# CITY COUNCIL MEETING

COUNCIL CHAMBERS, 33 SOUTH MAIN STREET, COLFAX, CA

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

**REGULAR MEETING AGENDA**
**January 27, 2016**
**Workshop 6:00 PM · Regular Session Items 7:00 PM**

## 1) CONVENE COUNCIL MEETING

1A. **Call Council Meeting to Order**
1B. **Pledge of Allegiance**
1C. **Roll Call**
1D. **Approval of Agenda Order**

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

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

## 2) WORKSHOP

2A. Presentation on Circulation Element and Potential Traffic Improvements –
Amy Feagans, Planning Director
2B. Public Comments
2C. Questions and Answers

***15 Minute Stretch Break***

## 3) PRESENTATIONS (Approximately 7:00PM)

3A. **Introduce New Colfax Librarian Amie Toepfer**
Mary George, Placer County Library Director

## 4) CONSENT CALENDAR

All matters listed under the Consent Agenda are considered 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 staff.

**RECOMMENDED ACTION: Approve Consent Calendar**

4A. **Minutes City Council Meeting of January 13, 2016**
**Recommendation:** Approve the Minutes of the Regular Meeting of January 13, 2016.
4B. **Cash Summary Report - December, 2015**
**Recommendation:** Receive and File.
4C. **Quarterly Investment - December 2015**
**Recommendation: Receive and File.**
4D. **Plumbing Modifications for Dual Train Process Control at the Wastewater Treatment Facility**
**Recommendation:** Adopt Resolution 05-2016 Authorizing the City Manager to Execute an Agreement with Commercial Pump Service, Inc. for Plumbing Modifications of Critical Treatment Processes at the Wastewater Treatment Facility in the Estimated Amount of $13,108.48.

## 5) COUNCIL, STAFF AND OTHER REPORTS

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

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

5B. **City Operations Update – City staff**

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

## 6) PUBLIC COMMENT

Members of the audience are permitted to address the Council on matters of concern to the public within the subject jurisdiction of the City Council that are not listed on this agenda. Please make your comments as brief as possible. 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.

## 7) COUNCIL BUSINESS

7A. **Cost Share Agreement with Canyon Creek HOA for Slurry Seal of Pavement**
**STAFF PRESENTATION:** Wes Heathcock, Community Services Director
**RECOMMENDATION:** Adopt Resolution 06-2016 Authorizing the City Manager to enter into a Cost Share Agreement for Applying a Slurry Seal to the Pavement in the Canyon Creek Subdivision.

7B. **Winner Chevrolet Agreement Update**
**STAFF PRESENTATION:** Mark Miller, City Manager
**RECOMMENDATION:** Information Only

7C. **Council Appointments**
**STAFF PRESENTATION:** Mark Miller, City Manager
**RECOMMENDATION:** Select Councilmembers to serve as Liaison to League of California Cities, Member of the Board of Directors for the Sacramento Area Council of Governments (SACOG), and Council Liaison to staff regarding recreational uses for the closed landfill.

## 9) INTERIM URGENCY ORDINANCE

9A. **Introduction and First Reading of Ordinance № 528: An Urgency Ordinance of the City of Colfax Amending Colfax Municipal Code Title 17, Chapter 17.162 Prohibiting the Cultivation and Delivery of marijuana and the Operation of Medical Marijuana Dispensaries in the City of Colfax, an interim urgency ordinance to be effective until the November 8, 2016 Election at which time a Measure will be placed on the Ballot to determine the will of the people.**
**STAFF PRESENTATION:** Mark Miller, City Manager and Mick Cabral, City Attorney
**RECOMMENDED ACTION:** Introduce Ordinance № 528 for first reading by title only and schedule for second reading public hearing and adoption at the February 10, 2016 regularly scheduled City Council meeting.

## 10) ADJOURNMENT

IN WITNESS THEREOF, I have hereunto set my hand and posted this agenda
at Colfax City Hall and Colfax Post Office.

Lorraine Cassidy, City Clerk

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

# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE JANUARY 27, 2016 COUNCIL MEETING
## ** PUBLC WORKSHOP**
## CIRCULATION ELEMENT OF THE GENERAL PLAN

**FROM:** Mark Miller, City Manager

**PREPARED BY:** Amy Feagans, Planning Director

**DATE:** January 19, 2016

**SUBJECT:** Public Workshop to Provide Informational Update from the Ad Hoc Committee regarding an Update of the Circulation Element of the General Plan

| X | N/A | | FUNDED | | UN-FUNDED | AMOUNT: | FROM FUND: |
|---|---|---|---|---|---|---|---|

**RECOMMENDED ACTION:** Receive public input – Provide direction to staff as appropriate

BACKGROUND

At the September 9, 2015 City Council meeting, the Council established an ad hoc committee to review and make recommendations on the options for updating the Circulation Element of the General Plan. Councilmembers Hesch and Harvey were appointed along with the City Manager, Community Services Director, and Planning Director. The committee met a number of times over the past four months to review the element and explore opportunities to update the overly restrictive and outdated language – particularly the language in Policy 3.5.1.2 which states "Maintain a level "C" service standard for City intersections and roadways."

The committee discussed options to update this policy including:

1. Prepare a significant update of the Circulation Element to recognize current practices in transportation planning and develop appropriate mitigation policies as necessary.

   This would require significant staff work and the level of environmental work necessary to be in compliance with CEQA would most likely require services of outside consultants. Additionally, an update of the Circulation element may also trigger some level of update to the Land Use element as the two must be internally consistent by state law.

2. Amend the Circulation element and rewrite policy 3.5.1.2 (and other policies as may be appropriate) to be less restrictive and to include more flexible language.

   This would also require some environmental determination but could most-likely be completed in house by current staff. A review (a possible minor amendment) of the Land Use element to ensure internal consistency would also be required.

3. Leave the current policy language as is and develop additional mitigation language that could provide further direction and interpretation to guide new development

   This may or may not require any environmental work depending on the language and policy direction it provides.

After reviewing and discussing options for amending the policy and updating the element, the committee reviewed some draft language and determined that the appropriate course of action would be to revise the language of policy 3.5.1.2 to be less restrictive and to be more reflective of current trends in transportation planning.

DISCUSSION

The ad hoc committee concluded that the restrictive language of the policy should be rewritten to allow more flexibility. This direction was based on the concept that there may be opportunities and new development proposals, that despite creating an impact to the network (based on the requirement to maintain an LOS "C"), may provide other overriding benefits to the community. Of particular interest to the committee was the policy language contained in a draft circulation element prepared in 2009 by the consulting firm Fehr and Peers. Specifically, the committee found the language of draft policy 3.1-2 to be helpful:

> *The City shall strive to maintain a minimum LOS D at all intersections. Exceptions may be granted at:*
>
> *-Intersections in downtown Colfax (e.g. Grass Valley/Main Street) which have ROW constraints and are significantly impacted by school traffic.*
>
> *-Intersections under the control of Caltrans, in which measures necessary to achieve LOS D may be not considered feasible or acceptable to the City or Caltrans.*
>
> *Factors to be considered by the City Council in granting exceptions include (but are not limited to): economic benefits, community character, severity of congestion, effects on non-motorized travel modes, and other environmental effects/benefits.*

Using "strive" instead of "shall" provides the flexibility to encourage new development and street improvements while ensuring that any new development will pay its fair share as required. Any development directly impacting the intersections will still be required to substantially make improvements and have them functioning in place prior to occupancy, subject to potential proportionate reimbursement by future developments and possible offset by City mitigation fees or other available loans or grants. Capital improvements will be detailed in the separate Traffic Mitigation Program, currently undergoing review.

**S. Auburn Street/I-80 interchange**

The Committee also reviewed opportunities for improvements to the S. Auburn Street/westbound I-80 ramp interchange. Initially it was anticipated that a signal would be required to handle the current traffic and any additional traffic created by new development in town. To study the options available, staff engaged the services of Mark Thomas & Company (MTCo)) to study the feasibility of using a roundabout instead of a traditional traffic signal light. The attached memo and exhibit present the findings of this analysis.

NEXT STEPS

After receiving comment at this public workshop, the Council may wish to provide direction to staff regarding the proposed revisions to the Circulation Element policy 3.5.1.2 as suggested by the committee and also discuss the roundabout option as presented in the consultant's memo.

Once a decision has been made regarding the preferred alternative for revising the Circulation Element policy, environmental review in accordance CEQA requirements will be prepared as this action will be considered a General Plan Amendment and therefore a "project" per CEQA guidelines.

RECOMMENDATION

Staff recommends the Council review and consider the proposed language to revise policy 3.5.1.2, review and consider the attached memorandum regarding a traffic roundabout, accept public comment on the proposals and provide direction to staff as appropriate.

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ATTACHMENT:
Memorandum dated January 8, 2016 from Mark Thomas & Company, Inc.

MARK THOMAS & COMPANY, INC.
*Providing Engineering, Surveying and Planning Services*

# Memorandum

To: Mark Miller, City of Colfax

File: SA-15141

Cc: -

From: James Pangburn, Mark Thomas and Company

Date: January 8, 2016

RE: South Auburn Street / I-80 Ramps Roundabout Feasibility Study

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## Summary
Per discussions with City of Colfax staff, MTCo has performed a feasibility study for the proposed roundabout at the intersection of South Auburn Street and the I-80 ramps in Colfax, CA. Through the course of our preliminary study, we have reviewed the existing email correspondence between property owner representatives, Caltrans Traffic Safety staff, and the City to understand project background. Based on the site conditions, MTCo has prepared a preliminary single-lane roundabout design that ties into the existing I-80 ramps and provides access to the property west of South Auburn Street. The basic parameters used to develop the conceptual design include: minimizing impacts to adjacent development including driveways; providing sidewalk along the west side of South Auburn Street; and maintaining the existing right turn by-pass lanes on the I-80 entrance and exit ramps. This memo provides a brief discussion of the findings to date and identifies issues that will require further study as the project moves forward. An exhibit showing the preliminary roundabout geometrics has been provided.

## Conceptual Roundabout Design Features
The single lane roundabout has been designed with a 110-foot outer circle diameter, which will accommodate a California Legal Design Vehicle (Overall Length of 65 feet). The interior circular roadway has been set to 20 feet, and the approach roadways have been set to 17 feet.

The center point of the roundabout has been placed on the edge of pavement along the west side of South Auburn Street. This will provide the proper deflect angles required to reduce vehicle speed through the roundabout. The desired fastest path speed is 25 mph per NCHRP's *Roundabouts: An informational Guide.*

Right-turn by-pass lanes have been provided for the WB I-80 on and off ramps with splitter islands included to channelize the movements within the ramps. The by-pass lanes will improve the overall operations of the roundabout, because less vehicles will be required to enter the circular roadway. No traffic data was collected or used for this study.

Sidewalks have been included on the north side of South Auburn Street, and are shown conforming to existing improvements. Sidewalks are not recommended on the south side due to the high speed right-turn by-pass lanes.

## Benefits and Issues to Consider
Roundabouts offer several traffic operations and safety benefits as compared to a traditional traffic signal. For purposes of this study, MTCo will focus on the project specific benefits and issues the roundabout will present. A brief summary of these benefits and issues are listed below.

DRAFT

*Access Control* – Per the Caltrans Highway Design Manual Index 504.8 "Access Control" access rights are required opposite of interchange ramp terminates. A mandatory design exception and a CTC approval is required to remove the existing access control and provide a new access point. A key benefit to the roundabout is the elimination of wrong way movements onto the interchange ramps. With this safety concern addressed, the chances of getting the design exception approved are greatly improved.

*Traffic Operations* – The traffic operations of a roundabout are generally better than a traffic signal. With a roundabout at the ramp terminals, the potential for queueing on the off-ramp is reduced. Therefore, the roundabout will not exasperate the existing safety issue on the hook ramp discussed below.

*Hook Ramp Exit Speeds* – One of the potential issues with the roundabout is the reduction of deceleration length coming off the I-80 WB ramp. The existing hook ramp is not designed to current standards, and vehicles tend to come off the ramp with a high rate of speed. Care will be needed in the design to ensure this issue is addressed.

*Grade* – The existing grade along South Auburn Street is approximately 7.5%, which creates design issues for roundabouts. Roundabouts located on grades are typically not desirable, but they have been done in the past. The issues with roundabouts on grades include the reduced abilities for vehicles to slow or stop, compromised sight lanes, and truck overturning. To address these issues, the profile of South Auburn Street would need to be reduced to 6% or less. While profile changes are challenging given the presence of existing development, the grade adjustment appears feasible.

## Alternatives

Given the design issues discussed above and considering the project background, the following alternatives may be considered moving forward:

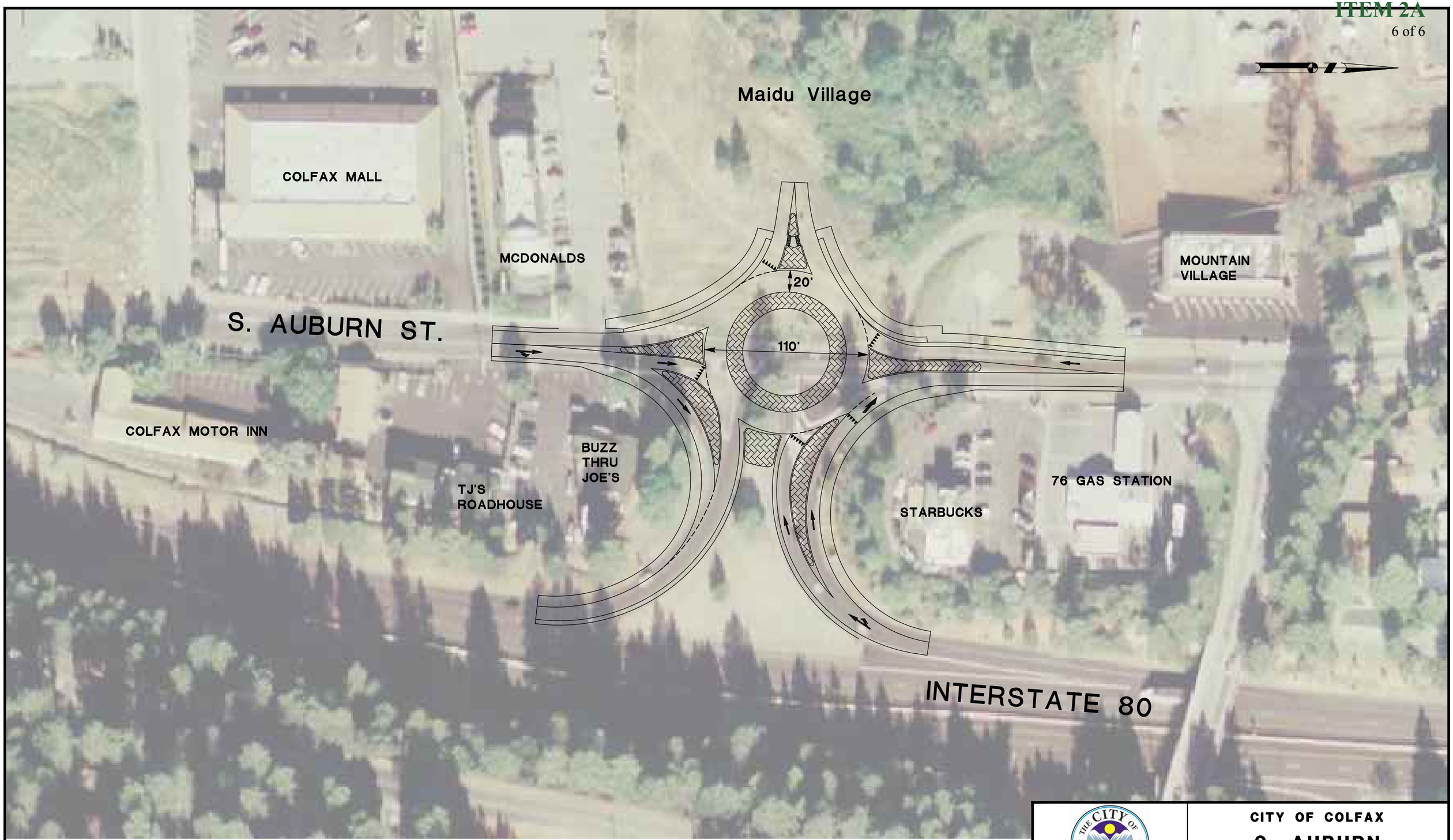
*South Auburn Realignment (West)* – Realigning South Auburn to the West would provide an opportunity to flatten the profile and provide a longer deceleration distance off the ramp. This option would affect the McDonalds driveway and will require a modification of the driveway access to that parcel.

