

**COLFAX CITY COUNCIL MEETING  
REGULAR SESSION AGENDA**

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

**July 25, 2012**

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

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

Last Ordinance  
#517

Last Resolution  
28-2012

---

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

---

**1. OPENING**

- A. Call to Order
- B. Roll Call

**2. PUBLIC COMMENT**

**3. CLOSED SESSION**

Conference With Legal Counsel - Anticipated Litigation.

Initiation of litigation pursuant to Government Code Section 54956.9(c)

Number of potential cases: 3

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: Bruce Kranz

**4. OPENING**

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

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

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

---

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

---

**5. CITY COUNCIL COMMITTEE REPORTS**

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

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

**7. CONSENT AGENDA**

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

**RECOMMENDED**

**ACTION**

*Receive and File*

A. Minutes: July 11, 2012

B. Cash Summary: June 30, 2012

*Receive and File*

**CONSENT ITEMS PULLED FOR DISCUSSION**

**8. PUBLIC COMMENT**

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

**9. PUBLIC HEARING**

<b>Notice to Public</b>	
<del>City Council, when considering a matter scheduled for hearing, will take the following actions:</del>	
1.	Open the Public Hearing
2.	Presentation by Staff
3.	Presentation, when applicable, by Applicant or Appellant
4.	Accept Public Testimony
5.	When applicable, Applicant or Appellant rebuttal period
6.	Close public hearing (No public comment is taken hearing is closed)
7.	Council comments and questions
8.	City Council action
Public hearings that are continued will be so noted. The continued public hearing will be listed on a subsequent council agenda and posting of that agenda will serve as notice	

## **Sitting as Planning Commission**

- A. Public Hearing and Consideration of Adoption of Resolution No. 29-2012: A Resolution Of The Planning Commission Of The City Of Colfax Approving An Application (#CUP-02-12) For a Conditional Use Permit for The Rock on the Ridge Church  
**Recommended Action:** Conduct Public Hearing, Consider Public and Staff Comments and Adopt Resolution No. 29-2012
- B. Consideration of Adoption of Resolution No. 30-2012: A Resolution of the Planning Commission Recommending the City Council to: (1) certify and adopt the Negative Declaration for Ordinance No. 519: An Ordinance of the City of Colfax Making Administrative Revisions to Title 17 of the Colfax Municipal Code (#PL-02-12); and (2) adopt Ordinance No. 519: An Ordinance Of The City Of Colfax Making Administrative Revisions to Title 17 Of The Colfax Municipal Code (#PL-02-12)  
**Recommended Action:** Conduct Public Hearing, Consider Public and Staff comments and Adopt Resolution No. 30-2012

## **Sitting as Council**

- C. Introduction and First Reading of Ordinance No. 519: An Ordinance Of The City Of Colfax Making Administrative Revisions to Title 17 Of The Colfax Municipal Code (#PL-02-12)  
**Recommended Action:** Introduce the proposed Ordinance by title only, conduct a public hearing and thereafter by motion waive the first reading and continue for second reading and adoption at the August 8, 2012 regularly scheduled council meeting to be effective 30 days thereafter.
- C. Second Reading and Adoption of Ordinance No. 518: An Ordinance Of The City Of Colfax Authorizing Collection Of Delinquent Sewer Service Charges On The Placer County Secured Tax Roll For Fiscal Year 2012-2013  
**Recommended Action:** Consider Public and Staff Comments and Adopt Ordinance No. 517 to become effective in 30 days.

## **10. COUNCIL BUSINESS**

- A. Consideration of Adoption of Resolution No. 31-2012: A Resolution of the City Council of the City of Colfax Authorizing City Manager to Execute the First Amendment to Consultant Services Agreement between the City of Colfax and Psomas  
**Recommended Action:** Adopt Resolution No. 31-2012
- B. Consideration of Adoption of Resolution No. 32-2012: A Resolution of the City Council of the City of Colfax determining that Lorang Brothers Construction is the lowest responsive, responsible bidder on the I&I Mitigation Project, authorizing the City Manager to execute all necessary documents and take all actions to complete the I&I Mitigation Project, and appropriating sufficient funds to pay for the I&I Mitigation Project.

**Recommended Action:** Staff recommends the City Council adopt Resolution No. 32-2012, 1) Authorizing the City Manager to execute a Construction Contract with Lorang Brothers Construction, Inc., in the amount of \$2,063,478 for the Base Bid plus Additive Alternate #2; and 2) authorizing expenditures not to exceed available funding under the review and approval of the Pond 3 Liner Committee consisting of Mayor Harvey and Council Member Delfino.

