

**COLFAX CITY COUNCIL MEETING  
REGULAR SESSION AGENDA**

City Council Chambers  
33 S. Main Street, Colfax, CA.

<http://www.colfax-ca.gov/>

**June 12, 2013**

**6:00 PM (Closed Session)**

**7:00 PM (Regular Session)**

Last Ordinance  
#519

Last Resolution  
25-2013

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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the building & safety director, (530) 346-2313. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibilities to this meeting.

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**1. OPENING**

- A. Call to Order
- B. Roll Call

**2. PUBLIC COMMENT**

**3. CLOSED SESSION**

Conference with Labor Negotiators pursuant To Government Code Section 54957.6  
Employee Organization: General Employees and Bargaining Unit Represented by Operating Engineers, Local 39  
City's Designated Representative: Gabe Armstrong

Public employee employment pursuant to Government Code Section 54957.  
Title of position to be filled: City Manager.

Public employee performance evaluation pursuant to Government Code Section 54957.  
Title: City Planner

**4. OPENING**

- A. Pledge Of Allegiance
- B. Announcement of Action Taken at Closed Session
- C. Approval of Agenda Order

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

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

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Members of the public who addresses the Council shall do so in an orderly manner. No person shall yell or make profane or threatening remarks to any member of the Council, staff or general public. No person shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet, clapping, or other acts that unreasonably disturb, disrupt, delay or otherwise impede the orderly conduct of any Council meeting. Except as allowed by rules of order, a councilmember or staff person shall not by conversation or other means delay the Council proceedings or disturb any other councilmember or staff person while speaking.

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**5. CITY COUNCIL COMMITTEE REPORTS**

The purpose of these reports is to provide information to the City Council and public on projects and programs that are discussed at committee meetings. No decisions are to be made on these issues. If a Council member would like formal action on any of these discussed items, it will be placed on a future Council Agenda

**6. INFORMATION REPORTS FROM STAFF AND OTHERS**

**7. CONSENT AGENDA**

All matters listed under the Consent Agenda are considered to be routine in nature and will be approved by one blanket motion with a roll call vote. There will be no separate discussion of these items unless persons request specific items to be removed from the Consent Agenda for discussion and separate action. Any items removed will be considered after the motion to approve the Consent Agenda. If you wish to have an item pulled from the Consent Agenda for discussion, please notify the City Clerk.

**RECOMMENDED  
ACTION**  
*Receive and File*

A. Minutes: May 22, 2013

B. Consideration of Adoption of Resolution No. 26-2013: A Resolution authorizing the Interim City Manager to execute an agreement with Richardson & Co. to provide Annual Audit services and Receipt of Statement from Richardson & Company of Understanding of Annual Auditing Services for the Fiscal Year Ending June 30, 2013.

*Adopt Resolution No.  
26-2013*

C. Consideration of Adoption of Resolution No. 27-2013: A Resolution Of The City Council Of The City Of Colfax Adjusting The Base Sewer Impact Fee To \$7,678.44 Effective July 1, 2013

*Adopt Resolution No.  
27-2013*

**CONSENT ITEMS PULLED FOR DISCUSSION**

**8. PUBLIC COMMENT**

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

**9. PUBLIC HEARING**

**Notice to Public**

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

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

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

- A. Introduction and First Reading of Ordinance No. 520: An Ordinance Of The City Of Colfax Amending Colfax Municipal Code Title 13, Chapter 13.08, Section 13.08.490 B Pertaining To Industrial Wastewater Fees

**Recommended Action:** Introduce the proposed Ordinance by title only, conduct a public hearing and thereafter by motion waive the first reading and continue for second reading and adoption at the June 26, 2013 regularly scheduled council meeting to be effective 30 days thereafter.

- B. Introduction and First Reading of Ordinance No.521: An Ordinance Of The City Of Colfax Authorizing Collection Of Delinquent Sewer Service Charges On The Placer County Secured and Unsecured Tax Roll For Fiscal Year 2013-2014

Consideration of Adoption of Resolution No. 28-2013:A Resolution Of The City Council Of The City Of Colfax Requesting Collection Of Sewer Service Charges On The Placer County Secured and Unsecured Tax Roll For Tax Year 2013-2014

**Recommended Action:** Introduce the proposed Ordinance by title only, conduct a public hearing and thereafter by motion waive the first reading and continue for second reading and adoption at the June 26, 2013 regularly scheduled council meeting to be effective 30 days thereafter and adopt Resolution No. 28-2013

## **10. COUNCIL BUSINESS**

- A. Public Broadcasting of City Council Meetings

**Recommended Action:** Authorize the purchase of parts required to broadcast City Council meetings to the public via the City's local-access television channel.

- B. Consideration of Adoption of Resolution No.29-2013: A Resolution Of The City Council Of The City Of Colfax Confirming The Report Of Delinquent Waste Collection Accounts And Placing Liens On Said Properties And Special Assessments Upon Property Taxes Pursuant To City Of Colfax Municipal Code Section 8.20.130

**Recommended Action:** Adopt Resolution No. 29-2013

- C. Discussion of possible acceptance of the Mink Creek sewer system.

**Recommended Action:** Discuss and direct staff

## **11. PRESENTATIONS**

## **12. ADJOURNMENT**

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.

AGENDA POSTED, June 7, 2013  
at City Hall and Post Office locations



Karen Pierce, City Clerk

Minutes  
City Council Meeting  
May 22, 2013

**1. OPENING**

Mayor Pro-tem Hesch called the meeting to order at 6:00pm.

Present and answering roll call were Council members, Douglass, Parnham, McKinney and Mayor Pro-tem Hesch

Mayor Barkle was absent for health reasons.

**2. PUBLIC COMMENT**

There was no public comment

**3. CLOSED SESSION**

Mayor Pro-tem Hesch called the closed session to order at 6:03pm

Conference with Legal Counsel—Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9  
Number of potential cases: 1

Conference with Legal Counsel—Existing Litigation  
Number of Cases: 1  
(Subdivision (a) of Section 54956.9)  
Name of case: Verizon v. Placer County

Public employee employment pursuant to Government Code Section 54957.  
Title of position to be filled: City Manager.

Public employee performance evaluation pursuant to Government Code Section 54957.  
Title: Technical Services Administrator.

Public employee performance evaluation pursuant to Government Code Section 54957.  
Title: Chief Wastewater Plant Operator

Mayor Pro-tem Hesch closed the closed session at 6:59pm.

**4. OPENING AND AGENDA APPROVAL**

Mayor Pro-tem Hesch called the regular meeting to order at 7:01pm.

Linda LouHaines led the Pledge of Allegiance

Mayor Pro-tem Hesch stated that in closed session council voted unanimously to not participate in the Verizon law suit.

A motion was made by councilman McKinney and seconded by Mayor Pro-tem Hesch to approve the agenda as presented. The motion was passed by a voice vote.

**5. CITY COUNCIL COMMITTEE REPORTS**

Councilman Parnham reported on attending the WAC/MAC and Mosquito and Vector Control meeting

Councilman Douglass reported on attending the Project Go meeting.

Mayor Pro-tem Hesch reported on attending the SACOG, PCTPA and the Downtown Business Group meetings

**6. INFORMATION REPORTS FROM STAFF AND OTHERS**

Interim City Manager, Gabe Armstrong reported on the following:

- Updated council about the Splash Park
- Reported that there are 3 applicants for the WWTP operator position.

**7. CONSENT AGENDA**

**ACTION TAKEN**

A. Minutes: May 6, 2013

*Receive and File*

B. Consideration of Adoption of Resolution No. 23-2013: A Resolution of the City Council of the City of Colfax Authorizing the City to Enter into an Agreement with the County of Placer for Fire Department and Oversight Services from July 1, 2013 to June 30, 2014.

*Adopt Resolution  
No. 23-2013*

C. Approval of Street Closure on N. Main for Fire and Steel Event June 15, 2013 from 8:00am to 11:00pm.

*Pulled for Discussion*

D. Cash Balance Summary: April 30<sup>th</sup>, 2013

*Receive and File*

E. Consideration of Adoption of Resolution No. 25-2013: A Resolution of the City Council of the City of Colfax Authorizing the Mayor or Mayor Pro Tem to Execute an Employment Agreement with Gabe Armstrong to Serve as Interim City Manager.

*Adopt Resolution  
No. 25-2013*

A motion was made by councilman McKinney and seconded by councilman Parnham to approve the consent agenda as presented with the above noted item pulled for discussion. The motion was passed by a voice vote:

**C. Approval of Street Closure on N. Main for Fire and Steel Event June 15, 2013 from 8:00am to 11:00pm.**

Councilman McKinney had questions. City Clerk, Karen Pierce answered them. A motion was made by councilman McKinney and seconded by councilman Parnham to approve the street closure. The motion was passed by a voice vote.

**8. PUBLIC COMMENT**

Frank Klein, Chamber President spoke about the Downtown Business meeting where signage to downtown was discussed, updated council on July 3<sup>rd</sup> event and had questions on the STAA route on Canyon Way and S. Auburn St.

Will Stockwin, resident had questions about City Hall being closed on Monday and Friday and how much is the city saving with this closure.