*Traffic Signal* – A traditional traffic signal alternative will maintain the existing deceleration lengths off the ramp, but introduce new issues to consider. These issues include queuing that will shorten the effective deceleration length within the off-ramp, platooned vehicles entering the freeway creating merging issues, and intersection spacing.

*WB I-80 Ramp Adjustment* – Reconstructing the WB off-ramp to current standards will improve the deceleration length and would benefit the intersection controls at South Auburn Street with either option. However, this improvement will be costly due to the structure work involved.

## Recommendations and Conclusions

A single lane roundabout at this location appears to be a feasible intersection alternative worthy of future study. MTCo will continue to develop preliminary engineering drawings to check truck turning, fastest path speeds, and site constraints. As the project moves forward, detailed topo will be needed to ensure the profile can be addressed.




JANUARY 8, 2016

MARK THOMAS & COMPANY
Providing Engineering, Surveying & Planning Services

CITY OF COLFAX

# S. AUBURN STREET/I-80 RAMPS ROUNDABOUT FEASIBILITY STUDY

City Council Minutes
Regular Meeting of Wednesday, January 13, 2016
City Hall Council Chambers • 33 S. Main Street, Colfax CA

## 1 CONVENE CLOSED SESSION

1A. Mayor Parnham called the meeting to order at 6:00PM.

1B. **Roll Call**
Councilmembers present: Douglass, Harvey, Hesch, Parnham, and Stockwin
Absent: None

1C. **Public Comment – Closed Session Items**
No public comment

Mayor Parnham recused himself from the first closed session item because he is a member of the Union. Speaking as a member of the public, he reminded Council that employee morale is priceless and the importance of getting through the negotiations as quickly and cleanly as possible.

1D. **Closed Session Agenda**
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: Mark Miller

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

## 2 CONVENE OPEN SESSION

Mayor Parnham called the Open Session to order at 7:01PM.

2A. **Pledge of Allegiance:** Councilmember Hesch led the Pledge of Allegiance.

2B. **Report from Closed Session** – no reportable action.

2C. **Roll Call**
Councilmembers present: Douglass, Harvey, Hesch, Parnham and Stockwin
Absent: None

2D. **Approval of Agenda**

On a motion by Mayor Pro Tem Parnham, seconded by Councilmember Stockwin, the City Council approved the agenda.
**AYES:** Douglass, Harvey, Hesch, Parnham, Stockwin
**ABSENT:** None

## 3 PRESENTATIONS

### 3A. Winterfest

Gary Howard, event co-organizer, stated that the Winterfest Event had approximately 3000 people in attendance. The theme of the event, "A Spirit of Giving" helped to create a positive atmosphere. The proceeds were enough to cover most of the expenses even with the cost of fireworks included. Happily, the fireworks display lasted even longer than promised by the vendor, and the parade was a success. Mr. Howard suggested that in the future, the fireworks should begin closer to the end of the parade; vendors should give a deposit to ensure that they will attend the event; and the parade route should be modified slightly to allow the floats to turn around more easily. The posting on the OUR Colfax Facebook page was an effective form of advertising.

Councilmember Hesch commented that it was a great event. About 500 guests came through the caboose and he enjoyed seeing the lights on the hotel. He suggested placing all of the vendor booths together – one of the booths was too far out of the way.

Mayor Parnham concurred that it was a great night and he also enjoyed the Christmas lights on the historic hotel. He would like to see real lights on the tree in the arbor park. He also suggested providing more temporary sanitation facilities at the next event.

City Manager Miller stated that staff was pleased with the event. There were no major incidents. He appreciates the many hours of volunteer time invested in the event.

Mayor Parnham thanked Mr. Howard and Ms. Kelly Molloy, co-organizers, for all of their work.

Mayor Parnham handed flyers out to the public inviting volunteers and first responders to a thank you reception in their honor scheduled for January 22, 2016 at the Sierra Vista Community Center. He stated that the City couldn't function without the volunteers and first responders.

### 3B. City of Colfax Audit Reports as of June 30, 2015

City Manager Miller introduced Ingrid Sheipline of Richardson and Company. He thanked Ms. Sheipline for her cooperative efforts with staff during the audit. He also thanked Finance Director, Laurie Van Groningen, for the great audit this year.

Ms. Sheipline summarized the 5 reports included in the audit stating the City financial reports constitute good news. Revenues exceeded expenses and the surplus was much better than had been projected in the budget. The audit team found no weaknesses in internal controls and the financial records did not require any adjustments. There were no difficulties working with staff. The City has incurred a new CalPERS liability and the audit team recommends developing procedures to review the liability under the new rules.

Mayor Parnham inquired about projected growth of the pension liability. Ms. Sheipline stated that it is hard to predict how the liability will grow as CalPERS only calculates the liabilities yearly.

Mayor Pro Tem Harvey suggested the City consider paying the liability as it is calculated rather than carrying the liability forward.

Ms. Van Groningen stated that staff will review the CalPERS documents and develop a policy.

Councilmember Hesch complimented the audit team for a well written report and commended staff for an audit with no exceptions.
Councilmember Stockwin commented that the question "Is the City better or worse than a year ago?" was not explicitly answered and it would have been helpful if the report were more direct in answering that question.
City Manager Miller mentioned the audit report includes information about the overall City condition and states that the infrastructure of the City is in need of repair. The surplus funds now in the reserve accounts can be used as an investment in that infrastructure.
There were no comments from the public.
On a motion by Councilmember Stockwin, seconded by Councilmember Hesch, Council approved the audit report.
**AYES:** Douglass, Harvey, Hesch, Parnham, Stockwin
**NOES:** None

3C. **Presentation from Placer County Sheriff's Office, Overview of Colfax Law Enforcement**
Sergeant Ty Conners gave an overview of Law Enforcement in Colfax. As the Commander of the Colfax Substation for four years he has seen the calls for services ebb and flow. A PowerPoint presentation covered the hours worked by officers and the areas they service which includes the City and surrounding areas. He mentioned the contributions of the volunteers and outreach activities including "Dogs and Chats" and the OUR Colfax webpage. One critical element of the sheriff's office services are the special units (K-9, Search and Rescue, etc.) provided at no additional cost. The majority of the presentation focused on presenting trends in calls to service and officer initiated contacts within and outside of City limits during the last 3 years. Overall, more police activity is demonstrated and approximately 75% of the officer's time is within City limits. He stated the Department is investing more than $288,000 into the Colfax area than is in the contract.
The statistics point to an increase in calls to service and Council asked if that is related to more crime or more public awareness. Sergeant Conners suspects that the increase is due to more repeat offenders who are not given jail time because of Proposition 47. Overall, Law Enforcement believes Colfax is a good place to live, especially with the cooperation among first responder groups. The officers assigned to the Colfax area pride themselves in treating Colfax well.

## 4 CONSENT CALENDAR

4A. **Minutes City Council Meeting of December 9, 2015**
**RECOMMENDATION:** Approve the Minutes of the Regular Meeting of December 9, 2015.

4B. **CalRecycle Payment Plan**
**RECOMMENDATION:** Adopt Resolution 01-2016 Authorizing Submittal of Application for Payment Programs to CalRecycle, and Related Authorizations.

4C. **Closed Landfill Land Clearing Agreement**
**RECOMMENDATION:** Adopt Resolution 02-2016 Authorizing the City Manager to Execute an Agreement with All Phase Land Clearing for Vegetation Maintenance at the Closed Landfill.

4D. **Placer County Transportation Planning Agency Funding Claims and Agreements**
**RECOMMENDATION:** Adopt Resolution 03-2016 Authorizing the City Manager to File Claims or Execute Agreements for Local Transportation Funds in the Amount of $110,664 for Streets and Roads Purposes (Article 8 – Section 99400 of the California Public Utilities Code) and Local Transportation Funds of $4,657 for Transit Services (Article 8C, Section 99400C of the California Public Utilities Code).

Mayor Pro Tem Harvey pulled Item 4A from the Consent Calendar in order to abstain from voting on the minutes due to his absence at the previous Council meeting.
Mayor Parnham and resident Ted Back asked for discussion for Item 4C.

On a motion by Mayor Pro Tem Harvey, seconded by Councilmember Stockwin, Council approved the Items 4B and 4D of the Consent Calendar.
**AYES:** Douglass, Harvey, Hesch, Parnham, Stockwin
**ABSENT:** None

Item 4A. **Minutes of the December 9, 2015 Meeting**
On a motion by Councilmember Hesch, seconded by Councilmember Stockwin, Council approved the Minutes of the Regular Meeting of December 9, 2015 as written.
**AYES:** Douglass, Hesch, Parnham, Stockwin
**ABSTAIN:** Harvey

4E. Item 4C. **Closed Landfill Land Clearing Agreement**
Mayor Parnham commented that in the past City employees kept the landfill cleared and the City should increase staff so that this task can once again be performed in-house.
Ted Back, 210 Sunrise Ave, stated that this project is "made to order" for the California Conservation Corps (CCC) and suggested that the City reconsider hiring them to masticate the landfill. He gave a detailed analysis of the project and how he felt the CCC would be better suited for the project than the company recommended by staff.
Mayor Parnham thanked Mr. Back for taking the time to investigate the matter and come to Council with his suggestion.
City Manager Miller stated that he agreed with Mr. Back that the CCC is a great resource. The City had in fact asked for a quote from the CCC which came in about $2000 higher than the recommended company. The landfill overgrowth currently exceeds the capability of the Corps as well as City staff. It is a fire danger which needs to be sprayed and not just pulled by hand. Staff will definitely contact the CCC for projects in the future.
Councilmember Hesch stated that at a recent visit to the site he met Placer County Environmental Health Department Inspector Paul Holloway. Mr. Holloway was inspecting the landfill and gave great accolades to Community Services Director Wes Heathcock.

On a motion by Councilmember Hesch, seconded by Mayor Pro Tem Harvey, Council adopted Resolution 02-2016 Authorizing the City Manager to Execute an Agreement with All Phase Land Clearing for Vegetation Maintenance at the Closed Landfill.
**AYES:** Douglass, Harvey, Hesch, Parnham, Stockwin
**ABSENT:** None

## 5 COUNCIL, STAFF, AND OTHER REPORTS

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

*Councilmember Hesch*

- Offered special thanks to Building Official John Brownlee and a Citizen for the abatement of a trash pile in the alley behind one of the local businesses.
- Complimented the City Clerk and staff for improving the professionalism of the Agenda Packet presentation and general office organization.
- Stated his disappointment in the County decision to reduce the number of Railroad related books in the Colfax library collection.
- Requested a staff report on the Mobile 311 software that was recently purchased to track public works requests and projects
- He also requested a current inventory of City fixed assets.
- He recently visited the proposed site of the Skate Park and suggested that each Councilmember walk the site before the next step in the decision-making process.
- Plans to step down from the SACOG Board of Directors soon and asked that Council appoint a new representative.
- The construction phase for the caboose is complete. On February 9 he will meet with all interested persons to create a management and funding plan for the maintenance phase.
- He expressed concern about the new marijuana laws not wanting the State to take over the jurisdiction or regulation. He requested Staff move quickly to address the issue with a public hearing and an ordinance.

*Councilmember Stockwin*

- Councilmember Stockwin had nothing to report.

*Councilmember Douglass*

- Commented that the Soroptomist Club had sponsored an information event regarding human trafficking. It was successful with a full house at the theater.
- He recommended that residents visit the High School more often – go watch a game or attend one of the plays.

*Mayor Pro Tem Harvey*

- Commented that the bark beetle infestation requires action by April. The numerous dead trees need to be removed in order to avoid further infestation. The State has a few programs that will help. He requested Staff coordinate with CALFire to create an action plan. City Manager Miller stated Staff is working on the issue and will report to Council at the next Council meeting.

*Mayor Parnham*

- Attended the Coffee with Supervisor Montgomery meeting. Half of the meeting pertained to the new medical marijuana laws. The County is moving to maintain jurisdiction over medical marijuana use and dispensaries. He requested an agenda item to discuss a possible ballot measure which would allow the citizens to decide if the City would like to legalize a dispensary and benefit from the tax revenues. He would like to see the revenues used for reducing sewer bills or street improvements.

5B. **City Operations – City Staff**

*City Manager Miller*

- City Manager Miller attended a 3 hour workshop for City Managers about the new Medical Marijuana laws. The City must act quickly to ensure that the City maintains control of regulations. Staff will bring a recommendation for an Urgency Ordinance to Council at the next meeting.
- Staff has received the preliminary report from the Feasibility Study and plan to have a public Workshop at the January 27, 2016 meeting.
- The next agenda will also include an item for selecting a new representative to SACOG, a liaison to the League of California Cities and a Councilmember to work with staff and developers for a recreational use plan for the closed landfill.
- Staff was able to quickly avoid a dangerous condition by repairing a sinkhole on South Auburn.
- The Mobil311 program is set to go online soon and staff will bring a demonstration to Council as soon as possible.
- Dollar General is open for business. Beach Hut Deli will be opening soon. A Taqueria and a Soap manufacturer have both received business licenses.

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

*Chris Nave, California Highway Patrol (CHP) Public Information Officer*

- CHPS for Kids was successful – 50 families were assisted with Christmas gifts.
- He will conduct a Start Smart class for teens on January 30, 2016 at Empire Driving School.
- The next "Coffee with a Cop" in Colfax will be in April.

*Frank Klein, Colfax Chamber of Commerce President*

- Thanked Mr. Howard and Ms. Molloy for their work on Winterfest and as Chamber board members.
- He thanked the Soroptomist and Lioness clubs for their charitable events on the same day as Winterfest making the day a truly community effort.
- The Annual Chamber Meeting will be January 27, 2016 from 11:30-1:30 at Dine-N-Dash. Council is invited. The new board members will be installed: Paul Rogers, Tim Ryan, Gary Howard and Frank Klein. Lunch will be $20.

*Sergeant Ty Conners, Placer County Sheriff Colfax Substation Commander*

- As a follow-up to the Skate Park presentation, the Colfax Record and the Auburn Journal featured an article about the proposed site. He will be conducting a community outreach and survey in the near future.
- Sergeant Conners commented that officers and City staff are working with Union Pacific Railroad to curtail trespassing issues at the Fruit Sheds.

*Forrest Rowell, CALFire Colfax Station*

- The Colfax City Volunteer Fire Department (CVFD) is in transition. He will be working with the Department to rebuild the volunteer team and replace equipment. Currently CVFD has four active members, enough to run one crew and he would like to see that number doubled.
- CALFire will be working with the City to mitigate the impact of the Bark Beetle problem.

## 6 PUBLIC COMMENT

*Foxey McCleary, 127 Saunders Lane*

- Announced the Sierra Vista Community Center (SVCC) Chocolate, Wine, and Art Indulgence fundraiser will be held April 30, 2016 from 6PM-9PM. The cost is $15 this year. The SVCC is more active than it has been and is now in need of more funds. Please plan to attend.
- Winterfest was the best in recent years
- Ms. McCleary has permits to paint two of the Main Street business facades with murals in the near future.
- The art group will host a painting and wine class on January 22, 2016 for $30.

*Jim Dion, owner of the Colfax Theater*

- Expressed gratitude that the Council will discuss the medical marijuana issue soon. He offered the theater as a venue if the Council would like to schedule a forum for discussion

## 7 COUNCIL BUSINESS

### 7A. Draft Update Sales Tax Agreement with Winner Chevrolet

**STAFF PRESENTATION:** Mark Miller, City Manager

**RECOMMENDATION:** Review and discuss draft updated sales tax, property and lease agreement with Winner Chevrolet

City Manager Miller stated the agenda packet includes the latest draft of an agreement with Winner Chevrolet. Since 2010, the City has received about $400,000 increased general fund revenue on the current agreement as well as about $400,000 toward acquisition of the property. Staff is still working on wording changes and expects to bring the final draft to Council at the next meeting.