11. PRESENTATIONS

12. ADJOURNMENT

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

AGENDA POSTED, July 20, 2012  
at City Hall and Post Office locations



Karen Pierce, City Clerk

Minutes  
City Council Meeting  
July 11, 2012

**1. OPENING**

Mayor Harvey called the meeting to order at 6:00pm.

Present and answering roll call were Council members Roberts, Delfino, Barkle, Alpine and Mayor Harvey.

**2. PUBLIC COMMENT**

There was no public comment

**3. CLOSED SESSION**

Mayor Harvey called the closed session to order at 6:03pm

Conference with Real Property Negotiators pursuant to Government Code Section 54956.7.

Property: Sierra Property Billboards

Agency Negotiators: City Manager Bruce Kranz and Land Use Attorney Brigit S. Barnes

Negotiating Parties: City of Colfax and Sierra Property Development

Under Negotiation: price and terms of payment.

Conference with Legal Counsel - Anticipated Litigation.

Initiation of litigation pursuant to subdivision (c) of Section 54956.9.

Number of potential cases - 1

Mayor Harvey closed the closed session at 6:40pm.

**4. OPENING AND AGENDA APPROVAL**

Mayor Harvey called the regular meeting to order at 7:00pm.

Melba Delfino led the Pledge of Allegiance

Mayor Harvey stated that there was no reportable action taken in Closed Session.

A motion was made by councilwoman Roberts and seconded by councilman Delfino to approve the agenda as presented. The motion was passed by the following vote:

AYES: Roberts, Delfino, Barkle, Alpine and Mayor Harvey

NOES:

ABSENT:

ABSTAIN:

**5. CITY COUNCIL COMMITTEE REPORTS**

Mayor Harvey reported on how the changes the City has made which have saved the City from filing Bankruptcy and all the work council and staff have contributed as well.

Councilman Delfino added to what Mayor Harvey stated and reported on attending the SEDDCorp meeting

Councilwoman Roberts added to what Mayor Harvey stated.

Councilwoman Barkle added to what Mayor Harvey stated.

Councilman Alpine added to what Mayor Harvey stated.

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

City Manager, Bruce Kranz reported on the following:

- Spoke about how each councilmember has brought talents and time to assist the City.
- WWTP Pond Liner project has begun. Pond 3 is almost completely empty.
- At the July 25 council meeting, the I and I project will be awarded to a local vendor.

Lt. Andy Williams came to the meeting to introduce himself. Also attending was Officer Todd Ketwigg who gave an update on the Robbers Fire that started today in Shirttail Creek Canyon off of Yankee Jims Road.

**7. CONSENT AGENDA**

A. Minutes: June 27, 2012

**ACTION TAKEN**  
*Received and Filed*

A motion was made by councilman Delfino and seconded by councilwoman Roberts to approve the consent agenda as presented. The motion was passed by the following vote:

AYES: Roberts, Delfino, Barkle, Alpine and Mayor Harvey

NOES:

ABSENT:

ABSTAIN:

**8. PUBLIC COMMENT**

Nancy Hagman, volunteer reported on the Fire and noted that she is not a reporter with the Colfax Record. She is just a "stringer."

Melba Delfino, resident complemented Recology on the clean up after the July 3 event.

Foxy McCleary, resident spoke regarding the SVCC sewer charges.

Connie Heilaman, business owner spoke regarding the SVCC sewer charges

Otis Wallen, SVCC board member spoke regarding the SVCC sewer charges.

Cathy Keifer, volunteer spoke regarding what the SVCC offers to the community.

Nancy Hagman, volunteer reported on the possible closure of the Marijuana Dispensary.

**9. PUBLIC HEARING**

**A. Introduction and First Reading of Ordinance No. 518: An Ordinance Of The City Of Colfax Authorizing Collection Of Delinquent Sewer Service Charges On The Placer County Secured Tax Roll For Fiscal Year 2012-2013 and**

**Consideration of Adoption of Resolution No. 27-2012:A Resolution Of The City Council Of The City Of Colfax Requesting Collection Of Sewer Service Charges On The Placer County Tax Roll For Tax Year 2012-2013**

Mayor Harvey opened the public hearing. City Attorney, Mick Cabral went over the Ordinance and Resolution. There was no public comment. City Clerk, Karen Pierce noted that any business listed on the delinquent list is not responsible for the delinquency it is the property owner. The business name was listed as a way of identifying the property. Council discussed. A motion was made by councilman Delfino and seconded by councilwoman Barkle to adopt Resolution No 27-2012. The motion was passed by the follow vote:

