the

occupant has any ~~refuse-solid waste~~ for collection, the cost of removal thereof should be shared by all persons.

- E. The council finds that losses in revenue attributed to "skipped" accounts receivable and increased administrative overhead costs to maintain a system of billing and accounting records on an occupant basis are prohibitive and, because only limited legal collection recourses are available, it is imperative that ~~refuse solid waste~~ collection fees become a liability to the owner and be billed and accounted for on that basis.
- F. The council finds that to operate an exclusive ~~refuse-disposal-system~~solid waste collection system with mandatory subscription to the service, together with providing special arrangements for the disposal of special solid waste, will satisfy the collection and disposal requirements of its citizens. Further, the council finds that the satisfaction of those disposal requirements will obviate the need to maintain an "open dump" policy. Further, the council finds that ~~in order to protect th~~there is no remaining e-city sanitary landfill capacity, it is in the best interests of the city to close the city dump to the public.
- G. The council finds that the successful operation of a ~~refuse-disposal-system~~solid waste collection service requires the adoption of supplementary rules and regulations which are binding on both the contractor and patrons of the service to include an appellate process.

(Prior code § 6-2.02)

8.20.030 ~~Refuse~~Solid waste—Deposit and storage.

It is unlawful for any person to deposit, store or maintain ~~refuse-solid waste (other than solid waste generated by a permitted building project)~~ within the city, except as provided in this chapter.

(Prior code § 6-2.03)

8.20.040 ~~Refuse-collection-and-disposal-system~~Solid waste collection service—Established.

There is established a ~~refuse-collection-and-disposal-system~~solid waste collection service for the city.

(Prior code § 6-2.04)

8.20.050 Solid waste collection service~~Refuse-collection-and-disposal-system~~—Exclusivity.

- A. The city and its ~~refuse-collections~~solid waste collection service contractor shall have the exclusive right to collect, transport and dispose of ~~refuse-solid waste~~ in the city and all ~~refuse-solid waste~~ placed for collection by the city or its ~~refuse-collection~~ contractor shall be deemed to be the property thereof, except as otherwise provided in this chapter.
- B. Collectors of ~~refuse-solid waste~~ originating outside the city may haul such ~~refuse-solid waste~~ over city streets.
- C. Any person may collect, transport and dispose of ~~refuse-solid waste~~ during a period in which collection services by the city or its ~~refuse-collection~~ contractor are interrupted or delayed due to a labor strike or other circumstances affecting ~~solid waste~~ collection services throughout the city provided such persons comply with any and all directives of the city manager.
- D. This chapter shall not apply to the hauling, removal or disposal at a legal point of disposal of grass cuttings, prunings, manure or other trash as a result of gardening or horticulture by any commercial gardener licensed to do business in the city.

- E. Special solid waste may be arranged for removal and disposal between the occupant and the contractor; however, nothing in this section shall be construed as preventing an occupant or owner from disposing of solid waste directly, either personally or by other contract, to any approved sanitary landfill site and in accordance with Sections 8.20.200 and 8.20.210 of this chapter.
- F. No person shall bury refuse solid waste at any place within the city without a valid permit or license granted by the council.
- ~~G. No person shall burn garbage at any place within the city.~~
- ~~H.G.~~ No person shall bury ~~refuse solid waste~~ at any place within the city without a valid permit or license granted by the council.
- ~~H.H.~~ No person shall burn solid waste at any place within the city, except in conformance with the rules and regulations of the county air pollution control district and the applicable laws of the state.
- ~~I.~~ The provisions of this section shall not be construed as prohibiting the composting of appropriate ~~refuse organic materials~~ for composting, which compost is intended for exclusive use on the property on which it is maintained, provided it does not, in the opinion of the ~~health officer~~ city manager, or his or her designee create a public health hazard.
- J. Organic materials may be used in community composting, pursuant to 14 CCR Section 18984.9(c), provided that such operation conforms to the applicable regulations of those entities governing the same now in force or which thereafter may be enacted or promulgated.
- K. No person shall transport household ~~refuse solid waste~~ to deposit the same in a commercial bin, the container owned by another or a city-owned litter container.
- L. Any person, other than the city or its ~~refuse collection~~ contractor, who collects, transports or disposes of ~~refuse solid waste~~ or who pays another to do so, other than as permitted in this chapter, shall be guilty of a misdemeanor.