Councilmember Stockwin asked which property is being considered and how long after approval for the contract to go into effect.

City Manager Miller stated that the City is proposing to purchase two properties, the RV sales lot and the property next to the car sales lot which currently has a small nursery. After the agreement is approved it will take 2-3 weeks for the appraisal and title transfer.

### 7B. City Manager Compensation

**STAFF PRESENTATION:** Mark Miller, City Manager and Mick Cabral, City Attorney

**RECOMMENDATION:** Adopt Resolution 04-2016 Authorizing Adjustment to the City Manager Contract as Provided for in the City Manager Employment Agreement.

Councilmember Hesch stated that all of the Councilmembers had input into the City Manager evaluation. He is glad to have Mr. Miller on board.

Councilmember Stockwin concurred with a statement of the City Attorney. The City is getting a good deal in Mark Miller.

On a motion by Councilmember Douglass and a second by Councilmember Hesch, Council approved Resolution 04-2016 Authorizing a 10% Adjustment to the City Manager Contract as Provided for in the City Manager Employment Agreement.

**AYES:** Douglass, Harvey, Hesch, Parnham, Stockwin
**NOES:** None

## 8 ADJOURNMENT

Mayor Parnham adjourned the meeting at 9:31PM.

Respectfully submitted to City Council this 27th day of January, 2016

Lorraine Cassidy, City Clerk

# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE JANUARY 27, 2016 COUNCIL MEETING

**FROM:** Mark Miller, City Manager
**PREPARED BY:** Laurie Van Groningen, Finance Director
**DATE:** January 9, 2016
**SUBJECT:** City of Colfax Cash Summary Report: December 2015

| X | N/A | | FUNDED | | UN-FUNDED | AMOUNT: | FROM FUND: |
|---|---|---|---|---|---|---|---|

**RECOMMENDED ACTION:** Accept and File City of Colfax Cash Summary Report: December 2015.

**SUMMARY:**

Staff recommends that the Council accepts and files the Colfax Cash Summary Report for December 2015.

**BACKGROUND AND ANALYSIS:**

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

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

**CONCLUSION:**

The attached reports reflect an overview of the financial transactions of the City of Colfax in December 2015.

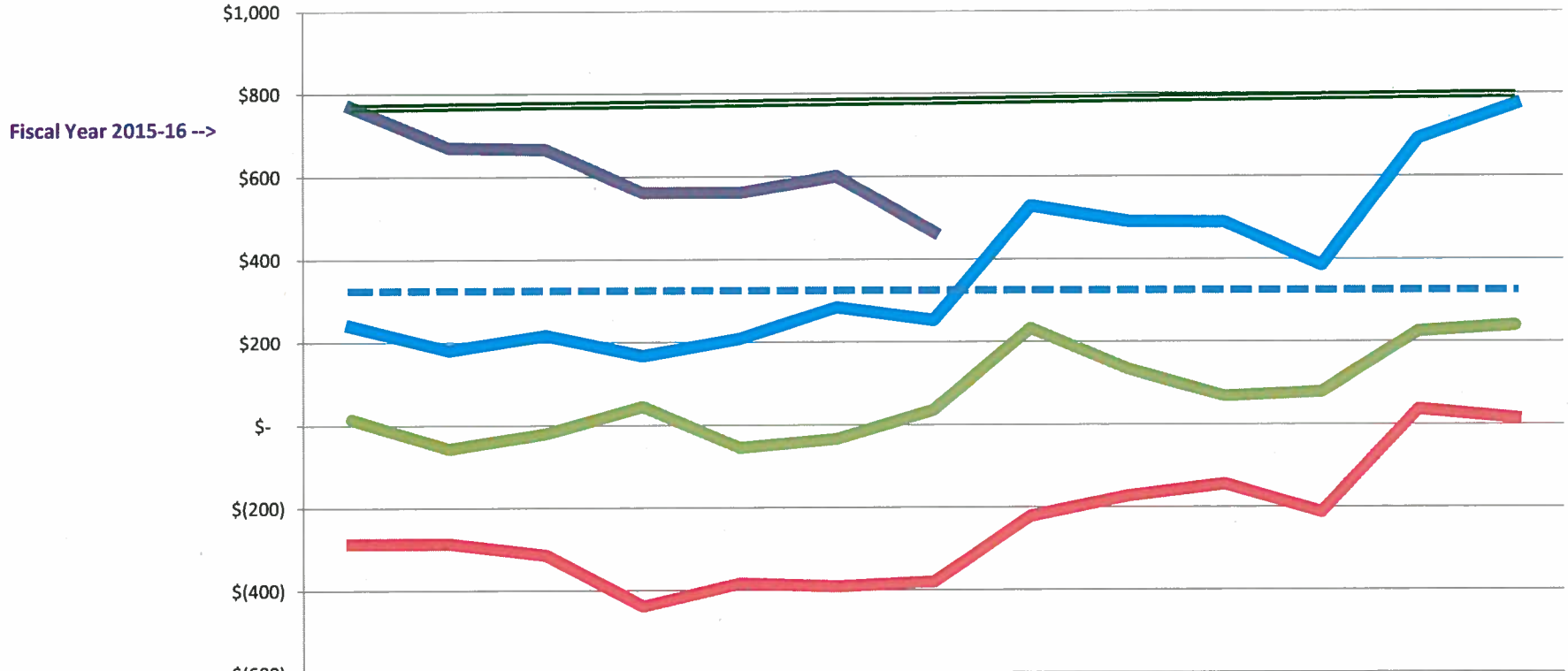
Monthly highlights include:

- Expenses included quarterly payment for Sheriff services in the amount of $152,000.
- General Fund Reserved Cash is tracking consistently with previous years and our General Fund Reserve balance has been met consistently for the past nine months.
- Negative fund balances in Restricted and Capital Funds are due to timing of funding allocations and reimbursements. Full funding is expected for Fund 250 – expect receipts to begin in February. Capital Fund 350 (UPPR Ped Xing Project) has anticipated reimbursement funding of $300,000, but also additional payments to Contractor and Union Pacific are still anticipated.
- The first allocation of FY2015-2016 property taxes are scheduled to be received in late January.

ATTACHMENTS:

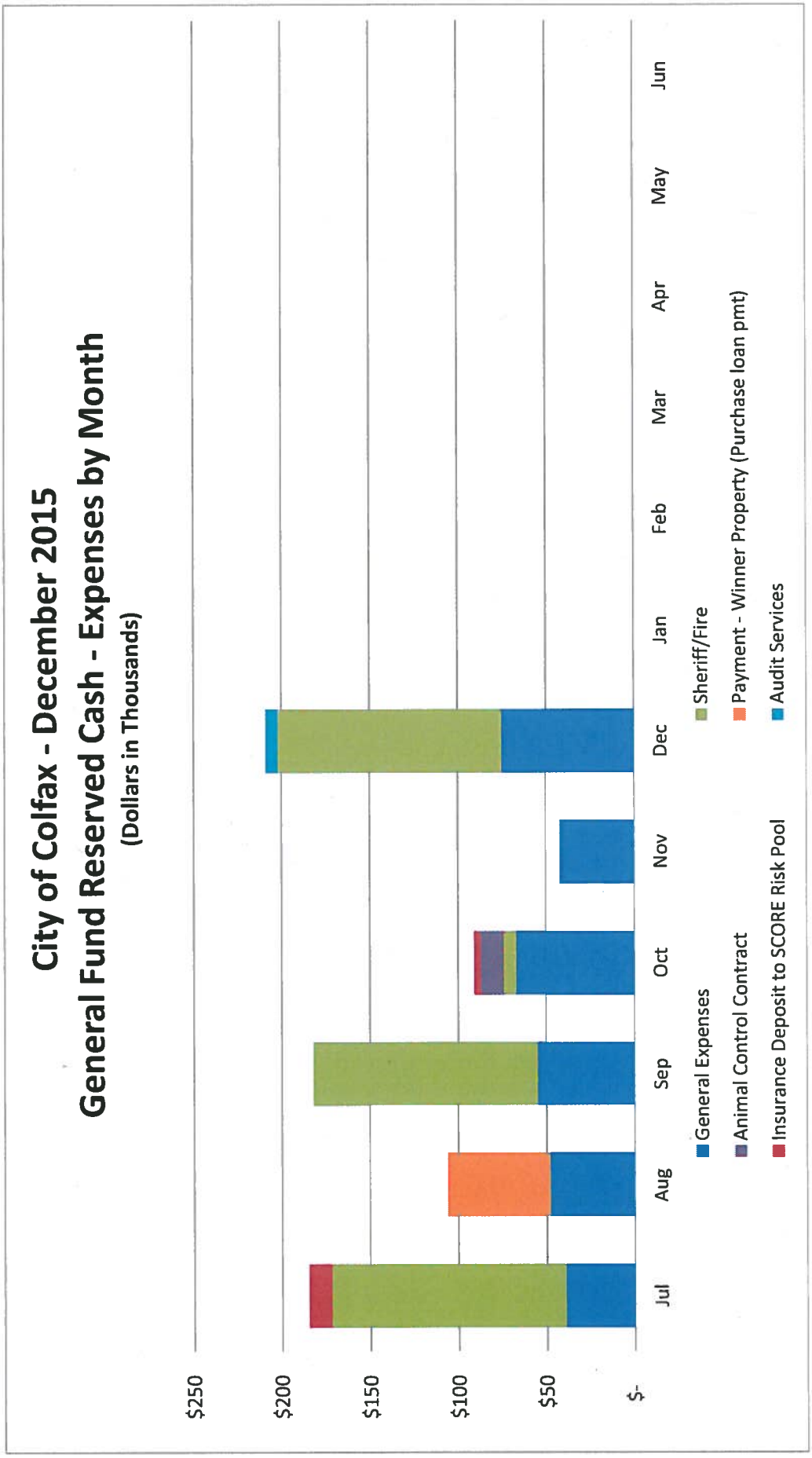
1. General Fund Reserved Cash Analysis Graphs
    a. Cash Analysis – Balance
    b. Expenses by Month
    c. Revenues by Month
2. Cash Activity Reports
    a. Cash Summary
    b. Cash Transaction Report – by individual fund
    c. Check Register Report
    d. Daily Cash Summary Report

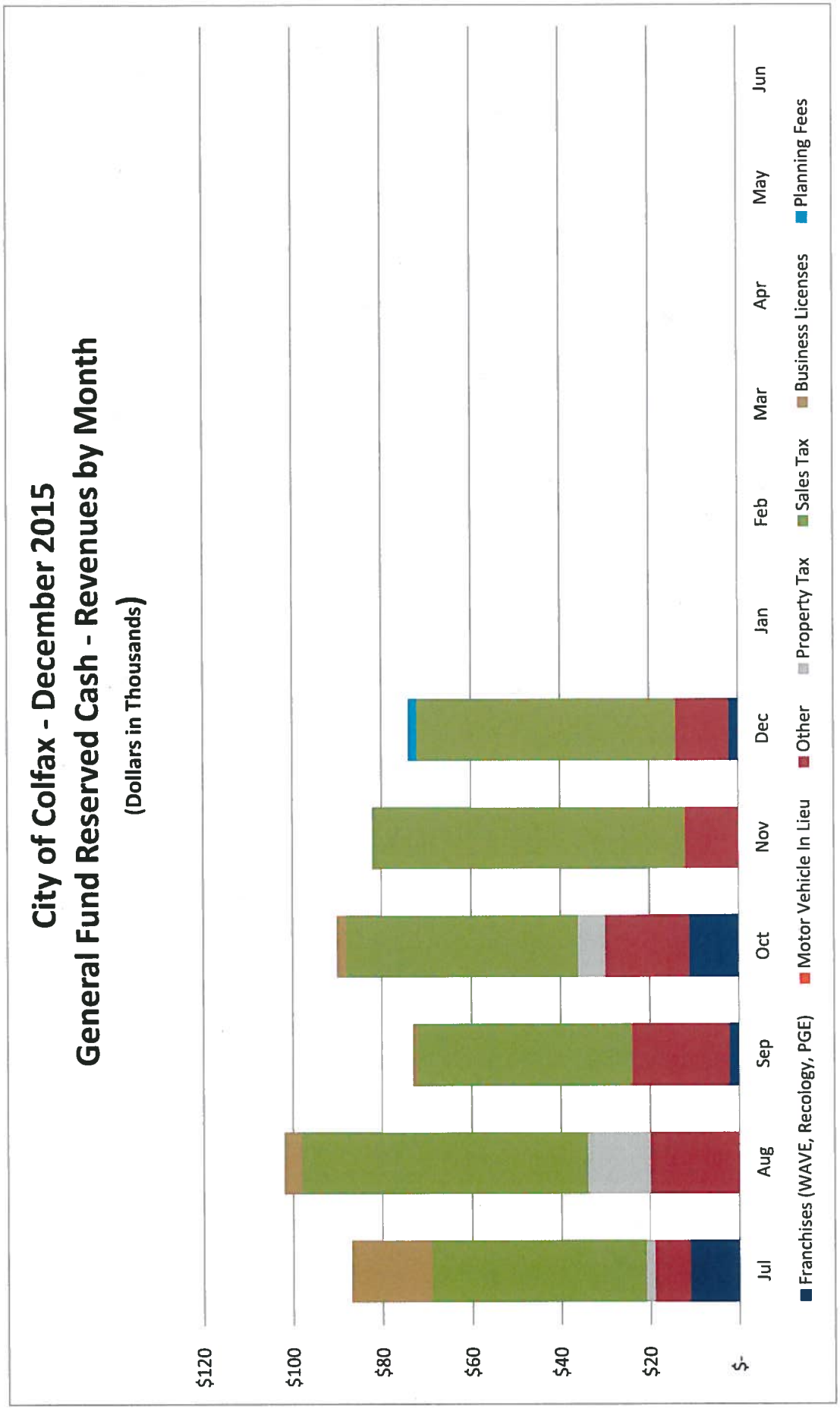
# City of Colfax - December 2015
## General Fund Reserved Cash Analysis
(Dollars in Thousands)




| | Prev Yr | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Cash Balance FY2015-16 | $768 | $670 | $666 | $562 | $561 | $601 | $466 | | | | | | |
| Cash Balance FY2014-15 | $240 | $181 | $217 | $167 | $209 | $284 | $253 | $528 | $491 | $489 | $385 | $691 | 773 |
| Cash Balance FY2013-14 | $15 | $(57) | $(20) | $45 | $(55) | $(34) | $36 | $233 | $134 | $69 | $79 | $225 | 240 |
| Cash Balance FY2012-13 | $(287) | $(286) | $(314) | $(438) | $(383) | $(391) | $(380) | $(221) | $(173) | $(144) | $(212) | $37 | 15 |
| *Reserves Target 25% | $325 | $325 | $325 | $325 | $325 | $325 | $325 | $325 | $325 | $325 | $325 | $325 | 325 |
| Budget FY2016 | $767 | $770 | $772 | $775 | $777 | $780 | $782 | $785 | $787 | $790 | $792 | $795 | 797 |

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


City of Colfax - December 2015
General Fund Reserved Cash - Expenses by Month
(Dollars in Thousands)
$250
$200
$150
$100
$50
$-
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb
Mar
Apr
May
Jun
General Expenses
Animal Control Contract
Insurance Deposit to SCORE Risk Pool
Sheriff/Fire
Payment - Winner Property (Purchase loan pmt)
Audit Services


City of Colfax - December 2015
General Fund Reserved Cash - Revenues by Month
(Dollars in Thousands)
$120
$100
$80
$60
$40
$20
$-
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb
Mar
Apr
May
Jun
Franchises (WAVE, Recology, PGE)
Motor Vehicle In Lieu
Other
Property Tax
Sales Tax
Business Licenses
Planning Fees

**City of Colfax**
**Cash Summary**
**December 31, 2015**

| | Balance 11/30/2015 | Revenues In | Expenses Out | Transfers | Balance 12/31/2015 |
|---|---|---|---|---|---|
| US Bank | $ 290,067.10 | $ 276,246.67 | $ (408,400.41) | $ - | $ 157,913.36 |
| LAIF | $ 2,675,997.06 | $ - | | $ - | $ 2,675,997.06 |
| LAIF - County Loan | $ - | | | | $ - |
| Total Cash - General Ledger | $ 2,966,064.16 | $ 276,246.67 | $ (408,400.41) | $ - | $ 2,833,910.42 |
| Petty Cash (In Safe) | $ 300.00 | | | | $ 300.00 |
| Total Cash | $ 2,966,364.16 | $ 276,246.67 | $ (408,400.41) | $ - | $ 2,834,210.42 |