AYES: Roberts, Delfino, Barkle, Alpine and Mayor Harvey  
NOES:  
ABSENT:  
ABSTAIN:

A motion was made by councilman Alpine and seconded by councilman Delfino to introduce the proposed Ordinance by title only waive the first reading and continue for second reading and adoption at the July 25<sup>th</sup> regularly scheduled council meeting to be effective 30 days thereafter. The motion was passed by the following vote:

AYES: Roberts, Delfino, Barkle, Alpine and Mayor Harvey  
NOES:  
ABSENT:  
ABSTAIN:

**10. COUNCIL BUSINESS**

**A. Consideration of Adoption of Resolution No. 28-2012:A Resolution Of The City Council Of The City Of Colfax Confirming The Report Of Delinquent Waste Collection Accounts And Placing Liens On Said Properties And Special Assessments Upon Property Taxes Pursuant To City Of Colfax Municipal Code Section 8.20.130**

City Manager, Bruce Kranz went over the hearing that took place in City Hall at 3:00pm and reported that no one attended to protest the delinquent charges. There was no public comment. Council discussed. A motion was made by councilman Delfino and seconded by councilwoman Roberts to adopt Resolution No. 28-2012. The motion was passed by the following vote:

AYES: Roberts, Delfino, Barkle, Alpine and Mayor Harvey  
NOES:

ABSENT:  
ABSTAIN:

**11. PRESENTATION**

**12. ADJOURNMENT**

Being no further business to come before council by voice vote the meeting was adjourned at 7:57pm.

**City of Colfax  
Cash Summary  
June 30, 2012**

	Balance 05/31/2012	Debits	Credits	Transfers	Balance 06/30/2012
Bank of America - Checking	\$ 42,402.71		\$ (17.40)	\$ (41,727.07)	\$ 658.24
Bank of America - Savings	\$ 33,272.93	\$ 2.70		\$ (33,272.93)	\$ 2.70
US Bank	\$ (28,490.65)	\$ 398,475.84	\$ (347,179.25)	\$ 110,000.00	\$ 132,805.94
LAIF	\$ 1,075,756.14			\$ (35,000.00)	\$ 1,040,756.14
Collateral Deposit (USBank)	\$ 40,000.00				\$ 40,000.00
<b>Total Cash - General Ledger</b>	<b>\$ 1,162,941.13</b>	<b>\$ 398,475.84</b>	<b>\$ (347,196.65)</b>	<b>\$ -</b>	<b>\$ 1,214,223.02</b>
Petty Cash (In Safe)	\$ 300.00				\$ 300.00
<b>Total Cash</b>	<b>\$ 1,163,241.13</b>	<b>\$ 398,475.84</b>	<b>\$ (347,196.65)</b>	<b>\$ -</b>	<b>\$ 1,214,523.02</b>

**Change in Cash Account Balance - Total** \$ 51,281.89

Attached Reports:

1. Cash Transactions Report (By Individual Fund)			
2. Check Register Report (Accounts Payable)	\$ (260,787.99)		AP
3. Cash Receipts - Daily Cash Summary Report	\$ 122,620.89		CR
Voided Check	\$ 9,971.72		AP
Payroll Checks and Tax Deposits	\$ (43,010.93)		PR, GJ
Utility Billings - Receipts	\$ 222,587.12		UB
Bank service charges and Interest	\$ (98.92)		GJ
	<u><u>\$ 51,281.89</u></u>	\$ 0.00	

Prepared by: Laurie Van Groningen 7/10/12  
Laurie Van Groningen, Finance Consultant