**9. PUBLIC HEARING**

**10. COUNCIL BUSINESS**

**A. Consideration of Adoption of Resolution No. 24-2013: A Resolution Approving Amendment #1 To Contract #13143 With County Of Placer, Office Of Sheriff-Coroner-Marshal Increasing Payment For Law Enforcement Services For Fiscal Year July 1, 2013 – June 30, 2014**

Lieutenant Andrew Scott, Placer County Sheriff's Dept. went over the contract and the amendment. Council had questions. Staff was directed to bring this item back for further discussion in April 2014 prior to the renewal of the next contract.

Speaking from the public was:  
Will Stockwin, resident

A motion was made by councilman McKinney and seconded by Mayor-pro tem Hesch to adopt Resolution No. 24-2013. The motion was passed by the following vote:

AYES: Douglass, Parnham, McKinney and Mayor Pro-tem Hesch  
NOES:  
ABSENT: Mayor Barkle  
ABSTAIN:

**B. Discussion of Audio/Video Recording/Broadcast of City Council meetings**

Travis Berry, Technical Services went over options. Council directed staff to bring back a report on options and costs involved.

**C. Selection of Ad-Hoc Committee to review the position for Wastewater Treatment Plant vacancy.**

Interim City Manager, Gabe Armstong noted that the Sub-committee had already been established to include: Gabe Armstrong, Tom Parnham and Mike Faudoa.

**11. PRESENTATION**

**12. ADJOURNMENT**

Being no further business to come before council by voice vote the meeting was adjourned at 8:30pm.



**REPORT TO  
COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
June 12, 2013**

Agenda Item No.

7B

**To:** Honorable Mayor and Members of the City Council  
**From:** Laurie Van Groningen, Finance Director  
**Date:** May 30, 2013  
**Subject:** Consideration of Adoption of Resolution No. 26-2013: A Resolution authorizing the Interim City Manager to execute an agreement with Richardson & Co. to provide Annual Audit services and Receipt of Statement from Richardson & Company of Understanding of Annual Auditing Services for the Fiscal Year Ending June 30, 2013.

**Recommended Action:** Adopt Resolution No. 26-2013

**ISSUE STATEMENT AND DISCUSSION:**

Annually the City has conducted an independent audit of its financial records. The firm of Richardson & Company was selected to perform this work. Attached is the letter of confirmation setting forth the understanding of services for audit of records for the period ending June 30, 2013.

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

Cost of the annual audit is \$16,000 and the single audit is \$2,500 which are included in adopted budget and are the same as previous year.

**ATTACHEMENTS**

Letter from Richardson & Company dated May 7, 2013  
System Review Report  
Resolution No. 26-2013

# Richardson & Company

550 Howe Avenue, Suite 210  
Sacramento, California 95825

Telephone: (916) 564-8727  
FAX: (916) 564-8728

May 7, 2013

City of Colfax  
33 South Main Street  
Colfax, California 95713

We are pleased to confirm our understanding of the services we are to provide for the City of Colfax (City) for the year ended June 30, 2013. We will audit the financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information, which collectively comprise the City's basic financial statements as of and for the year June 30, 2013. Accounting standard generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis.
2. Budget and Actual Comparisons for Major Funds (General and Special Revenue Funds)

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. Supplementary information other than RSI, such as combining and individual fund financial statements, also accompanies City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the

United States of America and will provide an opinion on it in relation to the financial statements as a whole:

1. Schedule of expenditures of federal awards.
2. Combining financial statements for non-major governmental funds, permanent funds and agency funds.

### **Audit Objectives**

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the basic financial statements taken as a whole. The objective also includes reporting on-

- Internal control related to the financial statements and compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The reports on internal control and compliance will each include a paragraph that states that the purpose of the report is solely to describe (1) the scope of testing of internal controls over financial reporting and compliance and the result of that testing and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance, (2) the scope of testing internal control over compliance for major program compliance and the result of that testing and to provide an opinion on compliance but not to provide an opinion on the effectiveness of internal control over compliance, and (3) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance and OMB Circular A-133 in considering internal control over compliance and major program compliance. The paragraph will also state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with U.S. generally accepted auditing standards; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133 and will include tests of accounting records, a determination of major program(s) in accordance with Circular A-133, and other procedures we consider necessary to enable us to express such opinions and to render the required reports. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis of matter or other-matter paragraphs. If our opinions on the financial statements or the Single Audit compliance opinions

are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audits or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

### **Management Responsibilities**

Management is responsible for the basic financial statements, schedule of expenditures of federal awards and all accompanying information as well as all representations contained therein. Management is also responsible for identifying government award programs and understanding and complying with the compliance requirements, and for preparation of the schedule of expenditures of federal awards in accordance with the requirements of OMB Circular A-133. As part of the audit, we will assist with preparation of your financial statements, schedule of expenditures of federal awards, and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements, schedule of expenditures of federal awards, and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and schedule of expenditures of federal awards and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities; to help ensure that appropriate goals and objectives are met and that there is reasonable assurance that government programs are administered in compliance with compliance requirements. You are also responsible for the selection and application of accounting principles; for the fair presentation in the financial statements of the respective financial position of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City and the respective changes in financial position and cash flows, where applicable, in conformity with the U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making all financial records and related information available to us, including any significant vendor relationships in which the vendor has the responsibility for program compliance. We understand that you will provide us with such information required for our audit and that you are responsible for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Management's responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the

latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud, or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud, or illegal acts affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations and for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we may report. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan.

You are responsible for preparation of the schedule of expenditures of federal awards in conformity with OMB Circular A-133. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with OMB Circular A-133; (2) that you believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with OMB Circular A-133; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishment and maintenance of a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying

for us previous audits or other engagements or studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, and the timing and format related thereto.

### **Audit Procedures-General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets, or violations of laws or governmental regulations that are attributable to the City or to acts by management or employees acting on behalf of the City. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the periods covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected funding sources and financial institutions. We will also request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will request certain written representations from you about the financial statements and related matters.

### **Audit Procedures-Internal Control**

Our audit will include obtaining an understanding of the design of the entity and its environment, including internal control, sufficient to assess the results of material misstatement of the financial statements and to design the nature, timing and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting errors and fraud that are material to the financial statements and to

preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify reportable conditions. However, we will communicate to management and those charged with governance on internal control related matters that are required to be communicated under professional standards, *Government Auditing Standards* and OMB Circular A-133.

#### **Audit Procedures - Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audits to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of the applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of those procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

#### **Audit Administration and Other**

Ingrid Shepline will serve as the engagement director and will be responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to

prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

At the conclusion of the engagement, we will complete the appropriate sections of and sign the Data Collection Form that summarized our audit findings. We will provide copies of our reports to the City; however, it is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and a corrective action plan) along with the Data Collection Form to the designated federal clearinghouse and, if appropriate, to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits. At the conclusion of the engagement, we will provide information to management as to where the reporting packages should be submitted and the number to submit.

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

We may also request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will request certain written representations from management about the financial statements and related matters. Because of the importance of oral and written management representations to an effective audit, the City releases and indemnifies Richardson & Company and its personnel from any and all claims, liabilities, costs and expenses attributable to any active negligence on the part of the City.

The audit documentation for this engagement is the property of Richardson & Company and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to the California State Board of Accountancy or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. The firm will also make available its workpapers and respond to all reasonable inquiries of successor auditors and others to review workpapers of the City, upon the City's written request or consent. If requested, access to such audit documentation will be provided under the supervision of Richardson & Company personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies. All professional and administrative services and expenses relating to such access will be charged as an additional expense to the City at the rates listed in the Professional Fees section of this letter. The workpapers for this or any engagement for you will be retained for a minimum of seven years after the date the auditor's report is issued, or longer if required by generally accepted auditing standards.

In the event we are requested or authorized by you or required by government regulation, subpoena, or other legal process to produce our workpapers or our personnel to respond to inquiries or serve as witnesses with respect to this or any engagement for you, you will, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, in responding to such a request. If such a request is made, and unless we are obligated by law or legal process to the contrary, we will inform you prior to providing such access.

If the City intends to publish or otherwise reproduce in any document our report on the City's financial statements, or otherwise make reference to our Firm in a document that contains other information in addition to the audited financial statements (e.g., in a debt offering circular for example), the City agrees that prior to making any such use of our report, or reference to our Firm, management will provide us with a draft of the document to read and obtain our approval for the inclusion or incorporation by reference of our report, or the reference to our Firm, in such document before the document is printed and distributed. The inclusion or incorporation by reference of our report in any such document would constitute the reissuance of our report and any request by the City to reissue our report or to consent to its inclusion or incorporation by reference in an offering or other document will be considered based on the facts and circumstances existing at the time of such request. The estimated fees outlined herein do not include any services that would need to be performed in connection with any such request to make use of our report, or reference to our Firm; fees for such services would be based upon the rates for additional services as described in the Professional Fees section.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, if applicable, you understand that electronic sites are a means to distributed information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Our Firm, as well as all other accounting firms with a significant audit practice, participates in a "peer review" program, covering our audit and accounting practices. This program requires that once every three years we subject our quality assurance practices to an examination by another accounting firm. As part of the process, the other firm will review a sample of our work. It is possible that the work we perform for you may be selected by the other firm for their review. If it is, they are bound by professional standards to keep all information confidential. If you object to having the work we do for you reviewed by our peer reviewer, please notify us.