(Prior code § 6-2.05)

8.20.060 Mandatory subscriptions.

There is established mandatory subscriptions to the ~~refuse disposal system~~ solid waste collection service of the city. Effective July 1, 1980, every person in possession, charge or control of any place or premises in the city in, upon or from which ~~refuse solid waste~~ is created, produced or accumulated shall dispose of such solid waste refuse through the regular solid waste refuse collection service of the city or its ~~authorized collector~~ contractor.

(Prior code § 6-2.06)

8.20.070 Solid waste Refuse collection services—Rates—Establishment.

The council shall establish ~~by resolution~~ the maximum rates to be charged for the collection and disposal of solid waste refuse. Such maximum rates may be established by competitive bidding, negotiation or other means deemed acceptable by the council and may be reviewed annually.

(Prior code § 6-2.07)

8.20.080 Solid waste~~Refuse~~ collection service —Rate—Basis.

- A. Despite variations in the amount of solid waste~~refuse~~ produced at residential locations, such deviation does not justify the expense of measuring the quantities at such residential locations and would be greater than any difference in hauling costs per container.
- B. The amount of solid waste ~~refuse~~ produced at places of business varies greatly. The most equitable method of charging for solid waste collection ~~refuse-service~~ at such locations is based on the amount of solid waste~~refuse~~ produced or generated, the related basis of the size and number of containers required for the collection of solid waste~~refuse~~ and upon differing schedules and the regularity of collection.

(Prior code § 6-2.08)

8.20.090 Solid waste ~~Refuse~~ collection service—Rates—Payments.

- A. Each and every household or tenant occupying any dwelling, house or residence and each and every proprietor or each and every store, shop, apartment house, rooming house or factory, shall pay to the city or its ~~authorized agent~~contractor, the applicable rate as and for ~~garbage~~solid waste ~~and rubbish~~ collection. Such fees are based upon the calls as indicated, irrespective of whether there is any solid waste~~refuse~~ to remove from any premises.
- B. For purposes of this chapter, a dwelling, house, residence or other structure whether it is a store, shop, apartment house, rooming house or factory, shall be considered to be occupied, despite temporary absence therefrom unless electrical services have been discontinued for a period of not less than ninety (90) days.

(Prior code § 6-2.09)

8.20.100 ~~Refuse~~Solid waste collection service—Rates—Liability.

All rates and other charges provided for in this chapter shall be charged against the property on which furnished and against the owner of record thereof and shall be deemed delinquent at the same time and in the same manner as the next regular solid waste~~refuse~~ collection bill. No change of ownership or occupation shall in any way affect the application of this section. The owner of the property shall remain liable for the payment of all rates and charges notwithstanding any agreement he or she may have with a tenant, manager or other third party to the contrary.

(Ord. 431 § 1, 1995: prior code § 6-2-10)

8.20.110 ~~Refuse~~Solid waste collection service—Charges—Delinquencies.

- A. All charges imposed by this chapter shall be due and payable upon presentation of the bill. The charges for solid waste ~~refuse~~ collection service between the time of the commencement of the service and the thirtieth day of the same month or the close of the established billing period shall be added to the next billing period. If the charge remains unpaid thirty (30) days after the billing date, the charge becomes delinquent and the solid waste ~~refuse~~ collection service may be discontinued.
- B. At least ten (10) days prior to the discontinuance of the service the city manager or his or her designee shall notify the property owner of record by mail and by personal delivery to the service address that the service will be discontinued. Notwithstanding the cessation of service the owner shall remain obligated for payment of the minimum mandatory rates and charges for solid waste~~refuse~~ collection applicable to the subject property.

- C. When an account becomes delinquent the full amount of both the delinquent and current bill must be paid to avoid discontinuation of the service.

(Ord. 431 § 2, 1995: prior code § 6-2-11)

8.20.120 ~~Refuse-Solid waste~~ collection service—Charges—Delinquencies—Penalties.

A penalty of ten (10) percent of the charge shall be imposed on the first day of the third month following the date such charge was due and payable. In addition, a penalty of two percent per quarter of the basic charge, plus the ten (10) percent, shall be imposed on the first day of the third month following the date such charge was due and payable and on each due date thereafter until there is payment in full of the charge, plus all penalties.

(Prior code § 6-2.12)

8.20.130 ~~Refuse-Solid waste~~ collection service—Charges—Delinquencies—Liens.