Reviewed by: Bruce Kranz 7/16/12  
Bruce Kranz, City Manager

CASH TRANSACTIONS REPORT

MONTH: JUNE

7/5/2012

City of Colfax

4:55 pm

	Beginning Balance	Debit	Credit	Ending Balance
Fund: 100 - GENERAL FUND	129,568.50	44,112.45	122,448.51	51,232.44
Fund: 120 - LAND DEVELOPMENT FEES	-3,238.48	16,553.15	2,049.25	11,265.42
Fund: 210 - MITIGATION FEE - TRAFFIC	79,069.97	0.00	0.00	79,069.97
Fund: 211 - MITIGATION FEE - DRAINAGE	2,923.28	0.00	0.00	2,923.28
Fund: 212 - MITIGATION FEE - TRAILS	45,464.73	0.00	0.00	45,464.73
Fund: 213 - MITIGATION FEE - PARK & REC	231,712.45	0.00	0.00	231,712.45
Fund: 215 - MITIGATION FEE - VEHICLES	145.54	0.00	0.00	145.54
Fund: 217 - MITIGATION FEE - D.T. PARKING	25,524.98	0.00	0.00	25,524.98
Fund: 218 - SUPPORT LAW ENFORCEMENT	-1,116.68	0.00	0.00	-1,116.68
Fund: 236 - CDBG - Economic Revitalization	-18,592.80	0.00	1,847.20	-20,440.00
Fund: 241 - HOUSING REHABILITATION	124,887.97	0.00	0.00	124,887.97
Fund: 244 - MICROENTERPRISE LENDING-CDBG	92,756.07	300.00	0.00	93,056.07
Fund: 250 - TRANSPORTATION	-27,197.99	180.00	10,727.27	-37,745.26
Fund: 252 - TRANSPORTATION IMPACT	61,309.04	0.00	0.00	61,309.04
Fund: 253 - GAS TAXES	79,283.00	5,101.50	1,774.35	82,610.15
Fund: 270 - BEVERAGE RECYCLING	23,872.66	0.00	0.00	23,872.66
Fund: 280 - Used Oil Grant UOG3-95-1432-31	3,552.66	0.00	451.20	3,101.46
Fund: 286 - BRICKS	5,205.08	0.00	0.00	5,205.08
Fund: 292 - FIRE CAPITAL FUND	27,027.11	0.00	0.00	27,027.11
Fund: 343 - RECREATION CONSTRUCTION	11,552.25	0.00	0.00	11,552.25
Fund: 344 - PROP 40 - POOL IMPROVEMENT	-124,442.27	0.00	0.00	-124,442.27
Fund: 347 - DINKY WAY CLOSURE	-9,419.66	0.00	505.00	-9,924.66
Fund: 350 - STREETS IMPROVEMENT PROJECTS	184,260.31	0.00	3,506.50	180,753.81
Fund: 560 - SEWER	-632,497.25	143,669.94	82,051.66	-570,878.97
Fund: 561 - SCSWAD LIFT	252,006.63	25,937.13	6,062.18	271,881.58
Fund: 563 - WASTEWATER TREATMENT PLANT	-47,961.27	53,203.67	54.00	5,188.40
Fund: 565 - GENERAL OBLIGATION BOND	22,393.95	26.86	0.00	22,420.81
Fund: 567 - I & I	415,597.11	333.71	0.00	415,930.82
Fund: 569 - Pond 3 Lining- I&I Repair	-107,432.15	54,457.93	71,567.20	-124,541.42
Fund: 570 - GARBAGE	-398,258.60	136.15	393.94	-398,516.39
Fund: 571 - 2% AB939	30,526.19	0.00	0.00	30,526.19
Fund: 572 - 27% LANDFILL	684,325.49	11,588.64	747.67	695,166.46
Grand Totals:	1,162,807.82	355,601.13	304,185.93	1,214,223.02