*Government Auditing Standards* require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our current peer review report accompanies this letter.

### **Professional Fees**

Our fee for audit services for the year ended June 30, 2013 will be \$16,000, plus out-of-pocket mileage expenses. A Single Audit is required this year and our fee will be \$2,500 for one major program. This fee estimate is based on the assumption that the audit and single audit will be completed in less than 330 hours and the advance preparation package will be completed and all information will be available on or before the day fieldwork begins. The fee estimate is also

based on anticipated cooperation from your personnel and the assumption that the City will retain the current Finance Director and that unexpected circumstances will not be encountered during the audit. This fee estimate also assumes that the City will post all normal closing entries prior to the date the audit begins, including those resulting in audit adjustments the previous year, and prepare the tables for the footnote disclosures. If a significant number of audit adjustments are proposed or if the City loses key accounting personnel before the audit is complete, such changes could have a direct impact on the audit timetable and number of hours we incur to aid the City in preparing adjustments and revising workpapers to agree to final balances as reported. To the extent possible, we will utilize your existing schedules and workpapers in our audit process. In the event that the advance preparation package is not completed on time, there are changes in key accounting personnel, normal closing entries are not posted before our audit begins and the preparation or reconciliation of schedules is necessary, or if our current understanding and/or expectations are not met and additional time is necessary for, but not limited to, any of the other preceding reasons, we will charge a fee for the additional services based on our regular hourly rates in addition to the proposed fee.

In the event that the scope of our audit has to be increased due to changes in accounting or auditing pronouncements and standards, laws or regulations, material weaknesses in the internal control environment or significant changes in operations, we will discuss the situation with you and arrive at a new fee arrangement.

Additional Services: The fee for additional services provided under this engagement letter or otherwise requested by the City, if any, will be based on a rate per hour by staff classification as follows:

<u>Classification</u>	<u>Rate Per Hour</u>
Principal/Audit Director/Tax Director	\$ 180
Senior Manager	160
Managers	140
Supervisors	120
Seniors	100
Staff	80
Administrative Staff	65

If any provision in this letter is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

\* \* \* \* \*

City of Colfax  
May 7, 2013  
Page 10 of 11

We appreciate the opportunity to be of service to you and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

RICHARDSON & COMPANY



Joe R. Richardson, CPA

Response:

This letter correctly sets forth the understanding of the City.

By: \_\_\_\_\_

Title: \_\_\_\_\_

City of Colfax



First Financial Bank Building  
400 Pine Street, Ste. 600, Abilene, TX 79601  
325.672.4000 / 800.588.2525 / f: 325.672.7049  
www.dkcpa.com

## System Review Report

December 27, 2012

To the Owner  
**Richardson & Company**  
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of **Richardson & Company** (the firm) in effect for the year ended September 30, 2012. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of **Richardson & Company** in effect for the year ended September 30, 2012, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. **Richardson & Company** has received a peer review rating of *pass*.

*Davis Kinard & Co, PC*  
Certified Public Accountants

# City of Colfax

## RESOLUTION NO. 26-2013

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH RICHARDSON & CO TO PROVIDE ANNUAL AUDIT SERVICES

---

**WHEREAS**, the City of Colfax is required by law to have its financial records audited on an annual basis; and

**WHEREAS**, Richardson & Co is under contract with the City to provide such services; and

**WHEREAS**, the City Council has determined that it is in the best interests of the City to extend the existing contract with Richardson & Co for an additional year and engage that firm to conduct an audit of the City's financial records for Fiscal Year 2012-2013.

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

1. The City Council hereby authorizes the City Manager to execute an agreement extending the contract with Richardson & Co to provide auditing services for City Fiscal Year 2012-2013.
2. The City Council authorizes the appropriation and/or expenditure of a professional services fee of \$16,000 plus mileage expenses and a Single Audit fee of \$2,500 to provide the services authorized by this Resolution.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Colfax held on the 12<sup>th</sup> day of June, 2013 by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

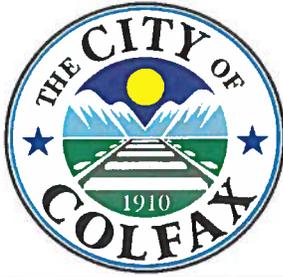
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Donna L. Barkle, Mayor

ATTEST:

---

Karen Pierce, City Clerk



**REPORT TO  
COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
June 12, 2013**

Agenda Item No.

7C

**To:** Honorable Mayor and Members of the City Council  
**From:** Gabe Armstrong, Interim City Manager  
**Prepared By:** Alan Mitchell, City Engineer  
**Subject:** Consideration of Adoption of Resolution No. 27-2013: A Resolution Of The City Council Of The City Of Colfax Adjusting The Base Sewer Impact Fee To \$7,678.44 Effective July 1, 2013

**Recommended Action:** Adopt Resolution No. 27-2013

**ISSUE STATEMENT AND DISCUSSION:** On July 1, 2012, the sewer impact base fee was increased by the City Engineer to \$7,498.48. Municipal Code Section 13.08.100.A allows for an “Annual Construction Cost Adjustment” by the City Engineer. The section specifically states,

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

The May ENR construction cost index change for the Bay Area in 2013 was 2.4%. Based on the 2012 base sewer impact fee of \$7,498.48, the July 1, 2013 sewer impact fee increase would be \$7,678.44.

New sewer connections are assessed a sewer connection fee based upon the Equivalent Dwelling Unit (EDU) sewer usage calculated based on Municipal Code Section 13.08.090. The sewer connection fee is a multiple of the base sewer impact fee and the EDU. Staff recommends that Council adopt the attached Resolution adjusting the base sewer impact fee to \$7,678.44.

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

**ATTACHEMENTS**

Resolution 27-2013

# **CITY OF COLFAX**

## **RESOLUTION NO. 27-2013**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX ADJUSTING THE BASE SEWER IMPACT FEE TO \$7,678.44 EFFECTIVE JULY 1, 2013**

---

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

**WHEREAS**, the sewer impact fee was last adjusted by the City Engineer on July 1, 2012 to \$7,498.48; and

**WHEREAS**, the ENR CCI annual escalation for May 2013 for the San Francisco Bay Area was +2.4%.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Colfax hereby adjusts the City of Colfax's base sewer impact fee as defined in the Municipal Code, Section 13.08.090, to Seven Thousand Six Hundred Seventy-Eight Dollars and Forty-Four Cents (\$7,678.44).

**PASSED AND ADOPTED**, this 12<sup>th</sup> day of June, 2013, by the City Council of the City of Colfax, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Tony Hesch, Mayor Pro-tem

ATTEST:

---

Karen Pierce, City Clerk



**REPORT TO  
COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
June 12, 2013**

Agenda Item No.

9A

**To:** Honorable Mayor and Members of the City Council  
**From:** Gabe Armstrong, Interim City Manager  
Alfred A. "Mick" Cabral, City Attorney  
**Date:** June 5, 2013  
**Subject:** Introduction and First Reading of Ordinance No. 520: An Ordinance Of The City Of Colfax Amending Colfax Municipal Code Title 13, Chapter 13.08, Section 13.08.490 B Pertaining To Industrial Wastewater Fees

**Recommended Action:** Introduce the proposed Ordinance by title only, conduct a public hearing and thereafter by motion waive the first reading and continue for second reading and adoption at the June 26<sup>th</sup> regularly scheduled council meeting to be effective 30 days thereafter.

**ISSUE STATEMENT AND DISCUSSION:**

This is a focused amendment to Colfax Municipal Code §13.08.490B which, if passed, will change the basis for calculating industrial wastewater disposal user fees from \$0.05 (five cents) per gallon to a fee based on the number of Equivalent Dwelling Units (EDUs) represented by the discharge or the discharger's share of actual operating costs of the City's sewer system and wastewater treatment plant ("WWTP") as determined by the City Engineer.

Colfax has very few industrial users. In 2002, the City commissioned a rate study that recommended establishing industrial wastewater disposal user rates at \$0.05 (five cents) per gallon of waste. That recommendation was adopted by the City Council as part of Ordinance 475.

As written, the Code allows the City no flexibility in establishing industrial wastewater disposal user rates. Colfax Municipal Code ("CMC") Title 13, Chapter 13.08, Section 13.08.490 provides "In addition to the other fees and charges required by this chapter, industrial wastewater disposal permit applicants and permittees shall pay the following fees to the city: ...B. Industrial wastewater disposal user fee (sic) calculated at five cents (\$0.05) per gallon of wastewater discharge, due and payable bi-monthly, with a minimum fee of one hundred dollars (\$100.00) bi-monthly."

CMC Section 13.08.490 B is problematic because sewage volume alone does not always accurately reflect the impact on the City's sewer system or the discharger's proportionate share of costs. Staff therefore proposes to amend the ordinance to provide the needed flexibility.

The proposed changes to the CMC are as follows. The text of the current ordinance that is being modified is shown in strikeout font.