**Change in Cash Account Balance - Total** **$ (132,153.74)**

Attached Reports:

1. Cash Transactions Report (By Individual Fund)
2. Check Register Report (Accounts Payable) $ (317,854.21)
3. Cash Receipts - Daily Cash Summary Report $ 126,797.69

| | | |
|---|---|---|
| Payroll Checks and Tax Deposits | $ (76,799.39) | |
| Utility Billings - Receipts | $ 135,827.16 | |
| Bank Service Charge | $ (105.24) | |
| LAIF Interest | $ - | |
| Misc Adjustments/voids | $ (19.75) | |
| | **$ (132,153.74)** | $ - |

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

Reviewed by: Mark Miller
Mark Miller, City Manager

# City of Colfax

## Cash Transactions Report - December 2015

| | Beginning Balance | Debit Revenues | Credit (Expenditures) | Ending Balance |
|---|---|---|---|---|
| **Fund Type: 1.11 - General Fund - Unassigned** | | | | |
| Fund: 100 - General Fund | $ 840,311.36 | $ 71,786.38 | $ (208,758.58) | $ 703,339.16 |
| Fund: 120 - Land Development Fees | $ 7,860.44 | $ 2,000.00 | $ - | $ 9,860.44 |
| Fund: 570 - Garbage Fund | $ (247,685.67) | $ 350.46 | $ (118.68) | $ (247,453.89) |
| **Fund Type: 1.11 - General Fund - Unassigned** | **$ 600,486.13** | **$ 74,136.84** | **$ (208,877.26)** | **$ 465,745.71** |
| **Fund Type: 1.14 - General Fund - Restricted** | | | | |
| Fund: 571 - AB939 Landfill Diversion | $ 30,767.26 | $ - | $ - | $ 30,767.26 |
| Fund: 572 - Landfill Post Closure Maintenance | $ 773,632.18 | $ - | $ (6,682.95) | $ 766,949.23 |
| **Fund Type: 1.14 - General Fund - Restricted** | **$ 804,399.44** | **$ -** | **$ (6,682.95)** | **$ 797,716.49** |
| **Fund Type: 1.24 - Special Rev Funds - Restricted** | | | | |
| Fund: 210 - Mitigation Fees - Roads | $ 62,970.24 | $ - | $ - | $ 62,970.24 |
| Fund: 211 - Mitigation Fees - Drainage | $ 3,040.03 | $ - | $ - | $ 3,040.03 |
| Fund: 212 - Mitigation Fees - Trails | $ 42,590.28 | $ - | $ - | $ 42,590.28 |
| Fund: 213 - Mitigation Fees - Parks/Rec | $ 97,533.12 | $ - | $ - | $ 97,533.12 |
| Fund: 214 - Mitigation Fees - City Bldgs | $ 941.61 | $ - | $ - | $ 941.61 |
| Fund: 215 - Mitigation Fees - Vehicles | $ 4,479.48 | $ - | $ - | $ 4,479.48 |
| Fund: 217 - Mitigation Fees - DT Parking | $ 26,547.28 | $ - | $ - | $ 26,547.28 |
| Fund: 218 - Support Law Enforcement | $ 9,966.59 | $ 11,369.49 | $ (25,000.00) | $ (3,663.92) |
| Fund: 241 - CDBG Housing Rehabiliation | $ 94,310.60 | $ - | $ - | $ 94,310.60 |
| Fund: 244 - CDBG MicroEnterprise Lending | $ 116,764.57 | $ 1,000.00 | $ - | $ 117,764.57 |
| Fund: 250 - Streets - Roads/Transportation | $ (46,018.38) | $ 12.00 | $ (22,881.62) | $ (68,888.00) |
| Fund: 253 - Gas Taxes | $ 33,439.10 | $ 7,751.49 | $ (2,853.20) | $ 38,337.39 |
| Fund: 270 - Beverage Container Recycling | $ 33,078.53 | $ - | $ - | $ 33,078.53 |
| Fund: 280 - Oil Recycling | $ 4,805.82 | $ 360.00 | $ (212.74) | $ 4,953.08 |
| Fund: 286 - Community Projects | $ 5,250.15 | $ - | $ - | $ 5,250.15 |
| Fund: 292 - Fire Department Capital Funds | $ 116,386.41 | $ 31,850.00 | $ - | $ 148,236.41 |
| Fund: 342 - Fire Construction - Mitigation | $ 2,421.45 | $ - | $ - | $ 2,421.45 |
| Fund: 343 - Recreation Construction | $ 2,421.90 | $ - | $ - | $ 2,421.90 |
| **Fund Type: 1.24 - Special Rev Funds - Restric** | **$ 610,928.78** | **$ 52,342.98** | **$ (50,947.56)** | **$ 612,324.20** |
| **Fund Type: 1.34 - Capital Projects - Restricted** | | | | |
| Fund: 350 - Street Improvement Projects | $ (239,601.02) | $ - | $ (20,714.83) | $ (260,315.85) |
| Fund: 370 - North Main Street Bike Route | $ (1,408.42) | $ - | $ (262.50) | $ (1,670.92) |
| **Fund Type: 1.34 - Capital Projects - Restricted** | **$ (241,009.44)** | **$ -** | **$ (20,977.33)** | **$ (261,986.77)** |
| **Fund Type: 2.11 - Enterprise Funds - Unassigned** | | | | |
| Fund: 560 - Sewer | $ 330,189.88 | $ 98,617.28 | $ (110,924.93) | $ 317,882.23 |
| Fund: 561 - Sewer Liftstations | $ 348,426.61 | $ 13,926.08 | $ (9,990.38) | $ 352,362.31 |
| Fund: 563 - Wastewater Treatment Plant | $ 172,862.55 | $ 36,670.29 | $ - | $ 209,532.84 |
| Fund: 564 - Sewer Connections | $ 41,080.00 | $ - | $ - | $ 41,080.00 |
| Fund: 565 - General Obligation Bond 1978 | $ 20,341.92 | $ - | $ - | $ 20,341.92 |
| Fund: 567 - Inflow & Infiltration | $ 278,658.29 | $ 463.20 | $ - | $ 279,121.49 |
| **Fund Type: 2.11 - Enterprise Funds - Unassigi** | **$ 1,191,559.25** | **$ 149,676.85** | **$ (120,915.31)** | **$ 1,220,320.79** |
| **Grand Totals:** | **$ 2,966,364.16** | **$ 276,156.67** | **$ (408,400.41)** | **$ 2,834,120.42** |

# Check Register Report

Date: 01/09/2016
Time: 8:44 am
Page: 1

CITY OF COLFAX

BANK: US BANK

| Check Number | Check Date | Status | Void/Stop Date | Vendor Number | Vendor Name | Check Description | Amount |
|---|---|---|---|---|---|---|---|
| **US BANK Checks** | | | | | | | |
| 51304 | 12/01/2015 | Reconciled | | 02829(2) | BLUE RIBBON PERSONNEL LABOR | LABOR SERVICES | 768.60 |
| 51305 | 12/01/2015 | Reconciled | | 02829 | BLUE RIBBON PERSONNEL SERVICES | TEMPORARY SERVICES | 738.05 |
| 51306 | 12/01/2015 | Reconciled | | 02901 | BUREAU VERITAS NORTH AMERICA | BUILDING OFFICIAL SERVICES | 6,120.00 |
| 51307 | 12/01/2015 | Reconciled | | 04234 | DE LAGE LANDEN FINANCIAL | COPY MACHINE MAINTENANCE | 170.93 |
| 51308 | 12/01/2015 | Reconciled | | 04400 | DIAMOND WELL DRILLING CO. | WWTP MONITORING | 2,757.00 |
| 51309 | 12/01/2015 | Reconciled | | 08660 | HUNT AND SONS, INC. | FUEL FIRE DEPT | 309.95 |
| 51310 | 12/01/2015 | Reconciled | | 12180 | LAWRENCE & ASSOCIATES INC | LANDFILL MONITORING | 1,410.00 |
| 51311 | 12/01/2015 | Reconciled | | 16559 | PLAZA TIRE AND AUTO SERVICE | NEW TIRE PLOW TRUCK | 774.07 |
| 51312 | 12/01/2015 | Reconciled | | 16727 | PONTICELLO ENTERPRISES | ENGINEERING OCTOBER 2015 | 2,235.00 |
| 51313 | 12/01/2015 | Reconciled | | 18194 | REGIONAL GOVERMENT SERVICES | PLANNING SERVICES | 3,990.00 |
| 51314 | 12/01/2015 | Reconciled | | 18407 | RIGHT STRIPING | COLFAX ROAD MARKING | 4,879.72 |
| 51315 | 12/01/2015 | Reconciled | | 19279 | SERVICE ENGINEERING | WWTP MAINTENANCE/REPAIR | 360.15 |
| 51316 | 12/01/2015 | Reconciled | | 19317 | SNOWQUIP, INC. | SNOW PLOW MAINTENANCE | 604.24 |
| 51317 | 12/01/2015 | Reconciled | | 19743 | WILL STOCKWIN | MILEAGE REIMBURSEMENT | 42.92 |
| 51318 | 12/01/2015 | Reconciled | | 20506 | TOWN OF LOOMIS | CITY COUNTY OFFICALS DINNER | 225.00 |
| 51319 | 12/01/2015 | Reconciled | | 20537 | TRITON CONSTRUCTION SERVICES, | ROAD MAINTENANCE | 4,990.00 |
| 51320 | 12/01/2015 | Reconciled | | 21130 | UNION PACIFIC RAILROAD CO | UPPR PED XING | 19,904.83 |
| 51321 | 12/01/2015 | Reconciled | | 21560 | US BANK CORPORATE PMT SYSTEM | PAYMENT CORRECTION | 2,129.40 |
| 51322 | 12/01/2015 | Reconciled | | 23169 | WAVE BUSINESS SOLUTIONS | PHONE DEPOT-260 | 39.22 |
| 51323 | 12/14/2015 | Reconciled | | 01448 | AMERIGAS - COLFAX | PROPANE FIRE DEPT | 652.90 |
| 51324 | 12/14/2015 | Reconciled | | 02829(2) | BLUE RIBBON PERSONNEL LABOR | LABOR SERVICES | 854.00 |
| 51325 | 12/14/2015 | Reconciled | | 08070 | HANSEN BROS. ENTERPRISES | LANDSCAPE MATERIALS | 283.00 |
| 51326 | 12/14/2015 | Reconciled | | 08170 | HILLS FLAT LUMBER CO | SUPPLIES | 1,758.37 |
| 51327 | 12/14/2015 | Reconciled | | 09608 | JACKSON'S SMALL ENGINE REPAIR | VAC/TRAILER MAINTENANCE | 319.56 |
| 51328 | 12/14/2015 | Reconciled | | 23101 | LARRY WALKER ASSOCIATES | PONDLINER INTEGRITY REPORT | 1,031.25 |
| 51329 | 12/14/2015 | Reconciled | | 16003(1) | PACIFIC ECORISK | WWTP TOXICITY TEST | 2,287.33 |
| 51330 | 12/14/2015 | Reconciled | | 16011(2) | PELLETREAU, ANDERSON & CABRAL | NOVEMBER 2015 | 2,002.50 |
| 51331 | 12/14/2015 | Reconciled | | 16035 | PG&E | SERVICE 10/22/2015-11/20/2015 | 14,658.10 |
| 51332 | 12/14/2015 | Reconciled | | 16559 | PLAZA TIRE AND AUTO SERVICE | TIRE MAINTENANCE | 51.46 |
| 51333 | 12/14/2015 | Reconciled | | 18193 | RECOLOGY AUBURN PLACER | TAX ROLLS 5% FY 14/15 | 249.61 |
| 51334 | 12/14/2015 | Printed | | 18378 | RICHARDSON & COMPANY, LLP | AUDIT SERVICES FY 2015 | 2,400.00 |
| 51335 | 12/14/2015 | Reconciled | | 18400 | RIEBES AUTO PARTS | SUPPLIES | 213.29 |
| 51336 | 12/14/2015 | Reconciled | | 18883 | SAC-VAL JANITORIAL SUPPLY | CLEANING SUPPLIES | 270.21 |
| 51337 | 12/14/2015 | Reconciled | | 19396 | SIERRA SAFETY COMPANY | STREET SIGNS | 376.25 |
| 51338 | 12/14/2015 | Reconciled | | 21560 | US BANK CORPORATE PMT SYSTEM | PAYMENT ON ACCOUNT | 4,312.61 |
| 51339 | 12/14/2015 | Reconciled | | 22106 | VAN GRONINGEN & ASSOCIATES | FINANCIAL CONSULTANT | 3,233.75 |
| 51340 | 12/14/2015 | Reconciled | | 22115 | VERIZON CALIFORNIA | WWTP PHONE | 190.68 |
| 51341 | 12/14/2015 | Reconciled | | 23169 | WAVE BUSINESS SOLUTIONS | PHONE FIRE DEPT - 488 | 28.91 |
| 51342 | 12/22/2015 | Reconciled | | 011200 | 24 SEVEN FIRE PROTECTION | FIRE EXTINGUSHER | 280.00 |
| 51343 | 12/22/2015 | Reconciled | | 01414 | ALHAMBRA & SIERRA SPRINGS | WATER CITY HALL, CORP YARD, | 112.14 |
| 51344 | 12/22/2015 | Reconciled | | 01460 | AMERIPRIDE UNIFORM SERVICE | UNIFORMS & SUPPLIES | 382.42 |
| 51345 | 12/22/2015 | Reconciled | | 01766 | AT&T MOBILITY | 287253744831X12082015 | 474.65 |
| 51346 | 12/22/2015 | Printed | | 01772 | AUBURN ACES BASEBALL TEAM | REFUND, EVENT, 2015 | 500.00 |
| 51347 | 12/22/2015 | Reconciled | | 01790 | AUBURN OFFICE PRODUCTS | SUPPLIES NOVEMBER 2015 | 384.13 |
| 51348 | 12/22/2015 | Reconciled | | 02829(2) | BLUE RIBBON PERSONNEL LABOR | LABOR SERVICES | 1,355.73 |
| 51349 | 12/22/2015 | Reconciled | | 02829 | BLUE RIBBON PERSONNEL SERVICES | TEMPORARY SERVICES | 1,792.40 |
| 51350 | 12/22/2015 | Reconciled | | 02901 | BUREAU VERITAS NORTH AMERICA | BUILDING OFFICIAL SERVICES | 4,760.00 |