## Check Register Report

Date: 07/02/2012

Time: 10:43 am

Page: 1

CITY OF COLFAX

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>US BANK Checks</b>							
48431	06/13/2012	Printed		01661	ARC	I & I MITIGATION PLANS	961.08
48432	06/13/2012	Printed		01790	AUBURN OFFICE PRODUCTS	OFFICE SUPPLIES	87.18
48433	06/13/2012	Printed		02084	BRIGIT BARNES	PLANNING MAY	9,268.90
48434	06/13/2012	Printed		03122	CALIFORNIA ENVIRONMENTAL	WWTP CHEMICALS	9,971.72
48435	06/13/2012	Printed		03556	COLFAX RECORD	SUBSCRIPTION THRU 6/14/13	29.00
48436	06/13/2012	Printed		03558	COLFAX SMOG & AUTO REPAIR	2000 TRUCK REPAIR	1,773.06
48437	06/13/2012	Printed		08210	ROBERT HIRSCH	LOCAL 39 ARBITRATOR	1,511.38
48438	06/13/2012	Printed		08501	HOME DEPOT CREDIT SERVICES	CREDIT CARD PURCHASES	1,014.15
48439	06/13/2012	Printed		11116	BRUCE KRANZ	MILEAGE REIMBURSEMENT	455.67
48440	06/13/2012	Printed		06011	PELLETREAU, ALDERSON & CABRAL	LEGAL FEES MAY	11,227.13
48441	06/13/2012	Printed		16200W	PLACER COUNTY SHERIFFS DEPT.	TELEPHONE APRIL/MAY	248.38
48442	06/13/2012	Printed		19706	STATIONARY ENGINEERS LOCAL 39	SETTLEMENT AGREEMENT PAYMENT	50,000.00
48443	06/13/2012	Printed		19795	SWARTZ DIESEL POWER	FIRE TRUCK REPAIRS	1,929.37
48444	06/13/2012	Printed		21560	US BANK CORPORATE PMT SYSTEM	CREDIT CARD PURCHASES	2,461.89
48445	06/13/2012	Printed		03133	WATER POLLUTION CONTROL SERV	WWTP OPERATIONS	156.00
48446	06/20/2012	Printed		01414	ALHAMBRA & SIERRA SPRINGS	WATER CITY HALL/CORP YARD	120.92
48447	06/20/2012	Printed		01448	AMERIGAS - COLFAX	PROPANE DEPOT	86.77
48448	06/20/2012	Printed		01460	AMERIPRIDE UNIFORM SERVICE	UNIFORMS	469.72
48449	06/20/2012	Printed		01500	ANDERSON'S SIERRA	WWTP PLUMBING PARTS	2,204.97
48450	06/20/2012	Printed		01661	ARC	POND 3 PLANS	173.59
48451	06/20/2012	Printed		01790	AUBURN OFFICE PRODUCTS	SUPPLIES	273.24
48452	06/20/2012	Printed		02827	BLUE CAT STUDIO	ARCHIVE RETRIEVAL BILLBOARD	25.00
48453	06/20/2012	Printed		03118	CALCON SYSTEMS, INC	WWTP	14,515.60
48454	06/20/2012	Printed		03821	CWEA SACRAMENTO AREA	LIFT STATION TRAINING	81.00
48455	06/20/2012	Printed		04400	DIAMOND WELL DRILLING CO.	WWTP TESTING APRIL	6,727.00
48456	06/20/2012	Printed		04575	DOWNEY BRAND	WWTP LEGAL SERVICES	4,923.30
48457	06/20/2012	Printed		06109	ROBIN FAIRES	PARKING REIMBURSEMENT	10.00
48458	06/20/2012	Printed		07460	GOLD COUNTRY MEDIA	ORD 517 DELIQUENT GARBAGE	426.80
48459	06/20/2012	Printed		08159	HILL BROTHERS CHEMICAL CO.	WWTP CHEMICALS	4,208.93
48460	06/20/2012	Printed		08170	HILLS FLAT LUMBER CO	SUPPLIES	1,223.31
48461	06/20/2012	Printed		08660	HUNT AND SONS, INC.	GASOLINE FIRE DEPT	817.01
48462	06/20/2012	Printed		10790	KEN GRADY COMPANY, INC	WWTP TURBIDITY SENSOR	984.64
48463	06/20/2012	Printed		13195	MARSON'S	BOOT ALLOWANCE BRET ELLIS	200.00
48464	06/20/2012	Printed		16009	SEAN PATRICK	WWTP OPERATOR	430.00
48465	06/20/2012	Printed		16035	PG&E	UTILITIES	19,414.53
48466	06/20/2012	Printed		16040A	PITNEY BOWES	POSTAGE	655.98
48467	06/20/2012	Printed		16202	PLACER CO OES FISCAL UNIT	FIRE PROTECTION SERVICES	6,131.87
48468	06/20/2012	Printed		16140	PLACER COUNTY AIR POLLUTION	WWTP EMERGENCY GENERATOR	1,231.25
48469	06/20/2012	Printed		16560	PLATT	WWTP POND 3 DEWATERING	1,455.60
48470	06/20/2012	Printed		18193	RECOLOGY AUBURN PLACER	SLUDGE REMOVAL DEBRIS BOX	230.00
48471	06/20/2012	Printed		18400	RIEBES AUTO PARTS	SUPPLIES	380.96
48472	06/20/2012	Printed		19279	SERVICE ENGINEERING	WWTP PUMP WORK	3,231.05
48473	06/20/2012	Printed		19300	SHAW ENVIRONMENTAL, INC.	UNDERGORUND TANK TESTING	5,081.05
48474	06/20/2012	Printed		19390	SIERRA MARKET	SUPPLIES	51.01
48475	06/20/2012	Printed		19591	STANLEY CONVERGENT SECURITY	DEPOT SECURITY 7/1-9/30/12	111.30
48476	06/20/2012	Printed		22106	VAN GRONINGEN & ASSOCIATES	FINANCE CONSULTANT	3,428.75
48477	06/20/2012	Printed		23101	LARRY WALKER	NPDES AND POND 3 DEWATERING	18,033.97
48478	06/20/2012	Printed		23301	WESTERN PLACER WASTE	SLUDGE REMOVAL	574.57