- A. The contractor shall be entitled to payment from the owner for any ~~solid waste refuse~~ collection services rendered by the contractor. Any fees, rates or charges (collectively "charges") which remain unpaid for ~~solid wasterefuse~~ collection services rendered by the contractor for a period of sixty (60) days or more after the close of the period for which they are billed may be collected thereafter by the city as provided herein.
- B. At least once each year, or more often as the council or city manager deem appropriate, the city shall prepare or cause to be prepared a report of delinquent charges. Information concerning delinquent accounts shall be provided by the contractor or any other source the city deems reasonably accurate. The report shall include the parcel number of the real property upon which the charges are delinquent, the name or names of the owner of the real property to which the ~~solid waste refuse~~ collections services were provided, the street address of the property served, the period of service, and the amounts due including reasonable administrative charges, which administrative charges shall be as determined by the franchise agreement between the city and the contractor or, if the franchise agreement does not specify an amount of administrative charges, then by the city manager.
- C. Upon receipt of the report of delinquent charges, the city council, city manager or the city manager's designee shall fix a time, date and place for hearing the report, and any protests or objections thereto. The hearing shall be held before the city council, the city manager or the city manager's designee as soon as is practicable after receipt of the report of delinquent charges. For purposes of this section, the body or individual before which the hearing is conducted shall be referred to as the "hearing body". Notice of the hearing shall be mailed to the owners of the property listed on the report not less than ten (10) days prior to the date of the hearing.
- D. At the hearing, the hearing body shall hear any objections or protests of owners liable to be assessed for delinquent charges and administrative charges. The hearing body may make such revisions or corrections to the report as it deems just. If the hearing body is the city council, then at the conclusion of the hearing and after making any revisions or corrections to the report as it deems just, the city council shall confirm the report by resolution. If the hearing body is an entity or individual other than the city council, then after the hearing body makes any revisions or corrections to the report as it deems just, the report shall be submitted to the city council for approval by resolution at its next regular meeting after the hearing.
- E. The delinquent charges set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of such charges. A certified copy of the confirmed report and resolution shall thereafter be filed with the county auditor for the amounts of the assessments against the respective parcels of land as they appear on the then current assessment roll. The lien created attaches upon recordation, in the office of the county recorder of the county of placer, of a

certified copy of the resolution of confirmation. The assessment may be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in the case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of county ad valorem taxes shall be applicable to such assessments, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date in which the first installment of such taxes would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property and the delinquent fees, as confirmed, relating to such property shall be transferred to the unsecured roll for collection.

~~F. The contractor may charge the city, at the established collection rates, for those owners who are delinquent. Said charges shall cover the period during which the contractor provided collection and disposal services for the delinquent owner as confirmed by the report of delinquent charges and ensuing resolution. The city shall not become liable to pay such charges until the charges have been assessed against the owner and the county has disbursed funds covering said charges.~~

(Prior code § 6-2.13)

(Ord. No. 517, 5-9-2012)

8.20.140 Franchises or contracts—Authority.

~~A.~~ A.—The council may provide for solid waste collection service by the granting of an exclusive franchise or contract for such purpose, subject to such terms and conditions as the council deems appropriate.

~~A-B.~~ The franchisee or contractor, during the term of the franchise, shall be the sole person permitted to perform solid waste collection within the city.

(Prior code § 6-2.14)

8.20.150 Franchises or contracts—Right to contract.

Notwithstanding any provision of this chapter to the contrary, any owner shall have the right to remove and dispose of ~~garbage, recyclable material, or organic materials at a solid waste facility, by self-hauling or through the services of another in a manner conforming to this chapter and other applicable law, or to contract for the removal and disposal of, his or her own refuse as otherwise provided by law,~~ but the exercise of such right shall not release such owner from any obligation imposed by this chapter to pay the city the minimum mandatory rates and charges as set for residential and business establishments respectively.

(Prior code § 6-2.15)

8.20.160 Franchises or contracts—Solid waste landfill facilities.

The council may provide for the operation and use of any city solid waste landfill or transfer station in any franchise or contract; provided, however, such operation shall be in accordance with Chapter 9 of Article I of the county provisions relating to solid waste landfill areas adopted May 8, 1979, on file in the office of the city clerk, which is adopted by reference as though set forth in full in this chapter and the provisions shall take effect at such time as the solid waste landfill areas are so designated and operative.