# Check Register Report

Date: 01/09/2016
Time: 8:44 am
Page: 2

CITY OF COLFAX

BANK: US BANK

| Check Number | Check Date | Status | Void/Stop Date | Vendor Number | Vendor Name | Check Description | Amount |
|---|---|---|---|---|---|---|---|
| **US BANK Checks** | | | | | | | |
| 51351 | 12/22/2015 | Printed | | 04592 | DWAYNE ARMSTRONG COMMUNICATION | INTERNET WWTP | 99.95 |
| 51352 | 12/22/2015 | Void | 12/30/2015 | 06420 | FISHER'S WASTEWATER SERVICES | WWTP OPERATIONS | 0.00 |
| 51353 | 12/22/2015 | Reconciled | | 08075 | HARRIS INDUSTRIAL GASES | GALVANIZED PAINT | 28.38 |
| 51354 | 12/22/2015 | Reconciled | | 08159 | HILL BROTHERS CHEMICAL CO. | CHEMICALS | 7,268.10 |
| 51355 | 12/22/2015 | Reconciled | | 08200 | HINDERLITER, DE LLAMAS & ASSOC | CONTRACT SRVC-SALES TAX 4TH QT | 610.04 |
| 51356 | 12/22/2015 | Reconciled | | 08501 | HOME DEPOT CREDIT SERVICES | WWTP SUPPLIES | 19.06 |
| 51357 | 12/22/2015 | Reconciled | | 08660 | HUNT AND SONS, INC. | FUEL FIRE DEPT | 358.14 |
| 51358 | 12/22/2015 | Reconciled | | 12200 | LEAGUE OF CALIFORNIA CITIES | 2016 LOCAL ROADS AND STREETS | 150.00 |
| 51359 | 12/22/2015 | Reconciled | | 13195 | MARSON'S | BOOT ALLOWANCE BRET ELLIS | 200.00 |
| 51360 | 12/22/2015 | Reconciled | | 13405 | MOTOR ELECTRIC | NEW WWTP PUMP | 5,321.33 |
| 51361 | 12/22/2015 | Reconciled | | 16040 | PITNEY BOWES | POSTAGE LEASE | 156.34 |
| 51362 | 12/22/2015 | Reconciled | | 16200 | PLACER COUNTY SHERIFF DEPT. | PCSO PHONE NOVEMBER 2015 | 41.50 |
| 51363 | 12/22/2015 | Reconciled | | 16559 | PLAZA TIRE AND AUTO SERVICE | PLOW TRUCK MAINTENANCE | 89.62 |
| 51364 | 12/22/2015 | Printed | | 18193 | RECOLOGY AUBURN PLACER | DEBRIS BOX RENTAL NOVEMBER | 732.44 |
| 51365 | 12/22/2015 | Reconciled | | 18194 | REGIONAL GOVERMENT SERVICES | PLANNING SERVICES | 4,085.00 |
| 51366 | 12/22/2015 | Reconciled | | 19279 | SERVICE ENGINEERING | WWTP MAINTENANCE | 90.00 |
| 51367 | 12/22/2015 | Reconciled | | 19389 | SIERRA INSULATION | CORP YARD INSULATION | 932.88 |
| 51368 | 12/22/2015 | Reconciled | | 19396 | SIERRA SAFETY COMPANY | STREET SIGNS | 32.14 |
| 51369 | 12/22/2015 | Reconciled | | 19317 | SNOWQUIP, INC. | STARTER SOLENOID | 33.78 |
| 51370 | 12/22/2015 | Reconciled | | 19591 | STANLEY CONVERGENT SECURITY | DEPOT SECURITY 01/01/2015- | 125.07 |
| 51371 | 12/22/2015 | Reconciled | | 19791 | SUTTER MEDICAL FOUNDATION | NEW EMPLOYEE PHYSICAL & | 330.00 |
| 51372 | 12/22/2015 | Reconciled | | 19796 | SWARTZ DIESEL | ENGINE WORK | 3,696.81 |
| 51373 | 12/22/2015 | Reconciled | | 20048 | TALL BOOTS PUMPING SERVICES | SEPTIC TANK PUMPED | 580.00 |
| 51374 | 12/22/2015 | Reconciled | | 23169 | WAVE BUSINESS SOLUTIONS | INTERNET CITY HALL - 535 | 279.70 |
| 51375 | 12/22/2015 | Reconciled | | 23301 | WESTERN PLACER WASTE | SLUDGE REMOVAL NOV. 2015 | 567.60 |
| 51398 | 12/30/2015 | Printed | | 01448 | AMERIGAS - COLFAX | PROPANE SHERIFF SUB STATION | 1,287.31 |
| 51399 | 12/30/2015 | Printed | | 02032 | MELISSA BAILEY | FALL FESTIVAL 2015 | 100.00 |
| 51400 | 12/30/2015 | Printed | | 02829(2) | BLUE RIBBON PERSONNEL LABOR | LABOR SERVICES | 1,643.95 |
| 51401 | 12/30/2015 | Printed | | 02829 | BLUE RIBBON PERSONNEL SERVICES | TEMPORARY SERVICES | 1,322.73 |
| 51402 | 12/30/2015 | Printed | | 03502 | COLFAX AREA CHAMBER OF | WINTERFEST 2015 | 100.00 |
| 51403 | 12/30/2015 | Printed | | 03540 | COLFAX LIONS CLUB | WINTERFEST PARADE 2015 | 100.00 |
| 51404 | 12/30/2015 | Printed | | 07460 | GOLD COUNTRY MEDIA | PUBLIC NOTICE | 108.60 |
| 51405 | 12/30/2015 | Printed | | 07570 | GRAINGER | WWTP SUPPLIES | 262.84 |
| 51406 | 12/30/2015 | Printed | | 08660 | HUNT AND SONS, INC. | FUEL PUBLIC WORKS | 353.59 |
| 51407 | 12/30/2015 | Printed | | 23101 | LARRY WALKER ASSOCIATES | PROFESSIONAL SERVICES | 1,677.50 |
| 51408 | 12/30/2015 | Printed | | 12180 | LAWRENCE & ASSOCIATES INC | LANDFILL MONITORING | 1,374.35 |
| 51409 | 12/30/2015 | Printed | | 16035 | PG&E | SERVICE 11/21/2015-12/21/2015 | 14,798.61 |
| 51410 | 12/30/2015 | Printed | | 16300 | PLACER COUNTY WATER AGENCY | WATER | 1,337.10 |
| 51411 | 12/30/2015 | Printed | | 16200 | PLACER COUNTY SHERIFF DEPT. | SHERIFFS CONTRACT Q2 | 152,080.00 |
| 51412 | 12/30/2015 | Printed | | 16200W | PLACER COUNTY SHERIFFS DEPT. | PCSO PHONE DEC 2015 | 41.50 |
| 51413 | 12/30/2015 | Printed | | 16727 | PONTICELLO ENTERPRISES | ENGINEERING NOVEMBER 2015 | 487.50 |
| 51414 | 12/30/2015 | Printed | | 18378 | RICHARDSON & COMPANY, LLP | AUDIT SERVICES | 16,238.30 |
| 51415 | 12/30/2015 | Printed | | 19279 | SERVICE ENGINEERING | WWTP MAINTENANCE | 556.13 |
| 51416 | 12/30/2015 | Printed | | 21500 | USA BLUE BOOK, INC | WWTP SUPPLIES | 59.83 |
| 51417 | 12/30/2015 | Printed | | 22115 | VERIZON CALIFORNIA | WWTP PHONE | 181.08 |
| 51418 | 12/30/2015 | Printed | | 23169 | WAVE BUSINESS SOLUTIONS | PHONE FIRE DEPOT | 251.08 |

**Total Checks: 93** **Checks Total (excluding void checks): 317,854.21**

# DAILY CASH SUMMARY REPORT

12/01/2015 - 12/31/2015

9:01
1/8/2016
2:34 pm

City of Colfax

| | | | Debit | Credit | Net Chng |
|---|---|---|---|---|---|
| **Fund: 100 - General Fund** | | | | | |
| 12/02/2015 | Daily Totals | | 240.95 | 0.00 | 240.95 |
| 12/11/2015 | Daily Totals | | 8,005.89 | 0.00 | 8,005.89 |
| 12/16/2015 | Daily Totals | | 100.00 | 0.00 | 100.00 |
| 12/17/2015 | Daily Totals | | 210.00 | 0.00 | 210.00 |
| 12/18/2015 | Daily Totals | | 2,141.58 | 0.00 | 2,141.58 |
| 12/23/2015 | Daily Totals | | 2,328.99 | 0.00 | 2,328.99 |
| 12/30/2015 | Daily Totals | | 58,758.97 | 0.00 | 58,758.97 |
| **Fund: 100 - General Fund** | | **TOTALS:** | **71,786.38** | **0.00** | **71,786.38** |
| **Fund: 120 - Land Development Fees** | | | | | |
| 12/16/2015 | Daily Totals | | 2,000.00 | 0.00 | 2,000.00 |
| **Fund: 120 - Land Development Fees** | | **TOTALS:** | **2,000.00** | **0.00** | **2,000.00** |
| **Fund: 218 - Support Law Enforcement** | | | | | |
| 12/18/2015 | Daily Totals | | 11,369.49 | 0.00 | 11,369.49 |
| **Fund: 218 - Support Law Enforcement** | | **TOTALS:** | **11,369.49** | **0.00** | **11,369.49** |
| **Fund: 244 - CDBG MicroEnterprise Lending** | | | | | |
| 12/23/2015 | Daily Totals | | 1,000.00 | 0.00 | 1,000.00 |
| **Fund: 244 - CDBG MicroEnterprise Lending** | | **TOTALS:** | **1,000.00** | **0.00** | **1,000.00** |
| **Fund: 250 - Streets - Roads/Transportation** | | | | | |
| 12/11/2015 | Daily Totals | | 12.00 | 0.00 | 12.00 |
| **Fund: 250 - Streets - Roads/Transportation** | | **TOTALS:** | **12.00** | **0.00** | **12.00** |
| **Fund: 253 - Gas Taxes** | | | | | |
| 12/11/2015 | Daily Totals | | 4,504.85 | 0.00 | 4,504.85 |
| 12/30/2015 | Daily Totals | | 3,246.64 | 0.00 | 3,246.64 |
| **Fund: 253 - Gas Taxes** | | **TOTALS:** | **7,751.49** | **0.00** | **7,751.49** |
| **Fund: 280 - Oil Recycling** | | | | | |
| 12/30/2015 | Daily Totals | | 360.00 | 0.00 | 360.00 |

# DAILY CASH SUMMARY REPORT



12/01/2015 - 12/31/2015

City of Colfax

| | | | Debit | Credit | Net Chng |
|---|---|---|---|---|---|
| **Fund: 280 - Oil Recycling** | | **TOTALS:** | **360.00** | **0.00** | **360.00** |
| **Fund: 292 - Fire Department Capital Funds** | | | | | |
| 12/02/2015 | Daily Totals | | 31,850.00 | 0.00 | 31,850.00 |
| **Fund: 292 - Fire Department Capital Funds** | | **TOTALS:** | **31,850.00** | **0.00** | **31,850.00** |
| **Fund: 560 - Sewer** | | | | | |
| 12/17/2015 | Daily Totals | | 200.00 | 0.00 | 200.00 |
| 12/23/2015 | Daily Totals | | 61.33 | 0.00 | 61.33 |
| **Fund: 560 - Sewer** | | **TOTALS:** | **261.33** | **0.00** | **261.33** |
| **Fund: 561 - Sewer Liftstations** | | | | | |
| 12/23/2015 | Daily Totals | | 407.00 | 0.00 | 407.00 |
| **Fund: 561 - Sewer Liftstations** | | **TOTALS:** | **407.00** | **0.00** | **407.00** |
| | | **GRAND TOTALS:** | **126,797.69** | **0.00** | **126,797.69** |

# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE JANUARY 27, 2016 COUNCIL MEETING

**FROM:** Mark Miller, City Manager
**PREPARED BY:** Laurie Van Groningen, Finance Director
**DATE:** January 15, 2016
**SUBJECT:** City of Colfax – Quarterly Investment Report

| X | N/A | | FUNDED | | UN-FUNDED | AMOUNT: | FROM FUND: |
|---|---|---|---|---|---|---|---|

**RECOMMENDED ACTION:** Accept and File City of Colfax Quarterly Investment Report: December 31, 2015.

**SUMMARY:**

Staff recommends that the Council accepts and files the Colfax Quarterly Investment Report for the quarter ended December 31, 2015.

**BACKGROUND AND ANALYSIS:**

California Government Code Section 53646 and the City of Colfax Investment Policy require a quarterly investment report be submitted to the City Council. Such report shall include at least the following information:

- Types of Investments;
- Name of the institution in which funds are invested or deposited;
- Date of Maturity, if applicable;
- Par and dollar amount investment for all securities;
- Percent distribution of each type of investment or deposit; current market value as of the date of the report, including source of the valuation except those under LAIF;
- Rate of interest
- Average weighted yield of all investments
- A statement relating the report to the City's Investment Policy; and
- A statement that there are sufficient funds to meet the City's next six months' financial obligations.

The current practice for cash management is to maintain an operating balance between $75,000 and $150,000 in the City's US Bank Corporate checking account. This account accumulates Earnings Credits based on the account balance which offset/reduce monthly service charges. City funds in excess of targeted operating balance are transferred to the State of California Local Agency Investment Fund (LAIF) on a weekly basis. The checking account balance may be reported at an amount higher than the target balance by the Bank due to the timing of City checks being processed by vendors/service providers.

We have begun preliminary analysis of investment opportunities outside the corporate checking and LAIF accounts. Our investment policy dictates that City should have liquid short term securities to meet six month's financial obligations. Preliminary rate analysis for Certificate of Deposits (CD) with US Bank requires a minimum balance of $1,000,000 (uncollateralized) are reflected below:

| US BANK, NA NEGOTIABLE CD (A1+/P1/F1+) | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| 03M | 0.04% | 04M | 0.06% | 05M | 0.08% | 06M | 0.09% | 07M | 0.07% | |
| 08M | 0.10% | 09M | 0.12% | 10M | 0.09% | 11M | 0.11% | 12M | 0.13% | |
| 18M | 0.32% | 24M | 0.56% | 36M | 1.12% | 48M | 1.61% | 60M | 1.98% | |

Due to fluctuations in fund balances and the time requirement for interest earnings that exceed our current investment earnings rate, staff does not recommend CD Investments at this time. Staff will continue to monitor balances and investment opportunities.

**CONCLUSION**:

The attached schedule Analysis of Treasury Investment Pool satisfies the State's reporting requirements. Additionally, we have determined:

- The investments held at December 31, 2015 conform to the City Investment Policy adopted by Resolution 29-2014,
- The composite yield of the City's investment pool to be the rate of .36% for the quarter ended December 31, 2015,
- There are sufficient funds on deposit to meet all anticipated City expenditures for the period January 01, 2016 to June 30, 2016.

ATTACHMENTS:

1. Analysis of Treasury Investment Pool
2. State of California – PMIA and LAIF Performance Report (QE 12/31/15)
3. State of California – PMIA Average Monthly Effective Yields

**City of Colfax**
**Analysis of Treasury Investment Pool**
**Quarterly Analysis - FY2015-2016**
**Report Date: 01/15/2016**

**Quarter Ended 12/31/2015**

| Type of Investment | Financial Institution | Date of Maturity | Investment Amount | % of Total Investment | Average Investment Yield |
|---|---|---|---|---|---|
| Investment Fund | State Local Agency Investment Fund (LAIF) | N/A | $ 2,675,997 | 89% | 0.38% |
| Corporate Checking | US Bank | N/A | $ 336,495 | 11% | 0.21% |
| | **Total Investment Pool** | | **$ 3,012,492** | **100%** | **0.36%** |

**Quarter Ended 09/30/2015**

| Type of Investment | Financial Institution | Date of Maturity | Investment Amount | % of Total Investment | Average Investment Yield |
|---|---|---|---|---|---|
| Investment Fund | State Local Agency Investment Fund (LAIF) | N/A | $ 2,773,326 | 80% | 0.33% |
| Corporate Checking | US Bank | N/A | $ 711,036 | 20% | 0.20% |
| | **Total Investment Pool** | | **$ 3,484,362** | **100%** | **0.32%** |

# JOHN CHIANG
# TREASURER
# STATE OF CALIFORNIA

## PMIA Performance Report

| Date | Daily Yield* | Quarter to Date Yield | Average Maturity (in days) |
|---|---|---|---|
| 12/31/15 | 0.43 | 0.38 | 179 |
| 01/01/16 | 0.43 | 0.43 | 178 |
| 01/02/16 | 0.43 | 0.43 | 178 |
| 01/03/16 | 0.43 | 0.43 | 178 |
| 01/04/16 | 0.44 | 0.43 | 185 |
| 01/05/16 | 0.44 | 0.43 | 184 |
| 01/06/16 | 0.44 | 0.43 | 184 |
| 01/07/16 | 0.44 | 0.44 | 185 |
| 01/08/16 | 0.45 | 0.44 | 186 |
| 01/09/16 | 0.45 | 0.44 | 186 |
| 01/10/16 | 0.45 | 0.44 | 186 |
| 01/11/16 | 0.45 | 0.44 | 184 |
| 01/12/16 | 0.45 | 0.44 | 184 |
| 01/13/16 | 0.45 | 0.44 | 183 |