Check Register Report

Date: 07/02/2012  
 Time: 10:43 am  
 Page: 2

CITY OF COLFAX

BANK: US BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>US BANK Checks</b>							
48479	06/29/2012	Printed		01414	ALHAMBRA & SIERRA SPRINGS	WATER WWTP	12.45
48480	06/29/2012	Printed		01448	AMERIGAS - COLFAX	PROPANE CITY HALL	17.20
48481	06/29/2012	Printed		01661	ARC	I & I PROJECT PLANS	403.73
48482	06/29/2012	Printed		01673	GABE ARMSTRONG	HEALTH INS REIMBURSEMENT JULY	762.00
48483	06/29/2012	Printed		01792	AUBURN PRINTERS	BUSINESS CARDS	277.18
48484	06/29/2012	Printed		04253	DEPARTMENT OF GENERAL SERVICES	OFFICE FURNITURE/SUPPLIES	113.14
48485	06/29/2012	Printed		08050	HACH COMPANY	WWTP GEL PROBE	292.86
48486	06/29/2012	Printed		08086	HBE RENTALS	SIDEWALK REPAIR TOOL RENT	167.80
48487	06/29/2012	Printed		08660	HUNT AND SONS, INC.	GASOLINE PUBLIC WORKS	786.64
48488	06/29/2012	Printed		09540	INTERSTATE SALES	ROAD SUPPLIES	807.97
48489	06/29/2012	Printed		10795	ALEX KARP	FIRE DEPT TRAINING	193.00
48490	06/29/2012	Printed		16202	PLACER CO OES FISCAL UNIT	FIRE MARSHAL OVERTIME EVENT	561.93
48491	06/29/2012	Printed		16300	PLACER COUNTY WATER AGENCY	WATER	2,609.66
48492	06/29/2012	Printed		16550	PLACER TITLE COMPANY	TITLE REPORT WWTP	550.00
48493	06/29/2012	Printed		16727	PONTICELLO ENTERPRISES	ENGINEERING MAY	42,391.85
48494	06/29/2012	Printed		16600	STATIONARY ENGINEERS, LOCAL 39	HEALTH INSURANCE AUGUST	9,210.00
48495	06/29/2012	Printed		21500	USA BLUE BOOK, INC	WWTP HOUR METER	232.88
48496	06/29/2012	Printed		22115	VERIZON CALIFORNIA	TELEPHONE	996.07
48497	06/29/2012	Printed		23056	RAY WAGNER	BOOT ALLOWANCE	116.13
48498	06/29/2012	Printed		23436	WILEY PRICE AND RADULOVICH,LLP	LEGAL SERVICES LOCAL 39 TRUST	11,276.90

<b>Total Checks: 68</b>	<b>Checks Total (excluding void checks):</b>	<b>260,787.99</b>
<b>Total Payments: 68</b>	<b>Bank Total (excluding void checks):</b>	<b>260,787.99</b>
<b>Total Payments: 68</b>	<b>Grand Total (excluding void checks):</b>	<b>260,787.99</b>

**DAILY CASH SUMMARY REPORT**

06/01/2012 - 06/30/2012

Page: 1  
7/5/2012  
5:04 pm

City of Colfax

		Debit	Credit	Net Chng
<b>Fund: 100 - GENERAL FUND</b>				
06/03/2012	Daily Totals	0.00	0.21	-0.21
06/13/2012	Daily Totals	6,962.05	0.00	6,962.05
06/21/2012	Daily Totals	1,161.00	0.00	1,161.00
06/27/2012	Daily Totals	35,986.70	0.00	35,986.70
06/29/2012	Daily Totals	2.70	0.00	2.70
<b>Fund: 100 - GENERAL FUND</b>	<b>TOTALS:</b>	<b>44,112.45</b>	<b>0.21</b>	<b>44,112.24</b>
<b>Fund: 120 - LAND DEVELOPMENT FEES</b>				
06/27/2012	Daily Totals	16,553.15	0.00	16,553.15
<b>Fund: 120 - LAND DEVELOPMENT FEES</b>	<b>TOTALS:</b>	<b>16,553.15</b>	<b>0.00</b>	<b>16,553.15</b>
<b>Fund: 244 - MICROENTERPRISE LENDING-CDBG</b>				
06/13/2012	Daily Totals	300.00	0.00	300.00
<b>Fund: 244 - MICROENTERPRISE LENDING-CDBG</b>	<b>TOTALS:</b>	<b>300.00</b>	<b>0.00</b>	<b>300.00</b>
<b>Fund: 250 - TRANSPORTATION</b>				
06/27/2012	Daily Totals	180.00	0.00	180.00
<b>Fund: 250 - TRANSPORTATION</b>	<b>TOTALS:</b>	<b>180.00</b>	<b>0.00</b>	<b>180.00</b>
<b>Fund: 253 - GAS TAXES</b>				
06/28/2012	Daily Totals	5,101.50	0.00	5,101.50
<b>Fund: 253 - GAS TAXES</b>	<b>TOTALS:</b>	<b>5,101.50</b>	<b>0.00</b>	<b>5,101.50</b>
<b>Fund: 560 - SEWER</b>				
06/29/2012	Daily Totals	200.00	0.00	200.00
<b>Fund: 560 - SEWER</b>	<b>TOTALS:</b>	<b>200.00</b>	<b>0.00</b>	<b>200.00</b>
<b>Fund: 561 - SCSWAD LIFT</b>				
06/13/2012	Daily Totals	468.00	0.00	468.00
06/21/2012	Daily Totals	814.00	0.00	814.00
06/27/2012	Daily Totals	407.00	0.00	407.00