“13.08.490 – Industrial wastewater fees.

In addition to the other fees and charges required by this chapter, industrial wastewater disposal permit applicants and permittees shall pay the following fees to the city: ...

~~B. Industrial wastewater disposal user fee (sic) calculated at five cents (\$0.05) per gallon of wastewater discharge, due and payable bi-monthly, with a minimum fee of one hundred dollars (\$100.00) bi-monthly.~~ Industrial wastewater disposal user fees will be calculated by the City Engineer based on either (1) the number of Equivalent Dwelling Units (EDUs) represented by the discharge, or (2) other calculations based on the discharger’s share of actual operating costs of the City’s sewer and wastewater treatment plant as determined by the City Engineer. Fees are due and payable bi-monthly, with a minimum fee of one hundred dollars (\$100.00) bi-monthly.”

Staff will be available to answer any questions or provide additional information that may be requested.

**ATTACHEMENTS**

Proposed Ordinance 520 and Exhibit A

CITY OF COLFAX

ORDINANCE NO. 520

AN ORDINANCE OF THE CITY OF COLFAX AMENDING COLFAX MUNICIPAL CODE TITLE 13,  
CHAPTER 13.08, SECTION 13.08.490 B  
PERTAINING TO INDUSTRIAL WASTEWATER FEES

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

Section 1:

Colfax Municipal Code Title 13, Chapter 13.08, Section 13.08.490 B is hereby amended as set forth in Exhibit A hereto which is incorporated herein by this reference.

Section 2. Superceding Provisions

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

Section 3. Severability

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

Section 4. Effective Date

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

Section 5. Publication

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

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Colfax held on the 12<sup>th</sup> day of June, 2013, and passed and adopted at a regular meeting of the City Council held on the 26<sup>th</sup> day of June, 2013, at a duly held regular meeting of the City of Colfax, by the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Donna Barkle, Mayor

APPROVED AS TO FORM:

ATTEST:

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

\_\_\_\_\_  
Karen Pierce  
City Clerk

CITY OF COLFAX,

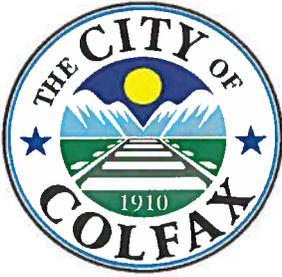
EXHIBIT A TO ORDINANCE 520

AN ORDINANCE OF THE CITY OF COLFAX AMENDING COLFAX MUNICIPAL  
CODE TITLE 13, CHAPTER 13.08, SECTION 13.08.490 B  
PERTAINING TO INDUSTRIAL WASTEWATER FEES

**Colfax Municipal Code Title 13, Chapter 13.08, Section 13.08.490 B is hereby  
amended to read as follows:**

**13.08.490 B**

Industrial wastewater disposal user fees will be calculated by the City Engineer based on either (1) the number of Equivalent Dwelling Units (EDUs) represented by the discharge, or (2) other calculations based on the discharger's share of actual operating costs of the City's sewer and Wastewater Treatment Plant as determined by the City Engineer. Fees are due and payable bi-monthly, with a minimum fee of one hundred dollars (\$100.00) bi-monthly.



**REPORT TO  
COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
June 12, 2013**

Agenda Item No.

9B

**To:** Honorable Mayor and Members of the City Council  
**From:** Gabe Armstrong, Interim City Manager  
**Date:** June 12, 2013  
**Subject:** Introduction and First Reading of Ordinance No.521: An Ordinance Of The City Of Colfax Authorizing Collection Of Delinquent Sewer Service Charges On The Placer County Secured and Unsecured Tax Roll For Fiscal Year 2013-2014

Consideration of Adoption of Resolution No. 28-2013:A Resolution Of The City Council Of The City Of Colfax Requesting Collection Of Sewer Service Charges On The Placer County Tax Roll For Tax Year 2013-2014

**Recommended Action:** Introduce the proposed Ordinance by title only, conduct a public hearing and thereafter by motion waive the first reading and continue for second reading and adoption at the July 25<sup>th</sup> regularly scheduled council meeting to be effective 30 days thereafter and adopt Resolution No. 28-2013

**ISSUE STATEMENT AND DISCUSSION:**

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

There are approximately 122 delinquent sewer service charge accounts that remain unpaid. A written report containing a description of each parcel of real property for which there is a delinquent sewer service charge and the amount of each charge has been filed with the City Clerk and is attached. All charges reflected in the written report have been computed in conformity with Title 13, Chapter 13.08, Article III of the Code.

A public hearing is required before the proposed ordinance can be adopted. Notice of the Public Hearing regarding the delinquent accounts was published in the Colfax Record once each week for two successive weeks prior to the hearing. A copy of the delinquent accounts report is on file at City Hall.

The purpose of the hearing is to allow the Council to hear objections and protests to the report. At the conclusion of the hearing, the Council may adopt, revise, change, reduce or modify any sewer service charge in the report, sustain or overrule any objections to the report and adopt or decline to adopt the report as modified. If the report is adopted with or without modification, the City Clerk

will file it with the County Auditor-Controller and the charges reflected in the final report will be collected at the same time as ad valorem property taxes.

There is a resolution to the same effect on this agenda. Placer County requires a resolution containing specific provisions to be adopted in order to collect the delinquent charges on the tax roll. The Colfax Code requires an ordinance. The resolution becomes effective immediately upon adoption and will be forwarded to the Placer County Auditor as quickly as possible. The ordinance will become effective thirty days after adoption. This process is cumbersome but essential to properly collecting delinquent sewer service charges on the tax roll.

### **ATTACHMENTS**

Ordinance 521

Exhibit A to Ordinance 521

Exhibit A-Listing of Delinquent Accounts

Resolution No. 28-2013

# CITY OF COLFAX

ORDINANCE NO. 521

## AN ORDINANCE OF THE CITY OF COLFAX AUTHORIZING COLLECTION OF DELINQUENT SEWER SERVICE CHARGES ON THE PLACER COUNTY SECURED AND UNSECURED TAX ROLL FOR FISCAL YEAR 2013-2014

---

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

### Section 1:

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

### Section 2. Superseding Provisions

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

### Section 3. Severability

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

### Section 4. Effective Date

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

### Section 5. Publication

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

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Colfax held on the 12<sup>th</sup> day of June, 2013, and passed and adopted at a regular meeting of the City Council held on the 26<sup>th</sup> day of June, 2013, at a duly held regular meeting of the City of Colfax, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Tony Hesch, Mayor Pro-tem  
Mayor

APPROVED AS TO FORM:

ATTEST:

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

\_\_\_\_\_  
Karen Pierce  
City Clerk

## Ordinance 521

### Exhibit A

#### Recitals

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

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

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

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

D. At the June 12, 2013 hearing the City Council heard and considered all objections and protests to the Report and determined that protests were not made by the owners of a majority of the separate parcels of property described in the Report; and

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

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

#### Ordinance

1. The foregoing recitals are true and correct statements of fact and are hereby incorporated into this Ordinance.
2. The Report attached as Exhibit A hereto is adopted and said adoption is final. The City Clerk is hereby authorized to file with the Placer County Auditor-Controller a copy of this Ordinance and the Report.
3. The Auditor-Controller of Placer County is requested to attach for collection on the County tax rolls those taxes, assessments, fees and/or charges, listed on the Report attached as Exhibit A attached hereto.

4. The City warrants and represents that the taxes, assessments, fees and/or charges imposed by the City and being requested to be collected by Placer County comply with all requirements of state law, including but not limited to Articles XIII C and XIII D of the California Constitution (Proposition 218).
4. The City releases and discharges County, and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County on the property tax roll of any taxes, assessments, fees and/or charges on behalf of City.
5. In consideration for the County's collection of the charge through the County's property tax roll, the City agrees to and shall defend, indemnify and hold harmless the County, its officers, agents and employees (the "Indemnified Parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County of any of City's said taxes, assessments, fees and/or charges requested to be collected by County for the City, or in any manner arising out of City's establishment and imposition of said taxes, assessments, fees and/or charges. City agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of the collection of one of City's taxes, assessments, fees and/or charges, the County may offset the amount of the judgment from any other monies collected by County on behalf of City, including property taxes.
6. The City agrees that its officers, agents and employees will cooperate with the County by responding to all inquiries referred to City by County from any person concerning the City's taxes, assessments, fees and/or charges, and that City will not refer such persons to County officers and employees for response.
7. The City agrees to pay the County for the reasonable and ordinary charges to recoup its costs of placement and collection on the tax rolls at the agreed upon rate of 1% of the taxes, assessments, fees and/or charges, as provided by Government Code sections 29304 and 51800.