*Daily yield does not reflect capital gains or losses

## LAIF Performance Report

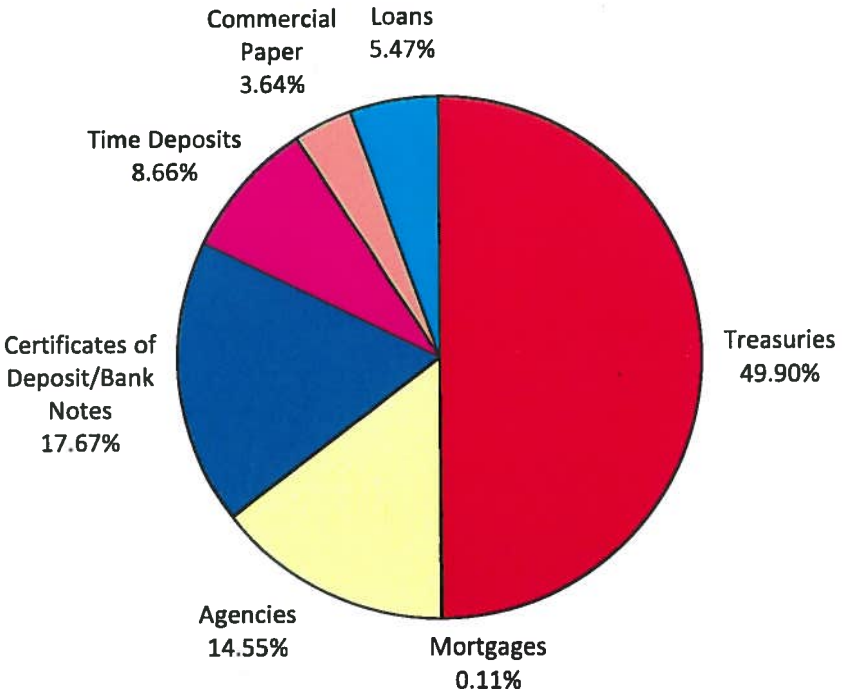
### Quarter Ending 12/31/15

| | |
|---|---|
| Apportionment Rate: | 0.37% |
| Earnings Ratio: | 0.00001006140492611 |
| Fair Value Factor: | 0.999186963 |
| Daily: | 0.43% |
| Quarter to Date: | 0.38% |
| Average Life: | 179 |

### PMIA Average Monthly Effective Yields

| | |
|---|---|
| DEC 2015 | 0.400% |
| NOV 2015 | 0.374% |
| OCT 2015 | 0.357% |

Pooled Money Investment Account
Portfolio Composition
12/31/15
$65.6 billion



POOLED MONEY INVESTMENT ACCOUNT

# PMIA Average Monthly Effective Yields

| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1977 | 5.770 | 5.660 | 5.660 | 5.650 | 5.760 | 5.850 | 5.930 | 6.050 | 6.090 | 6.090 | 6.610 | 6.730 |
| 1978 | 6.920 | 7.050 | 7.140 | 7.270 | 7.386 | 7.569 | 7.652 | 7.821 | 7.871 | 8.110 | 8.286 | 8.769 |
| 1979 | 8.777 | 8.904 | 8.820 | 9.082 | 9.046 | 9.224 | 9.202 | 9.528 | 9.259 | 9.814 | 10.223 | 10.218 |
| 1980 | 10.980 | 11.251 | 11.490 | 11.480 | 12.017 | 11.798 | 10.206 | 9.870 | 9.945 | 10.056 | 10.426 | 10.961 |
| 1981 | 10.987 | 11.686 | 11.130 | 11.475 | 12.179 | 11.442 | 12.346 | 12.844 | 12.059 | 12.397 | 11.887 | 11.484 |
| 1982 | 11.683 | 12.044 | 11.835 | 11.773 | 12.270 | 11.994 | 12.235 | 11.909 | 11.151 | 11.111 | 10.704 | 10.401 |
| 1983 | 10.251 | 9.887 | 9.688 | 9.868 | 9.527 | 9.600 | 9.879 | 10.076 | 10.202 | 10.182 | 10.164 | 10.227 |
| 1984 | 10.312 | 10.280 | 10.382 | 10.594 | 10.843 | 11.119 | 11.355 | 11.557 | 11.597 | 11.681 | 11.474 | 11.024 |
| 1985 | 10.579 | 10.289 | 10.118 | 10.025 | 10.180 | 9.743 | 9.656 | 9.417 | 9.572 | 9.482 | 9.488 | 9.371 |
| 1986 | 9.252 | 9.090 | 8.958 | 8.621 | 8.369 | 8.225 | 8.141 | 7.844 | 7.512 | 7.586 | 7.432 | 7.439 |
| 1987 | 7.365 | 7.157 | 7.205 | 7.044 | 7.294 | 7.289 | 7.464 | 7.562 | 7.712 | 7.825 | 8.121 | 8.071 |
| 1988 | 8.078 | 8.050 | 7.945 | 7.940 | 7.815 | 7.929 | 8.089 | 8.245 | 8.341 | 8.397 | 8.467 | 8.563 |
| 1989 | 8.698 | 8.770 | 8.870 | 8.992 | 9.227 | 9.204 | 9.056 | 8.833 | 8.801 | 8.771 | 8.685 | 8.645 |
| 1990 | 8.571 | 8.538 | 8.506 | 8.497 | 8.531 | 8.538 | 8.517 | 8.382 | 8.333 | 8.321 | 8.269 | 8.279 |
| 1991 | 8.164 | 8.002 | 7.775 | 7.666 | 7.374 | 7.169 | 7.098 | 7.072 | 6.859 | 6.719 | 6.591 | 6.318 |
| 1992 | 6.122 | 5.863 | 5.680 | 5.692 | 5.379 | 5.323 | 5.235 | 4.958 | 4.760 | 4.730 | 4.659 | 4.647 |
| 1993 | 4.678 | 4.649 | 4.624 | 4.605 | 4.427 | 4.554 | 4.438 | 4.472 | 4.430 | 4.380 | 4.365 | 4.384 |
| 1994 | 4.359 | 4.176 | 4.248 | 4.333 | 4.434 | 4.623 | 4.823 | 4.989 | 5.106 | 5.243 | 5.380 | 5.528 |
| 1995 | 5.612 | 5.779 | 5.934 | 5.960 | 6.008 | 5.997 | 5.972 | 5.910 | 5.832 | 5.784 | 5.805 | 5.748 |
| 1996 | 5.698 | 5.643 | 5.557 | 5.538 | 5.502 | 5.548 | 5.587 | 5.566 | 5.601 | 5.601 | 5.599 | 5.574 |
| 1997 | 5.583 | 5.575 | 5.580 | 5.612 | 5.634 | 5.667 | 5.679 | 5.690 | 5.707 | 5.705 | 5.715 | 5.744 |
| 1998 | 5.742 | 5.720 | 5.680 | 5.672 | 5.673 | 5.671 | 5.652 | 5.652 | 5.639 | 5.557 | 5.492 | 5.374 |
| 1999 | 5.265 | 5.210 | 5.136 | 5.119 | 5.086 | 5.095 | 5.178 | 5.225 | 5.274 | 5.391 | 5.484 | 5.639 |
| 2000 | 5.760 | 5.824 | 5.851 | 6.014 | 6.190 | 6.349 | 6.443 | 6.505 | 6.502 | 6.517 | 6.538 | 6.535 |
| 2001 | 6.372 | 6.169 | 5.976 | 5.760 | 5.328 | 4.958 | 4.635 | 4.502 | 4.288 | 3.785 | 3.526 | 3.261 |
| 2002 | 3.068 | 2.967 | 2.861 | 2.845 | 2.740 | 2.687 | 2.714 | 2.594 | 2.604 | 2.487 | 2.301 | 2.201 |
| 2003 | 2.103 | 1.945 | 1.904 | 1.858 | 1.769 | 1.697 | 1.653 | 1.632 | 1.635 | 1.596 | 1.572 | 1.545 |
| 2004 | 1.528 | 1.440 | 1.474 | 1.445 | 1.426 | 1.469 | 1.604 | 1.672 | 1.771 | 1.890 | 2.003 | 2.134 |
| 2005 | 2.264 | 2.368 | 2.542 | 2.724 | 2.856 | 2.967 | 3.083 | 3.179 | 3.324 | 3.458 | 3.636 | 3.808 |
| 2006 | 3.955 | 4.043 | 4.142 | 4.305 | 4.563 | 4.700 | 4.849 | 4.946 | 5.023 | 5.098 | 5.125 | 5.129 |
| 2007 | 5.156 | 5.181 | 5.214 | 5.222 | 5.248 | 5.250 | 5.255 | 5.253 | 5.231 | 5.137 | 4.962 | 4.801 |
| 2008 | 4.620 | 4.161 | 3.777 | 3.400 | 3.072 | 2.894 | 2.787 | 2.779 | 2.774 | 2.709 | 2.568 | 2.353 |
| 2009 | 2.046 | 1.869 | 1.822 | 1.607 | 1.530 | 1.377 | 1.035 | 0.925 | 0.750 | 0.646 | 0.611 | 0.569 |
| 2010 | 0.558 | 0.577 | 0.547 | 0.588 | 0.560 | 0.528 | 0.531 | 0.513 | 0.500 | 0.480 | 0.454 | 0.462 |
| 2011 | 0.538 | 0.512 | 0.500 | 0.588 | 0.413 | 0.448 | 0.381 | 0.408 | 0.378 | 0.385 | 0.401 | 0.382 |
| 2012 | 0.385 | 0.389 | 0.383 | 0.367 | 0.363 | 0.358 | 0.363 | 0.377 | 0.348 | 0.340 | 0.324 | 0.326 |
| 2013 | 0.300 | 0.286 | 0.285 | 0.264 | 0.245 | 0.244 | 0.267 | 0.271 | 0.257 | 0.266 | 0.263 | 0.264 |
| 2014 | 0.244 | 0.236 | 0.236 | 0.233 | 0.228 | 0.228 | 0.244 | 0.260 | 0.246 | 0.261 | 0.261 | 0.267 |
| 2015 | 0.262 | 0.266 | 0.278 | 0.283 | 0.290 | 0.299 | 0.320 | 0.330 | 0.337 | 0.357 | 0.374 | 0.400 |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# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE JANUARY 27, 2015 COUNCIL MEETING

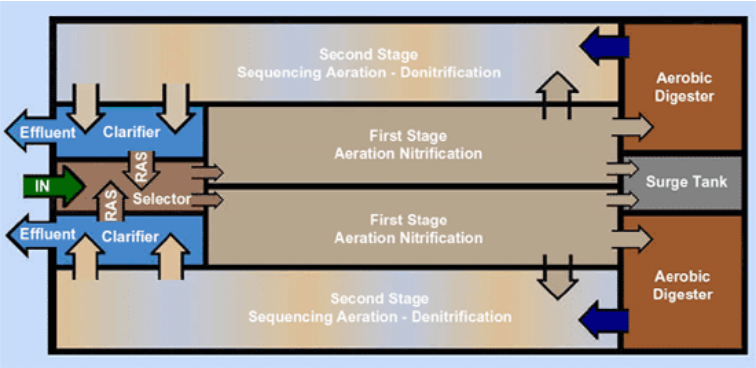
**FROM:** Travis Berry, Technical Services Manager
**DATE:** January 6th, 2016
**SUBJECT:** **Plumbing Modifications for Dual Train Process Control at the Wastewater Treatment Facility**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | N/A | X | FUNDED | | UN-FUNDED | AMOUNT: $13,108.48 (est.) | FROM FUND: 560 |

**RECOMMENDED ACTION:** Adopt Resolution 05-2016 Authorizing the City Manager to Execute an Agreement with Commercial Pump Service, Inc. for Plumbing Modifications of Critical Treatment Processes at the Wastewater Treatment Facility in the Estimated Amount of $13,108.48.

BACKGROUND AND DISCUSSION

The City's wastewater treatment facility relies on an Aeromod SEQUOX™ Biological Nutrient Removal process (BNR) to treat all of the City's sewage. After treatment, the water is filtered, disinfected, and discharged to an ephemeral streambed. Treated water that does not meet California's water quality standards is stored in ponds at the facility. It is the goal of the City to continually discharge treated water to the streambed for several major reasons: additional costs are incurred when treating water more than once, ample water storage space in the ponds must be available in case of a treatment process upset or equipment failure, and the Regional Water Board requires the City to maintain pond levels as low as possible in preparation for a 100-year rainfall event (for this region, 7.3" within 24 hours).




The BNR process is separated into two treatment trains, Side A and Side B, pictured at right. In order to keep both trains operating during low-volume influent flows to the facility, storage pond water is mixed with influent wastewater to ensure there is enough volume for proper treatment. That mixture is then pre-treated with large volumes of chemicals to supplement for the missing, previously processed-out nutrients needed in the influent stream. Essentially, the City is adding 'pseudo sewage' to the influent to keep the treatment facility operating within specifications. While these 'pseudo sewage' chemicals have proved to work when processing large volumes of storage water, it does not make sense to pay more to treat less when dealing with low influent flows. How does the City prevent the added cost? The solution is to run only one of the two treatment trains so the sewage-to-storage-water ratio is greatly increased. But, there's a problem with that. The two trains are physically connected with major plumbing. This plumbing needs to be modified to separate them and add the ability for each to be isolated when needed.

Using excessive chemicals is only one of the driving factors behind the need to separate the trains. More importantly, the BNR basins have never been drained and cleaned. The BNR has been running since 2009, potentially accumulating debris at the bottom of the basins and in the plumbing that may be causing or helping to cause occasional treatment upsets. Vital equipment resides in the BNR that needs to be inspected. Because the two trains cannot be completely isolated, the entire BNR must be bypassed to accomplish the inspection, cleaning, and maintenance. But, bypassing the BNR will force the introduction of raw wastewater to the storage ponds, which is a forbidden course of action.

Another important reason for isolating the trains is to prevent downtime. When a train is taken offline, it takes two to six weeks to propagate the proper microorganisms to bring it back online. The facility is running during this time using electricity, chemicals, and labor, all of the influent wastewater is stored taking up valuable space, and the water must be treated again at an additional cost. In theory, if the trains were isolated, the facility would never need to be completely taken offline to perform required maintenance and to make seasonal flow adjustments. One train would be performing treatment while the other is taken offline, and then vice-versa.

To recap, the BNR needs isolation valves and additional plumbing to completely isolate the two treatment trains in order to save expenses in electricity and chemicals, increase available water storage capacity for emergencies and 100-year rainfall, prevent raw wastewater from entering the storage ponds, and to prevent costly downtime for maintenance.

RECOMMENDATION

Authorize the City Manager to Execute an Agreement with Commercial Pump Service, Inc. for Plumbing Modifications of Critical Treatment Processes at the Wastewater Treatment Facility in the Estimated Amount of $13,108.48.

---

Attachments:

a. Resolution 05-2016
b. Estimate from Commercial Pump, Inc.
c. Plumbing Modifications Schematic

# City of Colfax
## City Council

Resolution № 05-2016

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH COMMERCIAL PUMP SERVICE, INC. FOR PLUMBING MODIFICATIONS OF CRITICAL TREATMENT PROCESSES AT THE WASTEWATER TREATMENT FACILITY IN THE ESTIMATED AMOUNT OF $13,108.48

---

**WHEREAS,** the City of Colfax Wastewater Treatment Facility requires plumbing changes to allow separation of the dual train processing system; and,

**WHEREAS**, the City Council of the City of Colfax has determined that it is in the best interest of the City to save expenses and increase available water storage capacity for emergencies; and,

**WHEREAS**, Commercial Pump Service, Inc. has presented a reasonable bid in the amount of $13,108.48.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Colfax that the City Manager is authorized to execute an agreement with Commercial Pump Service, Inc. for plumbing modifications of the treatment processes at the Wastewater Treatment Facility to separate the dual train processes.