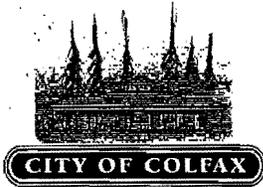
**DAILY CASH SUMMARY REPORT**

06/01/2012 - 06/30/2012

Page: 2  
7/5/2012  
5:04 pm

City of Colfax

		Debit	Credit	Net Chng
<b>Fund: 561 - SCSWAD LIFT</b>				
	<b>TOTALS:</b>	<b>1,689.00</b>	<b>0.00</b>	<b>1,689.00</b>
<b>Fund: 565 - GENERAL OBLIGATION BOND</b>				
06/27/2012	Daily Totals	26.86	0.00	26.86
<b>Fund: 565 - GENERAL OBLIGATION BOND</b>				
	<b>TOTALS:</b>	<b>26.86</b>	<b>0.00</b>	<b>26.86</b>
<b>Fund: 569 - Pond 3 Lining- I&amp;I Repair</b>				
06/27/2012	Daily Totals	54,457.93	0.00	54,457.93
<b>Fund: 569 - Pond 3 Lining- I&amp;I Repair</b>				
	<b>TOTALS:</b>	<b>54,457.93</b>	<b>0.00</b>	<b>54,457.93</b>
<b>Fund: 998 - PAYROLL CLEARING FUND</b>				
06/03/2012	Daily Totals	0.21	0.00	0.21
<b>Fund: 998 - PAYROLL CLEARING FUND</b>				
	<b>TOTALS:</b>	<b>0.21</b>	<b>0.00</b>	<b>0.21</b>
<b>GRAND TOTALS:</b>		<b>122,621.10</b>	<b>0.21</b>	<b>122,620.89</b>



REPORT TO  
COLFAX CITY COUNCIL

Agenda Item No.

COUNCIL MEETING OF  
JANUARY 25, 2012

**To:** Honorable Mayor and Members of the City Council, Sitting as the Planning Commission  
**From:** Brigit S. Barnes, Planning Director and Land Use Attorney  
**Date:** July 18, 2012  
**Subject:** Public Hearing and Consideration of Adoption of Resolution No. 29-2012: A Resolution Of The Planning Commission Of The City Of Colfax Approving An Application (#CUP-02-12) For a Conditional Use Permit for The Rock on the Ridge Church

**Recommended Action:** Conduct Public Hearing, Consider Public and Staff Comments and Adopt Resolution No. 29-2012

**SURROUNDING LAND USES AND SETTING:** 1506 South Canyon Way, Assessor's Parcel No. 101-132-024, City of Colfax, Placer County, California. The project site is bordered by commercial uses to the North and South, vacant/commercial uses to the East and Highway 80 to the West.

**PROJECT SUMMARY:**

**Applicant (s):** The Rock on the Ridge Church  
**Property Owner:** Penelope L. Todd  
**Project Location:** 1506 South Canyon Way, Colfax, CA  
**Land Use (existing):** Existing Commercial Building  
**Assessor's Parcel No:** 101-132-024  
**Zoning District:** Highway Commercial  
**GP Designation:** Commercial

**PUBLIC NOTICE:** This meeting has been noticed in accordance with the requirements of California Planning and Zoning Law, Title 7, Chapter 65000, Government Code, as amended.