(Supp. No. 13, 8-21)

(Prior code § 6-2.16)

8.20.170 Solid waste landfill facilities—Right to close to public.

The council reserves the right to close the city solid waste landfill facilities and privileges to the general public.

(Prior code § 6-2.17)

8.20.180 Solid waste landfill facilities—Declared closed to public.

Pursuant to the provisions of ~~Section~~ section 8.20.170 of this chapter, the council declares that the city solid waste landfill facilities and privileges are closed to the public, except as otherwise provided in this chapter.

(Prior code § 6-2.18)

8.20.190 Standard service regulations.

All fees for such extra services and occupants receiving standard service shall comply with the following regulations as a condition to regular curbside collection:

- A. All residential ~~solid waste~~refuse presented for collection and disposal shall be kept and placed in an approved ~~solid waste~~refuse container, ~~(see Section 8.20.010 of this chapter provided by the contractor,~~ not to exceed sixty (60) pounds.
- B. All business establishment ~~refuse~~solid waste presented for collection and disposal shall be kept in approved ~~solid waste~~refuse containers, provided by the contractor, in a number not to exceed six or metal bins or roll off containers (debris boxes) of a type approved by the city. The city may require that a bin or roll off container be used, even though the number of cans which would otherwise be used does not exceed six, when necessary to prevent an unhealthy or unsightly condition. All business establishment ~~solid waste~~refuse shall be gathered collectively for all units and/or residents and shall be kept in centralized areas. The location of the centralized ~~solid waste~~refuse containers shall be as determined by the city.
- C. Every owner, occupant, manager or person in control of the premises of any dwelling unit or units or of any place of business or institution within the city where ~~solid waste~~garbage and refuse accumulates, shall provide or cause to be provided, a sufficient number of approved ~~solid waste~~refuse containers of adequate size to accommodate all ~~refuse and garbage~~solid waste accumulated on the premises between collection days. The occupant, manager or person in control of the premises shall be primarily responsible for providing and maintaining containers in such condition so as to prevent injury, not attract vermin, rodents or flies or otherwise from becoming a public health matter and upon failure to do so shall comply with the requirements of this section within five days after the receipt of written notice by the ~~health officer~~city manager or his or her authorized representative to do so. Occupants shall maintain containers, ~~including bin containers~~ obtained from the city's ~~refuse collection~~ contractor, in a reasonably sanitary condition, free from obnoxious odors and from attachments of ~~solid waste~~garbage likely to create breeding grounds for insects or vermin, beyond that incidental to ~~solid waste~~refuse deposited since the previous collection; provided, however, occupants receiving bin service may order bin cleaning services, subject to a reasonable fee, from the city's ~~refuse collection~~ contractor in lieu of cleaning such bin containers themselves.
- D. Except as provided in this section, all solid waste shall be presented for collection not less than once weekly.

(Supp. No. 13, 8-21)