## **City of Colfax**

### **Delinquent Accounts Report June 6, 2013**

**The attached report includes all delinquent sewer balances as of June 6, 2013 by individual account.**

- 1. Balances that remain unpaid as of County filing deadlines will be placed on the tax rolls for 2012-13.**
  - 1. Unsecured (denoted as "US" on report) direct charges will be transferred to County by June 28, 2013**
  - 2. Secured direct charges which represent the balance of the delinquent accounts will be transferred to County by July 26, 2013.**
  
- 2. Applicable interest, penalty, and administrative fees will be added to the account balance before transfer to the County.**

DELINQUENT ACCOUNTS REPORT

Date: 06/06/2013

Due As Of: 04/30/2013 Not Paid By: 06/06/2013

Time: 3:49pm

Page: 1

City of Colfax

Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
AUBN-000033-0000-00 0000158347	LOUIS RESENDEZ 33 N AUBURN STREET	006-073-007-000	1,327.20	0.00	1,327.20
AUBN-000035-0000-00 0000158348	RICK NICHELINI 35 N AUBURN STREET	006-073-006-000	1,711.65	632.99	1,078.66
AUBS-000002-0000-00 0000158344	YOLANDA DOUGHERTY 2 S AUBURN ST	006-074-008-000	1,693.83	0.00	1,693.83
AUBS-000015-0000-00 0000158078	ADDIE DAUGHERTY 15 S AUBURN ST	006-072-002-000	1,457.45	0.00	1,457.45
AUBS-000300-0000-00 0000158282	COLFAX CLASSICS INC. 300 S AUBURN ST	006-143-013-000	786.93	450.00	336.93
AUBS-000308-0000-00 0000158285	ROBERT SINNOCK 308 S AUBURN ST	006-143-005-000	1,469.09	0.00	1,469.09
AUBS-001033-0000-00 0000158291	JANICE PAYTON 1033 S AUBURN ST	100-230-030-000	2,373.11	0.00	2,373.11
BROW-000044-0000-00 0000157992	SHERYL HUNT 44 BROWNS LN	006-061-014-000	482.95	125.00	357.95
CACC-000214-0000-00 0000158278	LISA SANTANA 214 CANYON CREEK CIR	101-200-031-000	1,478.02	0.00	1,478.02
CACC-000215-0000-01 0000158277	MIKE & DIA DEVINE 215 CANYON CREEK CIR	101-200-024-000	1,473.57	0.00	1,473.57
CACC-000238-0000-00 0000158271	LAURIE POPE 238 CANYON CREEK CIR	101-200-035-000	21.74	0.00	21.74
CACC-000242-0000-00 0000158269	LEE SWAYNE 242 CANYON CREEK CIR	101-200-036-000	1,186.60	0.00	1,186.60
CACC-000247-0000-00 0000158270	KEN ARNOLD 247 CANYON CREEK CIR	101-200-028-000	1,408.43	0.00	1,408.43
CACC-000248-0000-00 0000892000	DAVID DWELLE 248 CANYON CREEK CIR	101-200-037-000	243.41	0.00	243.41
CACC-000254-0000-00 0000000000	DAVID DWELLE 254 CANYON CREEK CIR	101-200-039-000	243.41	0.00	243.41
CACC-000300-0000-00 0000158264	LISETTE KEANE 300 CANYON CREEK CIR	101-200-044-000	1,372.46	0.00	1,372.46
CACC-000306-0000-01 0000170248	RONALD & RACHEAL GADREULT 306 CANYON CREEK CIR	101-200-043-000	1,478.02	0.00	1,478.02
CACD-000301-0000-00 0000000000	CEDAR RIDGE APARTMENTS 301 CANYON CREEK DR	101-132-046-000	11,526.66	9,605.54	1,921.12
CACD-000306-0000-02 0000170248	RON GADREULT 306 CANYON CREEK DR	101-200-043-000	1,309.97	700.00	609.97
CANC-000333-0001-00 898-1200-0	JAMES PAYNE 203 CANYON COURT	101-080-030-000	4,406.77	0.00	4,406.77
CANN-000246-0001-00 0000000000	COLFAX SMOG 246 CANYON WAY	101-080-031-000	1,678.32	0.00	1,678.32
CANS-000212-0000-03 0000000000	JAMES PAYNE 212 S CANYON WAY	101-080-031-000	1,391.80	0.00	1,391.80

DELINQUENT ACCOUNTS REPORT

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Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
CANS-000920-0000-00 0000000000	KATHLEEN KECK 920 S CANYON WAY	100-152-004-000	1,551.08	0.00	1,551.08
CANS-001506-0000-00 0000170708	GARY TODD BLDG 1506 S CANYON WAY	101-132-024-000	434.64	0.00	434.64
CEDR-000201-000A-00 896-0175-0	CEDARS APARTMENTS (26) 201 CEDAR RAVINE CIR. #A	101-132-043-000	16,431.55	0.00	16,431.55
CHUE-000111-0000-00 0000158392	ANN WENDELL 111 E CHURCH ST	006-103-001-000	1,498.79	0.00	1,498.79
CHUE-000120-0000-02 0000158381	LARRY TILITSON 120 E CHURCH ST	006-076-018-000	1,476.63	0.00	1,476.63
COLF-000040-0000-02 0000157988	SCOTT & MAUREEN MERRITT 40 COLFAX AVE	006-062-003-000	1,478.10	0.00	1,478.10
COND-000104-0002-00 0000169101	JOHN MEDEIROS 104 CONDI LN	100-260-026-000	1,021.50	0.00	1,021.50
CULV-000232-0000-00 0000157948	RORY CHIPP 232 CULVER ST	006-092-011-000	1,281.72	381.72	900.00
DEPO-000011-0000-02 0000157915	RICK NICHELINI 11/13 DEPOT STREET	006-043-004-000	1,778.69	632.99	1,145.70
DEPO-000055-0000-01 0000158110	LISA QUIRK 55 E DEPOT ST	006-042-006-000	1,469.80	0.00	1,469.80
EASY-000306-0000-03 0000158142	JAMES NOVAES 306 EASY WAY	100-110-028-000	385.99	250.00	135.99
FIRH-000056-0000-00 0000171867	STEVEN JONES 56 FIRE HOUSE ALLEY	006-066-031-000	1,468.97	0.00	1,468.97
FOHN-000033-0001-00 0000158338	MICHAEL SILVERA 33 N FOREST HILL AVENUE	006-075-010-000	719.89	0.00	719.89
FORS-000022-0000-00 0000158376	LORETTA STARNES 22 S FOREST HILL AVE.	006-076-011-000	217.32	0.00	217.32
FORS-000159-0000-00 0000158359	JANET WILLIAMS 159 S FOREST HILL AVE.	006-044-006-000	1,684.85	0.00	1,684.85
FOST-000210-0000-02 0000170727	MICHAEL& DENISE BARNARD 210 FOSTER RD	100-270-024-000	1,479.05	0.00	1,479.05
FOST-000213-0000-02 0000170511	SUSANNE DENAULT 213 FOSTER RD	100-270-023-000	723.62	367.49	356.13
GEAR-000012-0000-00 0000158165	LAVERNE BECK 12 GEARHART LN	006-022-005-000	1,464.72	0.00	1,464.72
GEAR-000044-0000-00 0000158159	GRACELYNN INTERPRISE, INC 44 GEARHART LN	006-022-002-000	456.38	108.66	347.72
GLEN-000203-0001-00 0000170769	DIANNE STRAMBI 203 GLENDALE RD	100-270-030-000	1,474.59	0.00	1,474.59
GLEN-000230-0000-00 0000170733	ROBERT & IVY FENSKE 230 GLENDALE RD	100-270-045-000	217.32	0.00	217.32
GRAV-023620-0002-00 0000000000	ROBERT & MARTI HOSKINS 23620 GRAND VIEW WAY	101-161-046-000	230.64	0.00	230.64

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Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
3RAV-023653-0000-02 0000000000	GREGG WIBBERLEY 23653 GRAND VIEW AVE	101-161-048-000	1,546.47	0.00	1,546.47
3RAV-023680-0000-02 0000000000	MARK FORER 23680 GRAND VIEW AVE	101-161-042-000	1,551.08	0.00	1,551.08
3RAV-023735-0000-01 0000000000	KENT ROBERTS 23735 GRAND VIEW AVE	101-161-029-000	998.69	0.00	998.69
3RAV-023755-0000-00 0000000000	BOB OSGOOD 23755 GRAND VIEW AVE	101-161-028-000	1,551.08	0.00	1,551.08
GRAV-000121-0000-00 0000157872	SMILE MERCHANT 121 W GRASS VALLEY STREET	006-061-007-000	1,896.71	0.00	1,896.71
GRAV-000215-0000-00 0000157990	HAROLD POLITO 215 W GRASS VALLEY STREET	006-061-011-000	0.38	0.00	0.38
H174-001401-0000-00 898-2750-0	MONTERO TRUCKING 1401 HWY 174	101-010-035-000	222.93	0.00	222.93
HUNT-000131-0002-00 0000158138	GERALD OWEN 131 HUNTER LN	100-110-023-000	239.06	217.32	21.74
INCL-000217-0000-00 0000158250	DAVID DWELLE 217 INCLINE DR	101-200-004-000	243.41	0.00	243.41
INCL-000224-0000-00 0000158253	DAVID DWELLE 224 INCLINE DR	101-200-018-000	243.41	0.00	243.41
INCL-000252-0000-02 0000158261	JILL KIRKLAND 252 INCLINE DR	101-200-014-000	166.53	0.00	166.53
LINC-000029-0000-00 0000157964	SELEN ANDERSON 29 LINCOLN ST	006-093-005-000	1,478.95	0.00	1,478.95
LINC-000112-0001-01 0000157968	CHRISTINA ROMERO 112 LINCOLN ST	006-122-001-000	694.62	220.00	474.62
MAIN-000007-0000-00 898-2200-0	GARY TODD 7 N MAIN ST	006-071-007-000	31,044.52	0.00	31,044.52
MAIN-000214-0000-00 0000158123	YOGI & YOLI INC 214 N MAIN ST	006-022-013-000	456.38	0.00	456.38
MAIN-000348-0000-00 0000170188	LAVERNE BECK 348 N MAIN ST	006-022-005-000	1,469.14	0.00	1,469.14
MAIS-000027-0000-00 0000157898	WAY WEST 27 S MAIN ST	006-066-010-000	2,661.50	0.00	2,661.50
MAIS-000121-0002-00 0000157930	AUBURN CREEKS REAL ESTATE 121 S MAIN ST	006-091-007-000	1,186.59	0.00	1,186.59
MARE-000121-0000-02 0000158342	ROB OHNMACHT 121 E MARVIN STREET	006-074-009-000	1,478.02	0.00	1,478.02
MARV-000210-0000-00 0000158340	CHRISTIAN DAY 210 MARVIN AVE	006-075-004-000	1,478.02	0.00	1,478.02
MINC-000116-0000-01 0000158193	JASON BARR 116 MINK CREEK DR	100-260-053-000	928.33	0.00	928.33
NORS-000323-000A-00 0000158283	PAM JOHNSON 323 NORTH STAR AVE # A	006-143-011-000	617.03	0.00	617.03