**PASSED AND ADOPTED** at the Regular Meeting of the City Council of the City of Colfax held on the 27th day of January, 2016 by the following vote of the Council:

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

_____
**Tom Parnham, Mayor**

**ATTEST:**

_____
**Lorraine Cassidy, City Clerk**

# Estimate

COMMERCIAL PUMP SERVICE, INC
P.O. Box 674 Weimar, Ca. 95736

| DATE | ESTIMATE # |
|---|---|
| 9/22/2015 | 2078 |

| NAME / ADDRESS |
|---|
| City of Colfax - WWTP<br>Travis Berry, Public Works<br>P.O. Box 702 / 33 S. Main St.<br>Colfax, CA. 95713 |

| CONTACT | PROJECT |
|---|---|
| Travis Berry | Filter Piping Modifi... |

| DESCRIPTION | QTY | U/M | EACH | TOTAL |
|---|---|---|---|---|
| | | | | |
| Estimate to upgrade piping at wastewater treatment plant. Install approximate 160' of six inch sch 40 pvc drain pipe with 8" valves and fittings, Unistrut pipe brackets and supports to modify existing piping for improving the filter piping system. Install temporary 150 GPM pump to by-pass wastewater during pipeline construction. Prevailing wage rates apply.<br><br>160' of 6 " Schedule 40 PVC.<br>two 8" Butterfly Valves<br>three 6" butterfly valves<br>1 - 8x8x6" weld fabricated steel tee spool<br>4 - 8" weld flanges<br>3 - 6" weld flanges<br>1 - 8x8x6" weld fabricated steel wye spool.<br>1 - 6x6x6 pvc tee<br>6 - 6" Vansone Flange<br>2 - 6" pvc 45 degree elbow<br>2 - 8" pvc vansone flange<br>2 - 6"pvc wye fitting<br>Bolt packs<br>Unistrut, 6" pipe clamps, anchors. | | | 4,996.00 | 4,996.00T |
| | | | **TOTAL** | |

# Estimate

COMMERCIAL PUMP SERVICE, INC
P.O. Box 674 Weimar, Ca. 95736

| DATE | ESTIMATE # |
|---|---|
| 9/22/2015 | 2078 |

| NAME / ADDRESS |
|---|
| City of Colfax - WWTP<br>Travis Berry, Public Works<br>P.O. Box 702 / 33 S. Main St.<br>Colfax, CA. 95713 |

| CONTACT | PROJECT |
|---|---|
| Travis Berry | Filter Piping Modifi... |

| DESCRIPTION | QTY | U/M | EACH | TOTAL |
|---|---|---|---|---|
| bypass pump set up.<br>Gantry crane. | | | | |
| gather parts, 2 full Shop welding fabrication labor. 1 man. | 1 | | 1,680.00 | 1,680.00 |
| 4 full days pipe installation & welding labor on site. 2 man. | 1 | | 5,760.00 | 5,760.00 |
| Inbound Freight | | | 277.00 | 277.00T |
| Placer County Sales Tax | | | 7.50% | 395.48 |

| | |
|---|---|
| **TOTAL** | $13,108.48 |

9-16-2015

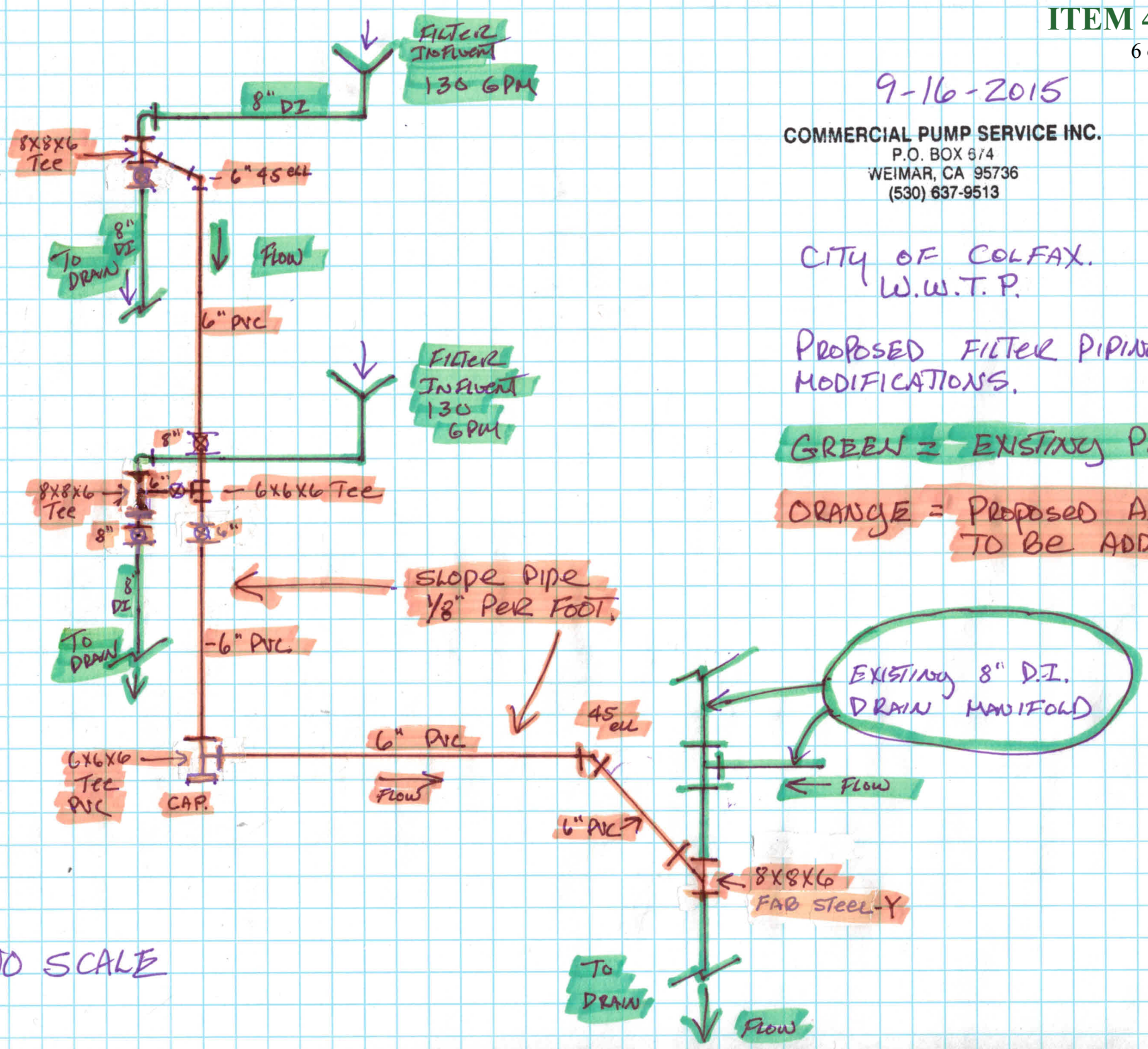
COMMERCIAL PUMP SERVICE INC.
P.O. BOX 674
WEIMAR, CA 95736
(530) 637-9513

CITY OF COLFAX.
W.W.T.P.

PROPOSED FILTER PIPING MODIFICATIONS.

GREEN = EXISTING PIPING

ORANGE = PROPOSED ADDITION TO BE ADDED.




NO SCALE

# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE JANUARY 27, 2016 COUNCIL MEETING

**FROM:** Mark Miller, City Manager
**PREPARED BY:** Wes Heathcock, Community Services Director
**DATE:** January 20, 2016
**SUBJECT:** Cost Share Agreement with Canyon Creek Village HOA for Slurry Seal of Pavement

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **N/A** | **X** | **FUNDED** | | **UN-FUNDED** | **AMOUNT: $10,000** | **FROM FUND: 250** |

**RECOMMENDED ACTION:** Adopt Resolution 06-2016 Authorizing the City Manager to Enter into a Cost Share Agreement for Applying a Slurry Seal to the Pavement in the Canyon Creek Village Subdivision.

**BACKGROUND AND SUMMARY:**

The Canyon Creek Village Subdivision was established in 1995 and subsequently the street infrastructure was accepted by the City of Colfax. The 20-year-old pavement has received limited preventative maintenance since installation. City staff recently completed a crack seal project in the Canyon Creek Village Subdivision and determined the asphalt would be a good candidate for a slurry seal to prevent further street surface deterioration.

Canyon Creek Village HOA has expressed a desire to share the cost of the Slurry Seal of Pavement Project ("Project") with the City. The HOA has agreed to pay 100% of the Project costs for private driveways and 52% of the Project costs for the City owned streets – Canyon Creek Drive, Incline Drive, Canyon Creek Circle, plus two private driveways (see attached map). The total Project cost is estimated at $22,000, which includes application of slurry seal and replacement of the intersections and thermoplastic striping.

Staff believes the Project is warranted based on the street deterioration and contributions from the Canyon Creek Village HOA.

**FINANCIAL AND/OR POLICY IMPLICATIONS:**

The City's cost for the Project with Canyon Creek Village HOA is $10,000.

Attachments:
a. Resolution 06 -2016
b. Map of Project
c. Proposed Agreement
d. Acknowledgement from HOA

# City of Colfax
## City Council

Resolution № 06-2016

AUTHORIZING THE CITY MANAGER TO ENTER INTO A COST SHARE AGREEMENT FOR APPLYING A SLURRY SEAL TO THE PAVEMENT IN THE CANYON CREEK VILLAGE SUBDIVISION

---

**WHEREAS,** the Canyon Creek Village Subdivision was established in 1995 and the street infrastructure was subsequently accepted by the City of Colfax; and,

**WHEREAS,** the 20-year-old pavement has received limited preventative maintenance since installation; and,

**WHEREAS,** City staff recently completed a crack seal project in the Canyon Creek Village Subdivision and determined the asphalt would be a good candidate for a slurry seal to prevent further street surface deterioration; and,

**WHEREAS**, Canyon Creek Village HOA has expressed the desire to share the cost of the Slurry Seal of Pavement Project ("Project") with the City by paying 100% of the Project costs for the private driveways and 52% of the Project costs for the City owned streets – Canyon Creek Drive, Incline Drive, Canyon Creek Circle, plus two private driveways.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Colfax that the City Manager is Authorized to Enter into a Cost Share Agreement for Applying a Slurry Seal to the Pavement in the Canyon Creek Village Subdivision.

**PASSED AND ADOPTED** at the Regular Meeting of the City Council of the City of Colfax held on the 27th day of January, 2016 by the following vote of the Council:

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

_____
**Tom Parnham, Mayor**

**ATTEST:**

_____
**Lorraine Cassidy, City Clerk**

Recording Request by:

**City of Colfax**

When recorded return to:

**CITY OF COLFAX**
**PO BOX 702**
**COLFAX, CA 95713**
**Attn: City Clerk**

Above space for Recorder's Use

COST SHARE AGREEMENT TO BE PAID BY CANYON CREEK VILLAGE HOA

This agreement is made between the City of Colfax, a California General Law City ("City") and Canyon Creek Village Homeowners Association, a California Corporation ("HOA").

RECITALS

A. City will provide road surface improvements located within Canyon Creek Village consisting of placing or causing to be placed approximately 86,221 square feet of slurry seal and related improvements on Canyon Creek Drive, Incline Drive, Canyon Creek Circle and various private drives, all as generally depicted on the map attached to this Agreement (the "Project").

B. HOA has expressed the desire to share the cost of the Project with the City by paying 100% of the Project costs for the private driveways and 52% of the Project costs for the City owned streets in accordance with the terms and conditions of this Agreement.

C. As used in this Agreement, "HOA's Cost Share Allocation" shall mean and refer to the HOA's obligation to reimburse the City for 100% of the Project costs for the private driveways and 52% of the Project costs for the City owned streets.

AGREEMENT

1. Payment. The HOA shall pay HOA's Cost Share Allocation to the City within 10 business days after the City provides the HOA with written notice that the Project has been completed and an invoice for the HOA Cost Share Allocation. Such payment shall be in lawful money of the United States and paid at 33 South Main Street, P.O. Box 702, Colfax, California 95713.

2. Binding On Successors. All terms, provisions, and obligations contained in this Agreement shall be binding upon the parties and their respective heirs, successors and assignees, and all other persons or entities, whether by operation of law or in any other manner whatsoever.

3. Termination of Agreement. This Agreement shall terminate upon receipt by the City of HOA's payment in full of the HOA's Cost Share Allocation.

4. Entire Agreement. This Agreement contains the entire Agreement of the parties and supersedes all prior negotiations, correspondence understandings and agreements by or between the parties regarding the subject matter hereof. This Agreement may not be amended except upon written consent of both parties.

5. Waiver. Any waiver at any time by any party of its rights with respect to default or any other matter arising in connection with this Agreement shall not be deemed to be a waiver with respect to any other default or matter.

6. __and the rights and obligations of the parties hereto shall be construed and enforced in accordance with the laws of the State of California.

7. Attorney's Fees. In the event of any legal or equitable proceedings for enforcement of any terms of this Agreement, or any alleged dispute, breach of, default or misinterpretations in connection with any provision of this Agreement, the prevailing party in such action, or the non-dismissing party where dismissal occurs other than by reason of a settlement, shall be entitled to recover its reasonable costs and expenses including without limitation, reasonable attorney's fees and costs paid or incurred in good faith.

8. Notice. Any notice relating to this Agreement shall be given in writing and shall be deemed sufficiently given and served for all purposes when delivered personally or by generally recognized overnight courier service, or four business days after deposit in the United States mail certified or registered, return receipt requested with postage prepaid addressed as follow:

   To City: City of Colfax
   33 South Main Street
   P.O. Box 702
   Colfax, CA 95713
   Attention: City Manager

   To HOA:_____
   _____
   _____
   _____

9. Effective Date. This Agreement shall become effective upon its execution by the City and shall remain in full force and effect until terminated.

IN WITNESS WHEREOF, the parties have executed this Agreement with the intent to be bound thereby as of the effective date set forth above.

City of Colfax

By: _____
*Mark Miller, City Manager*
Date: _____

Canyon Creek HOA

By: _____
*Name, Position*
Date: _____

# Canyon Creek Village Slurry Seal Project

**Slurry Seal Streets:**

Canyon Creek Drive

Incline Drive

Canyon Creek Circle

Private Drives highlighted toward the right side of the map

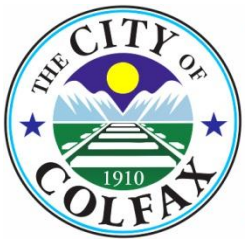
## Wes Heathcock

**From:** Jason Davison <jase758@yahoo.com>
**Sent:** Thursday, January 21, 2016 4:55 PM
**To:** Wes Heathcock
**Subject:** Re: Canyon Creek Subdivision

My Board has approved the agreement. We're good to go!

Jason Davison

> On Jan 21, 2016, at 2:50 PM, Wes Heathcock <wes.heathcock@colfax-ca.gov> wrote:
>
> Hi Jason,
>
> I have attached an image of the Canyon Creek Village site plans that
> reflect the narrow roads to the east are "private". The private
> driveway access toward the bottom of the map was change in location as you are well aware.
> In addition, I have attached the project street map with the areas of
> the project highlighted in black. Please let me know if you need
> additional information.
>
> Thank you,
>
> Wes Heathcock
> Community Services Director
> 530-346-2313
>
>
>
> -----Original Message-----
> From: Jason Davison [mailto:jase758@yahoo.com]
> Sent: Wednesday, January 20, 2016 7:41 PM
> To: Wes Heathcock; mark.miller@colfax-ca.gov
> Cc: Carole Park; Rick Mc; Jack Kraker; Linda Jones
> Subject: Canyon Creek Subdivision
>
> My board would like to know if the city has maps that show the final
> streets within our subdivision. They are curious to know if the city
> owns the shoulders or the HOA? The shoulders as I have referee to are
> the two roads that are at the top of Canyon Creek Circle and Canyon
> Creek Drive. They say private drives but I'm not sure if that is just a drive through deterrence.
> Please advise, and as always thank you.
>
> Jason Davison
> <20160121_142501_resized.jpg>
> <Canyon Creek Slurry Seal Map 2015 .docx>




# STAFF REPORT TO THE COLFAX CITY COUNCIL

## FOR THE JANUARY 27, 2016 COUNCIL MEETING

**FROM:** Mark Miller, City Manager

**PREPARED BY:** Mick Cabral, City Attorney and Staff

**DATE:** January 21, 2016

**SUBJECT:** Introduction and First Reading of Ordinance № 528: An Urgency Ordinance of the City of Colfax Amending Colfax Municipal Code Title 17, Chapter 17.162 Prohibiting the Cultivation and Delivery of marijuana and the Operation of Medical Marijuana Dispensaries in the City of Colfax, an interim urgency ordinance to be effective until the November 8, 2016 Election at which time a Measure will be placed on the Ballot to determine the will of the people.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| | **N/A** | **X** | **FUNDED** | | **UN-FUNDED** | **AMOUNT: $10,000** | **FROM FUND: 250** |

**RECOMMENDED ACTION:** Introduce Ordinance № 528 for first reading by title only and schedule for second reading public hearing and adoption at the February 10, 2016 regularly scheduled City Council meeting.