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- E. Except as provided in subsection F of this section, all containers, except bins and roll off containers, shall be placed within five feet of the edge of pavement or, if there is no pavement, within five feet of the edge of the public or private right-of-way along established routes.
- F. A person who demonstrates to the city that he or she has a permanent physical impairment or disability which makes it difficult or impossible to place containers for collection in the location required by subsection E of this section and that no one occupying the premises is capable of so doing, may place such containers at a location not more than fifty (50) feet from the curb, edge of pavement or right-of-way.
- G. All bins and roll off containers shall be placed in a convenient location, accessible to the loading apparatus used to empty them, as may be directed by the fire marshal.
- H. Where a business establishment has a bin or roll off container which, because of the amount of solid waste generated, does not require weekly service, the bin or roll off container may be presented for collection on any reasonable periodic basis approved by the city or its ~~authorized agent~~contractor, provided such bin or container does not contain putrescible ~~waste~~ (wastes that are capable of being decomposed by micro-organisms with sufficient rapidity as to cause odors, gases, and similar objectionable conditions).~~waste.~~
- I. All business establishments engaged in the preparation, sale, distribution or storage of perishable food products shall present ~~refuse-solid waste~~ for collection not less than ~~twice~~ weekly.
- J. Where necessary to prevent an insanitary or unsightly condition, the city may require that a residence or business establishment present ~~solid waste~~refuse for collection more often than once per week.
- K. The schedule for the collection of ~~solid waste~~refuse shall be as determined by the city and ~~solid waste~~ refuse shall be presented for collection on the day or days specified.
- L. Except as prohibited by subsection A of this section, cardboard or wood cartons or bags made for ~~solid waste~~ refuse disposal purposes may be used as temporary containers; provided, however, they shall be considered as ~~solid waste~~ refuse and will not be returned. Any cardboard or wooden carton not specifically used as a temporary container shall be broken down, flattened and disposed of as set forth in subsection M of this section.
- M. Cardboard, paper, magazines, palm fronds, tree limbs, brush, weeds and similar dry materials shall be tied in bundles with a heavy cord or wire strong enough to act as a handle or shall be placed in other acceptable containers. No such bundle shall exceed four feet in length, eighteen (18) inches in thickness or forty (40) pounds in weight.
- N. Large bulky items, such as furniture and household equipment (see "special solid waste" as defined in ~~Section~~section 8.20.010 of this chapter) will not be collected unless broken down and packaged to a size and weight easily handled by one person, except upon such days as may be designated by the city for the special collection of large bulky items without charge.
- O. All kitchen waste, ashes, hair clippings, floor sweepings and similar light materials shall be well and securely wrapped to prevent spillage. Hot ashes will not be collected. Free liquids shall be drained from the ~~solid waste~~ refuse prior to placement for collection.
- P. No occupant shall allow ~~solid waste~~refuse or empty containers to remain along, at or near any public street, sidewalk or parkway (excluding alleys ~~and streets that cannot accommodate containers~~), except:
1. Between the hours of four p.m. of the day preceding the occupant's weekly collection day and twelve midnight of such collection day;

2. Pursuant to an agreement for collection services between the occupant and the city's ~~refuse collection~~ contractor; or
 3. During any period in which regular collection service is interrupted or delayed.
- Q. The following are not approved solid waste ~~refuse~~ containers:
1. Oil or grease drums or similar heavy metal containers;
 2. Paper grocery bags or bags which are torn or which are not securely closed;
 3. Broken or wet cardboard boxes; and
 4. Broken wooden boxes or crates or any other container with sharp, rough or jagged edges which may hamper or injure the collector.

(Amended during 2004 codification; prior code § 6-2.19)

8.20.200 Refuse-Solid waste collection vehicles—Governing regulations.

All vehicles used for solid waste ~~refuse~~ collection and disposal activities owned by the city, franchisee or contractor to the city and transporters of solid waste ~~refuse~~ pursuant to ~~Section-section~~ 8.20.050(B) through (E) of this chapter shall be under license to the same and shall meet all the requirements of all the laws and ordinances of the state, county and city.

(Prior code § 6-2.20)

8.20.210 Refuse-Solid waste collection vehicles—Transporting over city streets.

No solid waste ~~refuse~~ collection vehicle (including transporters of ~~refuse-solid waste~~ pursuant to ~~Section-section~~ 8.20.050(B) through (E) of this chapter) shall transport solid waste~~refuse~~ or other waste materials along the streets of the city unless such solid waste~~refuse~~ or other materials are enclosed or otherwise secured so as to prevent the solid waste~~refuse~~ or other waste materials from being blown, dropped, spilled or leaked.

(Prior code § 6-2.21)

8.20.220 Administration.

The city manager shall administer the provisions of this chapter. In carrying out this responsibility, he or she shall have the following powers and duties:

- A. To establish additional rules and regulations consistent with this chapter as may be necessary, reasonable and proper to effect the sanitary, expedient, economical and efficient collection, removal and disposal of solid waste~~garbage, refuse and cuttings~~;
- B. To establish the routes, hours and days of collection, to change the same as he or she deems necessary and to give notice of such routes, hours, days and changes as he or she deems advisable;
- C. To determine whether solid waste material falls within the definition of ~~refuse~~garbage, recyclable material or organic material;
- D. To determine whether the conditions for the receipt of standard service have been satisfied;
- E. To determine whether agreements between occupants and the city's ~~refuse collection~~ contractor for special or additional services are reasonable and consistent; and

- F. To establish regulations pertaining to periods of labor strikes or other circumstances affecting collection services throughout the city.
- G. To review the number and size of solid waste containers to evaluate the adequacy of capacity provided for each type of collection service and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the city manager in order to meet the standards set forth in this chapter.