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Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
NOSS-000045-0000-00 0000158380	JAMES GARGAN 45 S NORTHSTAR AVE	006-076-017-000	576.99	0.00	576.99
DAKE-000034-0000-00 0000158089	JANET & DELONG MURRAY 34 E OAK ST	006-101-007-000	217.32	0.00	217.32
OAKH-000105-0000-02 0000158173	STEPHANIE ROMERO 105 OAK HILL DR	006-010-043-000	697.61	230.00	467.61
OAKH-000108-0000-00 0000158172	KRIS SCHWARTZ 108 OAK HILL DR	006-010-046-000	1,478.27	0.00	1,478.27
OAKH-000139-0000-00 0000158175	PHIL SARGENT 139 OAK HILL DR	006-010-039-000	632.26	99.00	533.26
OAKH-000140-0000-02 0000171148	MATTHEW HILTON 140 OAK HILL DR	006-010-041-000	697.61	0.00	697.61
OAKR-001323-0002-00 0000158239	JEREMY SCHWARTZ 1323 OAK RIDGE DR	100-250-035-000	1,486.15	0.00	1,486.15
OAKR-001333-0000-00 0000158243	BAYARD MATHIS 1333 OAK RIDGE DR	100-250-041-000	1,186.60	0.00	1,186.60
OAKR-001380-0001-00 0000170921	BRADY TURNER 1380 OAK RIDGE DR	100-250-062-000	1,189.03	0.00	1,189.03
OAKR-001392-0000-00 0000171466	BRADY TURNER 1392 OAK RIDGE DR	100-250-068-000	1,186.60	0.00	1,186.60
OAKR-001399-0000-00 0000171696	SHANNAN DEMELLO 1399 OAK RIDGE DR	100-250-072-000	723.70	0.00	723.70
OAKW-000012-0000-00 0000158060	VICTOR ALBONICO 12 W OAK ST	006-092-005-000	1,391.18	117.00	1,274.18
OAKW-000044-0000-00 0000158058	DORAN WILSON 44 W OAK ST	006-092-003-000	0.02	0.00	0.02
OAKW-000054-0000-00 0000158057	DORAN WILSON 54 W OAK ST	006-092-002-000	0.02	0.00	0.02
OAKW-000104-0000-00 0000157937	ARDITH CAMPBELL 104 W OAK ST	006-112-038-000	1,478.24	0.00	1,478.24
OAKW-000216-0001-00 0000158018	TISELL ROLF & WHALLEY,ERIK 216 W OAK ST	006-112-026-000	2,930.72	0.00	2,930.72
PICR-001170-0000-00 0000000000	CHRIS TOEPFER 1170 PINECROFT RD	100-130-063-000	23.07	0.00	23.07
PINS-000155-0000-00 0000158055	VICKI SMITH 155 PINE ST	006-112-063-000	2,653.20	0.00	2,653.20
PLEA-000120-0000-00 0000158117	ANGELO DELCARLO 120 PLEASANT ST	006-030-037-000	1,478.02	0.00	1,478.02
PLEA-000150-0000-00 0000158127	HELEN MARKLE 150 PLEASANT ST	006-030-006-000	1,197.25	0.00	1,197.25
PNT0-000300-0002-00 898-0700-0	ROBERT LANG 300 PINETOP CIR	101-190-003-000	5,022.06	0.00	5,022.06
POUN-000055-0000-02 0000158115	MARTIN BURMEISTER 55 POUNDS CT	006-041-006-000	94.28	0.00	94.28

DELINQUENT ACCOUNTS REPORT

(US) = Unsecured

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Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
QUIN-000054-0000-01 0000172607	RANDY RICHISON 54 QUINNS LN	006-091-035-000	1,478.02	0.00	1,478.02
QUIN-000121-0000-02 0000158001	LANTY MOLLOY 121 QUINNS LN	006-080-047-000	2,172.15	100.00	2,072.15
RAIL-000101-0000-00 0000170598	JAMES DOYLE 101 RAILROAD AVE	- - -	888.09	0.00	888.09 (US)
RAIL-000159-0000-00 0000158096	JAMES DOYLE 159 RAILROAD AVE	006-071-004-000	2,388.22	0.00	2,388.22 (US)
RAIL-000201-0000-00 0000170598	JAMES DOYLE 201 RAILROAD AVE	- - -	1,937.18	0.00	1,937.18 (US)
RAIL-000223-0000-00 398-1800-0	ART WHITE 223 RAILROAD AVE	006-131-009-000	4,883.11	0.00	4,883.11 (US)
RAIL-000235-0000-00 0089820000	HANFORDS CATERING PO BOX 1236	006-131-009-000	2,195.58	0.00	2,195.58 (US)
RAIL-000247-0000-02 898-1900-0	GRAND FATHER STATION 247 RAILROAD AVE	006-093-008-000	20,871.63	0.00	20,871.63 (US)
RAIS-000153-0000-03 0000172558	JAMES DOYLE 153 S RAILROAD STREET	006-131-009-000	2,186.36	0.00	2,186.36 (US)
RISS-000230-0000-00 0000171773	KELLEY HOLDERFIELD 230 RISING SUN RD	006-080-042-000	1,469.14	0.00	1,469.14
ROSE-000333-0000-00 0000157959	CHARLES DESOTO 333 ROSE AVE	006-122-002-000	697.61	150.00	547.61
ROSE-000452-0000-00 0000158046	RICHARD SLUSHER 452 ROSE AVE	006-132-015-000	941.02	0.00	941.02
SAUN-000122-0000-00 0000158103	CAROL SANDERS 122 SANDERS LN	006-030-011-000	967.34	300.00	667.34
SCHO-000034-0000-02 0000157918	TERI SCHROETER 34 SCHOOL ST	006-041-003-000	1,478.02	0.00	1,478.02
SCHO-000055-0000-00 0000000000	SIERRA VISTA COMMUNITY CENTER 55 SCHOOL ST	006-022-024-000	16,946.96	434.64	16,512.32 N/A * non-taxable entity
SHOL-000123-0000-00 0000158028	STEVE TURNER 123 SCHOLTZ AVE	006-112-034-000	1,478.02	0.00	1,478.02
SHOL-000232-0000-00 0000158017	KIRK FALTERSACK 232 SCHOLTZ AVE	006-112-048-000	1,483.68	0.00	1,483.68
SHOL-000444-0000-00 0000158009	WAYNE PRICE 444 SCHOLTZ AVE	100-130-050-000	1,462.85	0.00	1,462.85
SUNC-000021-0000-00 0000157985	DORAN WILSON 21 SUNSET CIR	006-061-021-000	0.02	0.00	0.02
SUNR-000242-0000-03 0000158362	TAMMY JAMESON 242 SUNRISE AVE	006-044-003-000	1,478.28	0.00	1,478.28
TREA-000151-0000-02 0000000000	LISA MARK 151 TREASURTON ST	100-260-013-000	1,439.68	0.00	1,439.68
TREA-000167-0000-02 0000158204	JOHN WALTERS 167 TREASURTON ST	100-260-030-000	2,053.01	0.00	2,053.01