**BACKGROUND AND SUMMARY:**

On October 9, 2015, Governor Brown signed the "Medical Marijuana Regulation & Safety Act" (AB 243, AB 266, and SB 643) ("MMRSA") into law. The MMRSA became effective January 1, 2016. It creates a state licensing and regulatory framework for medical marijuana cultivation and manufacturing of medical cannabis products, and for commercial medical cannabis activities including operation of dispensaries, distributions, and transporting. The MMRSA also regulates labeling of edible medical marijuana products, environmental problems caused by cultivation, and physicians who give excessive marijuana recommendations or recommendations without prior examination.

The MMRSA permits cities and counties to prohibit medical marijuana cultivation or manufacturing, or commercial activities such as operation of dispensaries and other distribution facilities and activities under local ordinances or to continue regulating these activities in ways consistent with the new state law as long as cities and counties require state minimum regulations to be met. Cities still have the power to ban or regulate these activities consistent with their communities' unique needs.

The immediate problem is that if cities do not have ordinances regulating marijuana cultivation in place by March 1, 2016, then State law dictates marijuana cultivation and other activities within city limits. The legislature simply did not allow cities, especially small cities like Colfax, enough time to rationally discuss whether and, if so, how it wants to regulate marijuana cultivation, distribution, delivery and the like.

AB 21 is moving through the State Legislature. If passed, AB 21 will remove the March 1, 2016 deadline for cities to pass ordinances. The bill is presently on the Senate floor. Passage of AB 21 may mitigate the urgency but not the need to regulate marijuana cultivation, delivery and dispensaries in the City.

Staff is recommending that the Council adopt an interim urgency ordinance that prevents marijuana cultivation and delivery within City limits and continues to prohibit medical marijuana dispensaries. Consistent with Council direction, staff will move quickly to prepare a comprehensive regulatory ordinance and fee schedule for the Council to consider. The intent is to have an ordinance that can be placed on the ballot for approval or disapproval by the City's residents at the November election.

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Attachments:

a. Public Notice of Hearing to be held February 10, 2016
b. Cover to Ordinance No. 528
c. Ordinance No. 528

City Colfax
Notice of Public Hearing

DATE and TIME: February 10, 2016 at 7:00PM or as soon thereafter as the matter can be heard.

LOCATION: Colfax City Hall, Council Chambers, 33 S. Main Street, Colfax, CA

SUBJECT: Adoption of an Interim Urgency Ordinance amending Colfax Municipal Code Title 17, Chapter 17.162 prohibiting the cultivation and delivery of marijuana and the operation of medical marijuana dispensaries in the City of Colfax.

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on February 10, 2016, beginning at 7:00PM, or as soon thereafter as the matter can be heard, at Colfax City Hall, City Council Chambers, 33 S. Main Street, Colfax, California at which the City Council will consider adopting an urgency ordinance amending Colfax Municipal Code Title 17, Chapter 17.162 to prohibit the cultivation and delivery of marijuana and the operation of medical marijuana dispensaries in the City of Colfax. The general purpose of the proposed interim urgency ordinance is to prevent the State from preempting the City regarding the cultivation and delivery of marijuana and the operation of marijuana dispensaries within City limits while a comprehensive ordinance and ballot measure are drafted. Copies of the proposed interim urgency ordinance may be inspected or obtained from the City Clerk at 33 South Main Street Colfax, California.

Dated this 28th day of January, 2016

# CITY OF COLFAX

ORDINANCE № 528

AN URGENCY ORDINANCE OF THE CITY OF COLFAX AMENDING COLFAX MUNICIPAL CODE TITLE 17, CHAPTER 17.162 PROHIBITING THE CULTIVATION AND DELIVERY OF MARIJUANA AND THE OPERATION OF MEDICAL MARIJUANA DISPENSARIES IN THE CITY OF COLFAX

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

Section 1:

Title 17, Chapter 17.162 of the Colfax Municipal Code is hereby amended as set forth in Exhibit A attached hereto and by this reference incorporated herein.

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 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. Urgency Ordinance Effective Date

Surrounding cities and counties have adopted restrictions and, in some cases, bans on the cultivation of marijuana in their jurisdictions. If further action is not taken, it is likely that Colfax will encounter increasing numbers of cultivation sites of increasing sizes, in locations which conflict with the provisions of this Ordinance and operate in manners which create public nuisance to the community and its residents. There is an immediate need to provide certainty and guidance to those who might choose to cultivate marijuana in Colfax, and to preserve the public peace, health and safety of Colfax residents by regulating and addressing the public nuisances associated with marijuana cultivation and delivery. In addition, if marijuana cultivation is not immediately further regulated, increased numbers of illegal marijuana cultivation sites will be introduced into the local market. Moreover, if immediate action is not taken, State regulations will take effect and diminish or preclude the City's ability to retain and/or exercise local control of marijuana cultivation. Therefore, this is an urgency ordinance and will take effect immediately upon its passage.

Section 5. California Environmental Quality Act Findings

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

FINDING OF NO PROJECT

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

FINDING OF EXEMPTION

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

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

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Colfax held on the 27th day of January, 2016, and passed and adopted at a regular meeting of the City Council held on the _____ day of _____ 2016, at a duly held regular meeting of the City of Colfax, by the following vote:

AYES:
NOES:
ABSENT:

_____
Tom Parnham
Mayor

APPROVED AS TO FORM:

_____
Alfred Cabral
City Attorney

ATTEST:

_____
Lorraine Cassidy
City Clerk

# ORDINANCE № 528

## AN URGENCY ORDINANCE OF THE CITY OF COLFAX AMENDING COLFAX MUNICIPAL CODE TITLE 17, CHAPTER 17.162 PROHIBITING THE CULTIVATION AND DELIVERY OF MARIJUANA AND THE OPERATION OF MEDICAL MARIJUANA DISPENSARIES IN THE CITY OF COLFAX

**WHEREAS,** in 1970, Congress enacted the Controlled Substances Act (21 U.S.C. Section 801 et seq.) (the "CSA") which, among other things, makes it illegal to import, manufacture, distribute, possess, or use marijuana for any purpose in the United States and further provides criminal penalties for marijuana possession, cultivation and distribution; and

**WHEREAS,** in 1996, the voters of the State of California approved Proposition 215, which was codified as California Health and Safety Code Section 11362.5, et seq., and entitled the "Compassionate Use Act of 1996" (the "Act"); and

**WHEREAS,** the intent of the Act was to enable persons who are in need of marijuana for medical purposes to obtain and use it under limited, specified circumstances; and

**WHEREAS,** on January 1, 2004, Senate Bill 420 ("SB 420") became effective to clarify the scope of the Act and to allow cities and counties to adopt and enforce rules and regulations consistent with SB 420 and the Act; and

**WHEREAS,** under the United States Controlled Substances Act, marijuana is classified as a Schedule 1 drug, meaning it has no accepted medical use; and

**WHEREAS,** federal law continues to treat the growing, sale and distribution of marijuana as a federal crime: and

**WHEREAS,** on October 11, 2015, the Governor signed into law Senate Bill 643, Assembly Bill 266, and Assembly Bill 243, collectively referred to as the Medical Marijuana Regulation and Safety Act ("MMRSA"), effective January 1, 2016, which establishes a state licensing system for medical marijuana cultivation, manufacturing, delivery, and dispensing, regulating these activities with licensing requirements and regulations that are only applicable if cities and counties also permit marijuana cultivation, manufacturing, dispensing, and delivery within their jurisdictions. Under the MMRSA, cities and counties may continue to ban medical marijuana cultivation, manufacturing, dispensing, and delivery, in which case the new law would not allow or permit these activities within the cities and counties; and

**WHEREAS,** marijuana remains a schedule I substance pursuant to Cal. Health & Safety Code § 11054 (d)(13); and

**WHEREAS,** marijuana also remains a schedule I substance pursuant to federal law, 21 U.S.C. § 812, Schedule 1 (c)(10), and federal law does not provide for any medical use defense or exception (Gonzales v. Raich, 545 U.S. 1 (2005); United States v. Oakland Cannabis Buyers' Coop., 532 U.S. 483 (2001)); and

**WHEREAS,** other California cities that have permitted the establishment of medical marijuana dispensaries have reportedly witnessed an increase in crime, such as burglaries, robberies, and the sale of illegal drugs in the areas immediately surrounding such dispensaries; and

**WHEREAS,** California law allows cities and counties to ban marijuana cultivation and delivery consistent with current state law; and

**WHEREAS,** the MMRSA provides that if a city, county, or city and county does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under the principles of permissive zoning, or chooses not to administer a conditional permit program pursuit to the MMRSA, then commencing March 1, 2016, the state will be the sole licensing authority for medical marijuana cultivation applicants (Health & Safety Code section 11372.777(c)(4)); and

**WHEREAS,** the City intends by the adoption of this ordinance to regulate marijuana cultivation within the City for the express and specific purpose of preserving the City's authority to ban and/or adopt future regulations pertaining to marijuana cultivation and delivery as is required by California Health and Safety Code section 11372.777(c)(4), effective January 1, 2016, added by the MMRSA, and other provisions of California law; and

**WHEREAS,** the City Council hereby finds and determines, based on substantial evidence in the record before it, as follows: (a) adoption of this Ordinance does not constitute a "project" as that term is defined by or used in the California Environmental Quality Act (California Public Resources Code Section 21000 et seq, hereinafter "CEQA"), the California Code of Regulations Title 14, Division 6, Chapter 3 "Guidelines for Implementation of the California Environmental Quality Act" (the "CEQA Guidelines") or any court or attorney general opinion construing the same. Accordingly, the City Council finds that the provisions of CEQA and the CEQA Guidelines are not applicable thereto; (b), this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines 15060(c)(2); and (c) in the event that it is found that said action constitutes a "Project" as defined by or used in CEQA or the CEQA Guidelines, or that CEQA or the CEQA Guidelines are otherwise applicable to this Ordinance, which finding would be contrary to the City's opinion of its action, the City Council hereby finds that said action is exempt from CEQA and the CEQA Guidelines because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment, the action is not subject to CEQA or the CEQA Guidelines. See CEQA Guidelines Section 15061(b)(3). It can be seen with certainty that this Ordinance cannot possibly have a significant effect on the environment; and

**WHEREAS,** the City Council has determined that it is not in the public interest of the City to allow a proliferation of medical marijuana dispensaries within the City limits and that there is a need to prohibit them entirely within the City; and

**WHEREAS**, the City Council has determined that it is not in the public interest of the City to allow cultivation or delivery of marijuana within the City limits and that there is a need to prohibit such activities entirely within the City;

**NOW, THEREFORE, THE CITY OF COLFAX DOES ORDAIN AS FOLLOWS:**

Title 17 of the Colfax Municipal Code is hereby amended by adding Chapter 17.109 as follows:

Chapter 17.162. Medical Marijuana Dispensaries

17.162.01 Prohibition of Medical Marijuana Dispensaries. Medical marijuana dispensaries as defined in this Chapter are a prohibited use in all zoning districts throughout the City.

17.162.10 Existing Medical Marijuana Dispensaries. Existing medical marijuana dispensaries with valid business licenses as of November 27, 2009 shall be considered as legal non-conforming uses. Such dispensaries may continue to operate in accordance with the provisions of Chapter 17.32 except that, in addition to such regulations, if any of the following circumstances arise then, without further action by the City, such building and the land on which such building is located shall be subject to the provisions of this chapter prohibiting such use:

A. The operators of the dispensary are convicted of any crime other than an infraction relating to the operation of the dispensary;

B. The dispensary becomes a public nuisance;

C. The dispensary or its operators violate any provision of this Code relating to its operation;

D The dispensary is closed or its activities curtailed by the action of a superior governmental authority or by order of any court of competent jurisdiction; or

E. The dispensary is closed or its activities curtailed by other valid legal process.

17.162.20 Marijuana Cultivation Prohibited. All cultivation of marijuana within the City is prohibited. It is hereby declared to be unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the City of Colfax to cause or allow such parcel to be used for the cultivation of marijuana.

17.162.30 Marijuana Delivery Prohibited. All delivery of marijuana within the City is prohibited.

17.109.40 Definitions.

Whenever used in this Chapter, the following words or phrases shall have the following meanings:

A. "Abatement" means the removal of marijuana plants and improvements that support marijuana cultivation'

B. "Cultivation" or "marijuana cultivation" means the planting, growing, harvesting, drying, or processing of marijuana plants, or any part thereof.

C. "Identification card" shall have the same meaning as that set forth in California Health and Safety Code §11362.7 as currently in effect or as may be amended from time to time, or any successor statute.

D. "Marijuana" means the plant Cannabis sativa L. and any of its derivatives.

E. "Medical Marijuana" or "Medical Cannabis" shall include, but not be limited to, the leaf of the cannabis plant and all products derived from the cannabis plant including, but not limited to, oils, tinctures, butters, candies, lotions, powders, creams, salves and balms, baked goods and any other food products.

F. "Medical marijuana dispensary means and refers to any facility or location where medical marijuana is made available, sold, transmitted, given, distributed , supplied or otherwise provided to one or more of the following: (1) more than one qualified patient, (2) more than one person with an identification card, or (3) more than one primary caregiver. The term "Medical marijuana dispensary" includes a medical marijuana cooperative. "Medical marijuana dispensary" shall not include the following uses, as long as the location of such uses is otherwise regulated by applicable law and as long as such use complies strictly with applicable law, including, but not limited to, Health and Safety Code Section 11362.7, et seq.:

(1) a clinic, licensed pursuant to Chapter 1, Division 2 of the Health and Safety Code;

(2) a health care facility, licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code;

(3) a residential care facility for persons with chronic life-threatening illness, licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code;

(4) a residential care facility for the elderly, licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code; or

(5) a hospice licensed pursuant to Chapter 8.5 of Division 2 of the California Health and Safety Code, the owner or operator, or

(6) a home health agency licensed pursuant to Chapter 8 of Division 2 of the California Health and Safety Code

G. "Parcel" means property assigned a separate parcel number by the Nevada County assessor.

H. "Person" means any individual, partnership, co-partnership, firm, association, joint stock company, corporation, limited liability company or any combination thereof, in whatever form or character.

I. “Person with an identification card” shall have the same meaning as that set forth in California Health and Safety Code §11362.7 as currently in effect or as may be amended from time to time, or any successor statute.

J. “Primary caregiver” shall have the same meaning as that set forth in California Health and Safety Code §11362.7 as currently in effect or as may be amended from time to time, or any successor statute.

K. “Qualified patient” shall have the same meaning as that set forth in California Health and Safety Code §11362.7 as currently in effect or as may be amended from time to time, or any successor statute.

17.109.50 Penalty Provisions

A. Violation of any provision of this chapter is a misdemeanor unless (1) the City Attorney authorizes issuance of an infraction citation or files, or authorizes the filing of, a complaint charging the offense as an infraction or (2) a court with jurisdiction over the matter, upon recommendation of the City Attorney, determines that the offense should be prosecuted as an infraction.

B. Any person who violates any provision of this chapter shall be guilty of a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes any violation thereof, and shall be penalized accordingly.

17.109.60 Civil and Administrative Remedies

A. The violation of any provision of this chapter shall be and is hereby declared to be a public nuisance and shall, in the City’s discretion, be prosecuted as such and subject to all remedies allowed by law.

B. In addition to the criminal penalties and civil remedies set forth above, any violation of any provision of this chapter shall, in the City’s discretion, be subject to any administrative remedies presently or hereafter allowed under the Colfax Municipal Code.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Colfax held on the 27th day of January, 2016 and adopted by the City Council of the City of Colfax at a duly held regular meeting of the City Council of the City of Colfax held on the ___ day of February, 2016 by the following vote:

AYES:
NOES:
ABSENT:

_____
Tom Parnham,
Mayor

APPROVED AS TO FORM:

_____
Alfred A. Cabral
City Attorney

ATTEST:

_____
Lorraine Cassidy,
City Clerk