(Prior code § 6-2.22)

8.20.230 Commercial edible food generator regulations.

- A. Tier one commercial edible food generators must comply with the requirements of this section January 1, 2022, and tier two commercial food generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.
- B. Large venue or large event operators not providing food services, but allowing for food to be provided by others, shall require food facilities operating at the large venue or large event to comply with the requirements of this section, commencing January 1, 2024.
- C. Commercial edible food generators shall comply with the following requirements:
1. Arrange to recover the maximum amount of edible food that would otherwise be disposed.
 2. Contract with or enter into a written agreement with food recovery organizations or food recovery services for: (a) the collection of edible food for food recovery; or (b) acceptance of the edible food that the commercial edible food generator self-hauls to the food recovery organization for food recovery.
 3. Shall not intentionally spoil edible food that is capable of being recovered by a food recovery organization or a food recovery service.
 4. Allow the City's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.
 5. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:
 - a. A list of each food recovery service or organization that collects or receives its edible food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).
 - b. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).
 - c. A record of the following information for each of those food recovery services or food recovery organizations:
 - i. The name, address and contact information of the food recovery service or food recovery organization.
 - ii. The types of food that will be collected by or self-hauled to the food recovery service or food recovery organization.
 - iii. The established frequency that food will be collected or self-hauled.

iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a food recovery service or food recovery organization for food recovery.

D. Nothing in this Chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

8.20.240 Food recovery organization and food recovery services regulations.

A. Food recovery services collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1):

1. The name, address, and contact information for each commercial edible food generator from which the service collects edible food.
2. The quantity in pounds of edible food collected from each commercial edible food generator per month.
3. The quantity in pounds of edible food transported to each food recovery organization per month.
4. The name, address, and contact information for each food recovery organization that the food recovery service transports edible food to for food recovery.

B. Food recovery organizations collecting or receiving edible food directly from commercial edible food generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):

1. The name, address, and contact information for each commercial edible food generator from which the organization receives edible food.
2. The quantity in pounds of edible food received from each commercial edible food generator per month.
3. The name, address, and contact information for each food recovery service that the organization receives edible food from for food recovery.

C. Food recovery organizations and food recovery services that have their primary address physically located in the Jurisdiction and contract with or have written agreements with one or more commercial edible food generators pursuant to 14 CCR Section 18991.3(b) shall annually report to the City it is located in the total pounds of edible food recovered in the previous calendar year from the tier one and tier two commercial edible food generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b) no later than April 1.

D. In order to support edible food recovery capacity planning assessments or other studies conducted by the county, city, special district that provides solid waste collection services, or its designated entity, food recovery services and food recovery organizations operating in the City shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, food recovery capacity that could be accessed by the City and its commercial edible food generators. A food recovery service or food recovery organization contacted by the City shall respond to such request for information within 60 days unless a shorter timeframe is otherwise specified by the City.

8.20.250 Inspections and investigations.

- A. The city manager, contractor, enforcement agency or other designee is authorized to conduct any inspections, remote monitoring, or other investigations as reasonably necessary to further the goals of this chapter, subject to applicable laws. This may include inspections and investigations, at random or otherwise, of any container, collection vehicle load, or transfer, processing, or disposal facility to confirm compliance with this chapter, subject to applicable laws. This section does not allow entry into the interior of a private residential dwelling unit for inspection. For the purposes of inspecting collection containers for compliance, the city manager, contractor, enforcement agency or other designee may conduct container inspections for prohibited container contaminants using remote monitoring, and generators shall accommodate and cooperate with the remote monitoring.
- B. A person subject to the requirements of this chapter shall provide or arrange for access during all inspections (with the exception of the interior of a private residential dwelling unit) and shall cooperate with the city manager, contractor, enforcement agency or other designee during such inspections and investigations. Such inspections and investigations may include confirmation of proper placement of materials in containers, inspection of edible food recovery activities, review of required records, or other verification or inspection to confirm compliance with any other requirement of this chapter. Failure to provide or arrange for: (i) access to the premises; (ii) installation and operation of remote monitoring equipment, if a remote monitoring program is adopted; or (iii) access to records for any inspection or investigation is a violation of this chapter and may result in penalties.
- C. Any records obtained by the city manager, contractor, or designee, during inspections, investigations, remote monitoring and other reviews shall be subject to the requirements and applicable disclosure exemptions of the California Public Records Act as set forth in Government Code Section 6250 et seq.