\* - not on tax rolls - Previous year outstanding balances not included

DELINQUENT ACCOUNTS REPORT

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Location ID Account Number	Customer Name Property Address	Property Tax Number	Starting Balance	Received	Ending Balance
TREA-000173-0000-01 0000158200	EVE HAY 173 TREASURTON ST	100-260-032-000	457.32	400.00	57.32
TREA-000175-0000-01 0000158199	MOLLY VISSER 175 TREASURTON ST	100-260-033-000	941.02	0.00	941.02
TREA-000180-0001-00 0000158197	LUTHI R. 180 TREASURTON ST	100-260-001-000	456.38	0.00	456.38
TREA-000205-0000-01 0000158195	RICARDO WALKER 205 TREASURTON ST	100-260-037-000	697.61	300.00	397.61
TREA-000212-0000-00 0000170511	DEBORAH LESTRANGE 212 TREASURTON ST	100-270-016-000	1,186.60	400.00	786.60
TREA-000215-0000-02 0000170372	GARY PIERCE 215 TREASURTON ST	100-270-005-000	1,476.63	0.00	1,476.63
VIST-000222-0002-00 0000158367	JOSHUA HECKMAN 222 VISTA AVE	006-045-004-000	1,186.60	0.00	1,186.60
WALN-000044-0000-00 0000158037	BETH MCSHANE 44 WALNUT ST	006-133-005-000	1,478.02	0.00	1,478.02
WASH-000034-0000-00 0000157974	SCOTT NAMANNY 34 WASHINGTON ST	006-132-003-000	1,478.02	0.00	1,478.02
WASH-000051-0000-00 0000157977	DONALD KIBEL 51 WASHINGTON ST	006-131-011-000	1,027.97	0.00	1,027.97
WASH-000052-0002-00 0000158036	MICHAEL SMITH 52 WASHINGTON ST	006-132-001-000	1,434.64	0.00	1,434.64
WHIT-000130-000A-00 00892-1425	FITNESS 4 LIFE 130 WHITCOMB AVE # A	100-230-057-000	951.05	0.00	951.05
Grand Totals: 122			241,628.11	16,222.35	225,405.76

# City of Colfax

RESOLUTION NO. 28-2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX  
REQUESTING COLLECTION OF SEWER SERVICE CHARGES ON THE PLACER  
COUNTY TAX ROLL FOR TAX YEAR 2013-2014

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

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

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

**Whereas**, at the June 12, 2013 hearing the City Council heard and considered all objections and protests to the Report and determined that protests were not made by the owners of a majority of the separate parcels of property described in the Report; and

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

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

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

1. The foregoing recitals are true and correct statements of fact and are hereby incorporated into this Resolution.
2. The Report attached as Exhibit A hereto is adopted and said adoption is final. The City Clerk is hereby directed to file with the Placer County Auditor-Controller a copy of this Resolution and the Report.
3. The Auditor-Controller of Placer County is requested to attach for collection on the County tax rolls those taxes, assessments, fees and/or charges, listed on the Report attached as Exhibit A attached hereto.

4. The City warrants and represents that the taxes, assessments, fees and/or charges imposed by the City and being requested to be collected by Placer County comply with all requirements of state law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218).
4. The City releases and discharges County, and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County on the property tax roll of any taxes, assessments, fees and/or charges on behalf of City.
5. In consideration for the County's collection of the charge through the County's property tax roll, the City agrees to and shall defend, indemnify and hold harmless the County, its officers, agents and employees (the "Indemnified Parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County of any of City's said taxes, assessments, fees and/or charges requested to be collected by County for the City, or in any manner arising out of City's establishment and imposition of said taxes, assessments, fees and/or charges. City agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of the collection of one of City's taxes, assessments, fees and/or charges, the County may offset the amount of the judgment from any other monies collected by County on behalf of City, including property taxes.
6. The City agrees that its officers, agents and employees will cooperate with the County by responding to all inquiries referred to City by County from any person concerning the City's taxes, assessments, fees and/or charges, and that City will not refer such persons to County officers and employees for response.
7. The City agrees to pay the County for the reasonable and ordinary charges to recoup its costs of placement and collection on the tax rolls at the agreed upon rate of 1% of the taxes, assessments, fees and/or charges, as provided by Government Code sections 29304 and 51800.

The foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Colfax held on the 12th day of June, 2013 by the following vote on roll call:

AYES  
NOES  
ABSENT

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Tony Hesch, Mayor Pro-tem

ATTEST:

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Karen Pierce, City Clerk



**REPORT TO  
COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
June 12, 2013**

Agenda Item No.

10A

**To:** Honorable Mayor and Members of the City Council  
**From:** Travis A. Berry, Technical Services Administrator  
**Date:** June 5, 2013  
**Subject:** Public Broadcasting of City Council Meetings

**Recommended Action:** Authorize the purchase of parts required to broadcast City Council meetings to the public via the City's local-access television channel.

**ISSUE STATEMENT AND DISCUSSION:**

After researching the logistics for broadcasting City Council meetings to the public I have come to a decision as to the most cost-effective way of accomplishing the task. I recommend a live-feed and the use of the following, existing pieces of equipment:

1. 720p USB webcam
2. PA sound system
3. Video output PC
4. Video switch
5. Audio/Video distributor
6. Television monitor
7. Coaxial cable splitter

I recommend the purchase of the following parts to connect the existing equipment:

1. 50' USB extension cable – \$15 with 20% contingency
2. 100' ¼" audio cables - \$75 with 90% negative contingency because I might be able to make some out of existing connectors and wire.
3. 50' Coaxial cable - \$10
4. Digital video convertor box to monitor the broadcast - \$40 (approximated)

Recording of Council Meetings is possible with existing equipment and utilization of the video output PC. If Council chooses to upload videos of City Council meetings to the City's website I recommend the purchase of low-grade video editing software in the amount of \$100 with 10% contingency.

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

The City currently owns most of the equipment required to produce a low-budget, no-frills, live broadcast of City Council meetings. This staff report does not address live broadcasting of Council meetings on the internet.

The City Clerk has offered to learn how to operate the live broadcast in lieu of paying the wage of the Technical Services Administrator to attend Council meetings to simply 'push a few buttons'.

Public Works staff-time will be required to run the wires and mount the camera.

Technical Services Administrator staff-time will be required to set the system up and attend at least two Council meetings to verify the system works, monitor the broadcast, and also to work out any bugs.

The total approximated cost including video editing software is \$240 excluding staff-time.



**REPORT TO  
COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
June 12, 2013**

Agenda Item No.

103

**To:** Honorable Mayor and Members of the City Council  
**From:** Gabe Armstrong, Interim City Manager  
**Date:** June 7, 2013  
**Subject:** Consideration of Adoption of Resolution No. 29-2013: A Resolution Of The City Council Of The City Of Colfax Confirming The Report Of Delinquent Waste Collection Accounts And Placing Liens On Said Properties And Special Assessments Upon Property Taxes Pursuant To City Of Colfax Municipal Code Section 8.20.130

**Recommended Action:** Adopt Resolution No. 29-2013

**ISSUE STATEMENT AND DISCUSSION:**

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

There are approximately 41 delinquent accounts that remain unpaid. A written report containing a description of each parcel of real property for which there is a delinquent refuse service charge and the amount of each charge has been prepared and filed with the City Clerk in accordance with the Code and is attached.

On June 12, 2013, the Interim City Manager held a hearing to consider all protests or objections to the written report. The owner of each property listed in the report was provided at least 10 days written notice of the date, time and place of the hearing before the Interim City Manager. Having conducted the required hearing, the Interim City Manager recommends that the Council adopt the written report as presented.

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

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

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

None

**ATTACHMENTS**

Resolution No. 29-2013

Attachment A- Listing of Delinquent Accounts

Letter sent to property owners from Recology Auburn Placer

# City of Colfax

Resolution No. 29-2013

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

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**WHEREAS**, pursuant to Colfax Municipal Code Title 8, Chapter 8.20, subscription to, and payment for, waste collection service for all occupied properties in the City of Colfax is mandatory; and

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

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

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

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

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

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

**WHEREAS**, the City has, on June 12, 2013, held a duly noticed public hearing and afforded each delinquent property owner identified on Exhibit A to this Resolution the right to object to and protest the assessment lien for delinquent collection charges and administrative fees; and

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

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

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

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

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

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Colfax held on the 12th day of June, 2013 by the following vote on roll call:

AYES:

NOES:

ABSENT:

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Tony Hesch, Mayor Pro-tem

ATTEST:

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Karen Pierce, City Clerk

Colfax Liens 2012  
(updated 05/10/13)