8.20.230260 Settlement of disputes.

The city manager or his or her designated representative, shall hear any dispute which may arise between the ~~collectors-contractor~~ and patrons of the service over complaints regarding service. Any person aggrieved by a rule or determination of the city manager shall have the right of appeal to the council, who shall retain the authority to confirm, modify or revoke the same.

(Prior code § 6-2.23)

8.20.240270 Enforcement.

- ~~A. The chief of police and his or her designated representative are authorized to enforce any provision of this chapter, the violation of which is made an infraction or a misdemeanor or which declares any condition to constitute a public nuisance. The health officer is likewise authorized to enforce any such provisions insofar as they pertain to the protection of the public health and sanitation. Enforcement actions under this chapter include issuance of an administrative citation and assessment of a fine. The city's procedures on imposition of administrative citations and fines as contained in Title 1 of this Code shall govern the imposition, enforcement, collection, and review of administrative citations and fines issued pursuant to section 8.20.310 to enforce this chapter and any rule or regulation adopted pursuant to this chapter. Any section of this chapter may be enforced by the City of Colfax or, if agreed to, by its designated enforcement agency.~~
- A. The chief of police~~city manager~~ and his or her designated representative are authorized to enforce any provision of this chapter, the violation of which is made an infraction or a misdemeanor or which declares

any condition to constitute a public nuisance. The ~~health officer~~city manager is likewise authorized to enforce any such provisions insofar as they pertain to the protection of the public health and sanitation.

B.

C. The city manager, ~~chief of police, health officer,~~ or enforcement agency may issue a Notice of Violation requiring compliance within 60 days or sooner of issuance of the notice.

D. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, the city manager, ~~chief of police, health officer,~~ or enforcement agency shall commence an action to impose penalties, via an administrative citation and fine, pursuant to the city's standard procedures or the standard procedures of its designated enforcement agency.

(Prior code § 6-2.24)

8.20.250-310 Violation—Penalty.

Violations of the provisions of this chapter shall constitute:

- A. ~~A.~~—In the case of any person allowing the accumulation or maintenance of solid waste in violation hereof and/or of the health, safety and welfare, a public nuisance; and
- B. ~~B.~~—In all instances, including those specified in subsection ~~A-A~~ of this section, a misdemeanor, as the same is now or may hereafter be defined by the laws of the state.
- C. A violation of this chapter may be punishable by:
1. For a first violation, the amount of the base penalty shall be \$50-\$100 per violation.
 2. For a second violation, the amount of the base penalty shall be \$100-\$200 per violation.
 3. For a third or subsequent violation, the amount of the base penalty shall be \$250- \$500 per violation.
 4. A fine not exceeding five hundred dollars for each additional violation of the same provision of this code within any twelve consecutive-month period. Any citation issued after the issuance of a third citation or violation of the same provision of this code within any twelve consecutive-month period may be charged as a misdemeanor pursuant to subsection A and B of this section.
- D. Nothing in this section shall be construed as preventing the City from revoking, suspending, or denying a permit, registration, license, or other authorization consistent with local requirements outside the scope of this chapter in addition to the imposition of penalties authorized under this section.
- E. Other remedies allowed by law may be used, including civil action or prosecution as a misdemeanor or infraction. The city may pursue civil actions in the California courts to seek recovery of unpaid administrative citations, and fines. The city may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of city staff and resources.

(Amended during 2004 codification; prior code § 6-2.25)



Proclamation

WHEREAS, in 1982 Tony Martello graduated from Colfax High School as an all-league football player and captain, and started his coaching career in the late 1980s as a walk-on JV Coach; and,

WHEREAS, in 1996, after graduating from the University of Nevada, where he also coached as a student assistant, Tony obtained his teaching credential and was hired as Colfax High's Varsity Coach; and,

WHEREAS, Tony remarkably coached the Falcons to 230 Career victories, 37 playoff victories, 24 winning seasons, 23 Playoff appearances, 20 All-time vs Bear River (20-8), 16 League championships, 12 Cal-Hi Sports State Top 10, 10 – CIF Section finalists, 4 – CIF Sac-Joaquin Section championships, 1 – CIF State Bowl Finalist (2018); and,

WHEREAS, in 2018, Tony was inducted into the Northern California Oldtimers Association Hall of Fame. He is currently nominated on the coaches list for the upcoming CIF Sac-Joaquin Hall of Fame; and,

WHEREAS, with great pride Tony coached his son, Juliono an all-league receiver and running back who set a school record for yards per carry his senior year; and,

WHEREAS, his legacy includes mentoring former players who are now coaches themselves at such schools as UNLV, Twelve Bridges, UC Davis, and Colfax; and,

WHEREAS, with 26 dedicated years of coaching at an elite level and molding the youth in the community, Tony announced his coaching retirement.

NOW THEREFORE, City of Colfax City Council, do hereby recognize and congratulate, with great gratitude, Coach Tony Martello.

Signed this 23rd day of March 2022

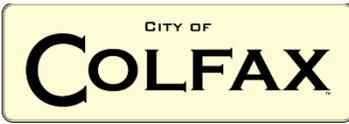
Trinity Burruss, Mayor

Marnie Mendoza, Mayor Pro Tem

David Ackerman, Councilmember

Sean Lomen, Councilmember

Joe Fatula, Councilmember



Staff Report to City Council

FOR THE MARCH 23, 2022 REGULAR CITY COUNCIL MEETING

From: Wes Heathcock, City Manager
Prepared by: Laurie Van Groningen, Finance Director
Subject: California Hazard Mitigation Grant Program – Subapplication

Budget Impact Overview:

N/A:	Funded: ✓	Un-funded:	Amount: \$6,850,000	Fund(s): Fund 100 (Reimbursed through HMGP Grant)
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RECOMMENDED ACTION: Discuss and consider authorizing the City Manager to submit a subapplication for California Hazard Mitigation Grant Program projects - Community Home Hardening and Defensible Space and Energy Resilience – Generator Installation for Critical Facilities and Infrastructure in an amount not to exceed \$6,850,000.

Summary/Background

The California Governor’s Office of Emergency Services (Cal OES) announced a 2021 funding opportunity for FEMA’s Hazard Mitigation Grant Program (HMGP). The opportunity provides funding for communities to implement mitigation activities to reduce risk to life and property from natural hazards. In California, natural hazards include wildfire, earthquake, drought, extreme weather, flooding, and other impacts of climate change. The HMGP program will provide federal cost share funding with a 25% local cost share (non-federal share) requirement to be funded by the subapplicant (City).

City staff submitted two projects for consideration of this grant opportunity via a Notice of Interest (NOI) to Cal OES. Cal OES reviewed the NOI’s for eligibility and has invited the City to submit a full grant subapplication. Cal OES will review all subapplications and submit projects to FEMA in accordance with the State’s priorities.

The two proposed projects for the City of Colfax are:

Community Home Hardening and Defensible Space Program

In collaboration with local resources, the City proposes to implement a Home Hardening and Defensible Space Program to include:

- Education and outreach to the entire community through education materials and training programs.
- Home Hardening/Defensible Space inspections at no cost, available to all single-family residential properties within City limits.
- A rebate program (% to be determined) for property owners who implement recommended retrofits or improvements detailed in inspection reports.

It is anticipated that education/training and inspections can be provided through our contractual relationship with Placer County Fire. The City has initiated conversations with Placer Resource Conservation District to administer the program.

Energy Resilience – Generator Installation for Critical Facilities and Infrastructure

This project will provide backup power to critical City facilities to allow for continuous operations and preservation of essential functions when the primary power source is interrupted during emergencies. The critical facilities are:

- 1) Colfax City Hall
- 2) Sheriff Department Substation
- 3) Sierra Vista Community Center

The proposed project costs are outlined in the chart below. It is our goal to minimize the extent of City General Funds for the Community Home Hardening and Defensible Space project and will work to obtain match commitments prior to application date.

Project Name	Total Project Cost	Federal Request	Local match	Source of Local Match
Community Home Hardening and Defensible Space	\$ 6,050,000	\$ 4,537,500	\$ 1,512,500	City Staff time - including Placer County Fire, Volunteers, State Grants, Property Owner Match, City General Funds
Energy Resilience - Generator Installation for Critical Facilities and Infrastructure	\$ 800,000	\$ 600,000	\$ 200,000	City General Funds

The subapplications are due to Cal OES no later than April 8, 2022.

Staff is soliciting Council support for these two projects.