<u>Acct #.</u>	<u>Parcel #</u>	<u>Address</u>	<u>Owner</u>	<u>Owner Mailing Address</u>	<u>Dates of Service</u>	<u>Lien Amount</u>
1607092	101-080-031-000	212 Canton Way	James Payne	PO Box 77424 San Francisco Ca 94107	July 1, 2012 - June 30, 2013	\$623.92
1584291	101-200-036-000	242 Canyon Creek Cir	Swayne, Linda & Clinton	PO Box 886 Colfax Ca 95713	July 1, 2012 - June 30, 2013	269.18
1568161	101-200-040-000	256 Canyon Creek Cir	Kashevaroff, Ellen & Martin	256 Canyon Creek Cir Colfax Ca 95713	July 1, 2012 - June 30, 2013	207.81
1568674	101-200-043-000	306 Canyon Creek Dr	Gadreau, Ron & Racheal	306 Canyon Creek Dr Colfax CA 95713	July 1, 2012 - June 30, 2013	365.78
1567734	006-063-005-000	5 Culver St	Federal Home Loan Mortgage	8200 Jones Branch Dr McLean Va 22102	July 1, 2012 - June 30, 2013	283.54
1567940	006-076-018-000	120 E Church St	Tilitsen, Larry	18850 Applegate Rd Colfax CA 95713	July 1, 2012 - June 30, 2013	288.63
1571058	006-074-009-000	121 E Marvin St	Ohnmacht, Rob	6021 Virginia Dr Auburn CA 95603	July 1, 2012 - June 30, 2013	284.07
1568807	006-103-001-000	101 Foresthill Ave?	Pensco Truct Co.		July 1, 2012 - June 30, 2013	407.58
1569904	100-270-024-000	210 Foster Rd	Barnard, Michael	210 Foster Rd Colfax CA 95713	July 1, 2012 - June 30, 2013	284.06
1569144	101-010-044-000	1149 Hwy 174	Borow, Patrick & Jerri	4480 Miller Oak Dr Auburn Ca 95602	July 1, 2012 - June 30, 2013	284.07
1583053	006-122-001-000	112 Lincoln St	Romero, Christina	PO Box 1378 Colfax Ca 95713	July 1, 2012 - June 30, 2013	265.37
1572189	100-260-048-000	104 Mink Creek Dr	Federal Home Loan Mortgage	5500 Plano Pkwy Carrollton Tx 75010	July 1, 2012 - June 30, 2013	220.63
1573229	100-260-053-000	116 Mink Creek Dr	Barr, Jason	116 Mink Creek Dr Colfax CA 95713	July 1, 2012 - June 30, 2013	261.71
1567320	006-073-007-000	33 N Auburn St	Louis & Vivien Resendez	PO Box 1442 Colfax Ca 95713	July 1, 2012 - June 30, 2013	284.07
1675925	006-022-013-000	214 N Main St	Federal Home Loan Mortgage	10 City Mortgage 6400 Las Colinas Bl Irving Tx 75039	July 1, 2012 - June 30, 2013	259.99
1568476	006-043-012-000	140 N Foresthill Ave	Federal Home Loan Mortgage	Bank Of America 400 National Way Simi Valley Ca 91381	July 1, 2012 - June 30, 2013	200.24
1572072	006-010-041-000	140 Oak Hill Dr	Hilton, Matthew	PO Box 1120 Colfax CA 95713	July 1, 2012 - June 30, 2013	298.58
1606508	100-250-035-000	1323 Oak Ridge Dr	Lemons, Jamie	1323 Oak Ridge Dr Colfax CA 95713	July 1, 2012 - June 30, 2013	792.89
1570241	100-250-041-000	1333 Oak Ridge Dr	Mathis, Bayard	PO Box 1178 Colfax CA 95713	July 1, 2012 - June 30, 2013	282.54
1571017	100-250-062-000	1380 Oak Ridge Dr	Turner, Brady	16 Crescent Dr Scotts Valley CA 95066	July 1, 2012 - June 30, 2013	282.54
1571280	100-250-068-000	1392 Oak Ridge Dr	Turner, Brady	16 Crescent Dr Scotts Valley CA 95066	July 1, 2012 - June 30, 2013	282.54
1571439	006-112-063-000	155 Pine St	Vicki Smith	PO Box 605 Colfax Ca 95713	July 1, 2012 - June 30, 2013	409.89
1581396	101-190-003-000	300 Pinetop Cir	Robert Lang	PO Box 1571 Colfax Ca 95713	July 1, 2012 - June 30, 2013	1615.28
1571884	006-091-035-000	54 Quinns Ln	Richison, Randy	PO Box 1296 Colfax CA 95713	July 1, 2012 - June 30, 2013	284.07
1597137	006-093-021-000	201 Railroad Ave	Union Pacific Railroad		July 1, 2012 - June 30, 2013	413.17
1572320	100-160-003-000	615 Railroad Ave	Lewis, Michael	615 Railroad Ave Colfax Ca 95713	July 1, 2012 - June 30, 2013	306.02
1572726	006-122-002-000	333 Rose Ave	Desoto, Charles	PO Box 376 Colfax CA 95713	July 1, 2012 - June 30, 2013	319.31
1569573	006-142-020-000	222 S Auburn St	Tim Pruss	17740 Ginkgo Ct Reno Nv 89508	July 1, 2012 - June 30, 2013	236.72
1569185	006-143-005-000	308 S Auburn St	Sinnock, Roberto & Patricia	PO Box 718 Colfax CA 95713	July 1, 2012 - June 30, 2013	323.07
1570381	006-076-016-00	33 S North Star Ave	Kubich, Ameer	101 W McKnight #B48 Grass Valley Ca 95949	July 1, 2012 - June 30, 2013	210.22
1586098	006-112-055-000	136 Scholtz Ave	Gibson, Ted	136 Scholtz Ave Colfax CA 95713	July 1, 2012 - June 30, 2013	293.47
1572163	006-112-048-000	232 Scholtz Ave	Faltersack, Kirk & Tammy	PO Box 1298 Colfax CA 95713	July 1, 2012 - June 30, 2013	407.59
1573096	006-041-001-000	54 School St	Madeiroslightly, Theresa	PO Box 300 Colfax CA 95713	July 1, 2012 - June 30, 2013	209.73
1573203	100-153-011-000	201 Sherwood Ct	Clawitter, Mary Kaye	201 Sherwood Ct Colfax Ca 530.91	July 1, 2012 - June 30, 2013	530.91
1573211	006-044-007-000	210 Sunrise Ave	Back, George & Dorothy	PO Box 597 Colfax Ca 95713	July 1, 2012 - June 30, 2013	345.42
1573161	100-260-037-000	205 Treasurton St	Walker, Ricardo	205 Treasurton St Colfax CA 95713	July 1, 2012 - June 30, 2013	210.31
1573401	100-270-016-000	212 Treasurton St	Lestrangle, Deborah	PO Box 1114 Weimar CA 95736	July 1, 2012 - June 30, 2013	221.1
1573542	100-270-005-000	215 Treasurton St	Government National Mortgage Assoc.	con Trust Co 1800 Tapo Canyon Rd Simi Valley Ca 91381	July 1, 2012 - June 30, 2013	284.07
1571843	006-092-002-000	54 W Oak St	Wilson, Norma Jean & Doran	PO Box 222 Colfax CA 95713	July 1, 2012 - June 30, 2013	282.54

Colfax Liens 2012  
(updated 05/10/13)

1633221	006-133-005-000	44 Walnut St	Koerber, Elizabeth	PO Box 1106	Colfax CA 95713	July 1, 2012 - June 30, 2013	343.92
1573955	006-132-003-000	34 Washington St	Namanny, Scott	PO Box 1471	Colfax CA 95713	July 1, 2012 - June 30, 2013	284.07
						Total	\$13,636.70



May 20, 2013

Scott Namanny  
PO Box 1471  
Colfax, Ca. 95713

RE: Assessor's Parcel Number:006-132-003-000  
Owner(s): Scott Namanny  
Street Address of Property Served: 34 Washington St  
Period of Service: 7/1/12 thru 6/30/13  
Amount Due: \$284.07

Dear Mr. Namanny,

The most recent Placer County assessment roll indicates you are the owner of record for the property listed above. Currently, the account for solid waste collection services for this property is past due in the amount of \$214.74. As the owner of record of this property, you are responsible for the payment of all charges for solid waste collection.

We understand that problems do occasionally arise that make timely payment difficult. We would, therefore, be interested in working with you to clear the unpaid balance and keep your credit in good standing. Please call us to make payment arrangements if you are unable to remit the full amount due by June 10, 2013.

We are entitled to lien your property if you do not make arrangements to pay this account in full. The lien hearing will be held on June 12<sup>th</sup> at 33 S. Main St. This is a very serious step that we would like to avoid. However, if we do not hear from you by the above due date we will have no choice but to begin the lien process.

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

Sincerely,

Laura Bandanza  
Customer Service



**REPORT TO  
COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
June 12, 2013**

Agenda Item No.

10C

**To:** Honorable Mayor and Members of the City Council  
**From:** Gabe Armstrong, Interim City Manager  
**Date:** June 7, 2013  
**Subject:** Discussion of possible acceptance of the Mink Creek sewer system.

**Recommended Action:** Discuss and direct staff

**ISSUE STATEMENT AND DISCUSSION:**

In February 2013 Al Turner, President of the Mink Creek Homeowners Association (MCHOA) requested that the City accepts the dedication of the sewer system within the Mink Creek community. Staff has been researching the possibility of this, including advantages and disadvantages to the City and MCHOA. There are several issues that would need to be addressed prior to the acceptance of the Mink Creek sewer system.

Preliminary recommendations would be to require Mink Creek to CCTV all the sewer mains in its system and provide the videos for review by the City Engineer. After review, if deficiencies in the sewer system were found, Mink Creek would be required to repair those sewer lines. An agreement would need to be drafted which would address the city or its designees performing work on the sewer system in the Mink Creek subdivision including the road repairs, water service and storm drains. After review of the system, all needed repairs completed by Mink Creek, and an agreement signed by both parties, the city then could accept dedication of the Mink Creek sewer system.

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

Repairs and maintenance will provided by the city after accepting the sewer system. The financial implications are unknown.