## **PROJECT DESCRIPTION:**

The project is the consideration of a Conditional Use Permit to allow a church fellowship use to occur in an existing commercial building (leased space = 1,860 square feet) on an already developed 0.3 acre parcel within the Highway Commercial zone district (CH). See Attachment 1 - Building/Vicinity site photos. No modifications to the building exterior are proposed. Adequate parking will be provided via parking spaces in front of and behind the building.

Church services will consist of, but will not be limited to, the following:

Sunday morning 9:00 a.m. to Noon  
Sunday evening 6:00 p.m. to 8:00 p.m.  
Wednesday evening 6:30 p.m. to 8:00 p.m.

Services will consist of music (worship), teaching and preaching, and children's Sunday school. There will also be various meetings throughout the week.

The building will house chairs, an office for the pastor, a pulpit, sound system and basic church equipment.

Initial congregation estimates are between 15 and 25 people.

## **PROJECT ANALYSIS:**

A church is not listed as either a permitted or conditional use in the Highway Commercial Zone (Municipal Code Sections 17.80.020 and 17.80.040). Therefore, review of this project through the Conditional Use Permit process is appropriate. A Conditional Use Permit allows potential incompatibilities between land uses to be addressed and conditions to be added to minimize conflicts. The standards and requirements of the Zoning Ordinance are used to evaluate the appropriateness of a conditionally permitted use for a specific location. The only specific development standard established by the Zoning Ordinance for church uses is the parking requirement.

### Parking

Per Municipal Code Section 17.36.070.A.6., the parking requirements for a church use are as follows: 1 space for every four (4) seats. The applicant expects initial congregation attendance will be 15-25. Staff has calculated the parking spaces under the most conservative scenario of 25 congregants. The applicant has secured parking through its lease with the property owner. There are 5 parking spaces in front of the building and 12 spaces behind the building available to the applicant. Therefore, the applicant has met its requirement to provide a minimum of six (6) parking spaces, including 1 handicapped parking space that meets the Americans with Disabilities Act standards. Parking will be located in front of and behind the building. Separate parking spaces for the other tenant in the building have been specifically reserved for the other tenant pursuant to the church's lease with the property owner.

Future Plans for the Hiighway Corridor Area

As currently planned, the proposed church use provides no obvious conflict in the existing Highway Commercial Zone. However, the City has authorized planning and engineering staff to begin preparation of substantial amendments to the Zoning Maps, including a general plan amendment to allow for a special I-80 Revitalization District Overlay, and the relevant property will sit within the overlay area, if the Overlay is adopted by the City Council in the future. As currently planned, the relevant property sits immediately to the south of "Opportunity Area 10," which would involve intense retail/office/hotel development, including the possibility of restaurants/bars. Thus, a future use conflict may occur.

At the present time, however, these plans are not sufficiently certain, such that any use conflict precludes approval of this proposed use by the Planning Commission. Furthermore, staff is informed that the applicant's lease carries a one-year term, with month-to-month extensions. Therefore, staff recommends that if the Planning Commission votes to approve the application for a use permit, that the tenure of the permit at this location be limited to two years, thus allowing for reconsideration at a time when the Council will have concluded hearings on the potential uses to be developed near the building, and any circulation or parking issues which may result from the revitalization plans. So as not to unfairly burden the applicant, staff further requests that these supplementary reviews be performed by staff, and in the event that the applicant wishes to appeal an adverse staff decision on any use permit extension, that any new use application fees be waived.

Other City Departmental Review

The City Engineer reviewed the proposed project and determined that there were no comments warranted from City Engineering because any improvements associated with the proposed project appear to be onsite and within the purview of the Building and Planning Departments. Building and Fire Department issues will be addressed during the Building Permit/Tentative Improvement Plan Check process.

Plan Review By Interested Outside Agencies

The proposed project was submitted to all interested outside agencies. No comments were received.

**ENVIRONMENTAL ANALYSIS:**

The project proposes to establish a religious assembly in an existing commercial building on an already developed 0.3 acre parcel within the Highway Commercial zone district (CH). No modifications to the building exterior are proposed. Adequate parking is provided.

As such, the project qualifies for a CEQA Exemption pursuant to California Code of Regulations Chapter 3 (CEQA Guidelines), Article 19 (Categorical Exemptions), Section 15332 (In-fill Development) based on the following: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) the project site has no value, as habitat for endangered, rare or threatened species; (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) the site can be adequately served by all required utilities and public services.

**RECOMMENDATION/FINDINGS:**

Per Municipal Code Section 17.20.100.B, in considering an application for a Conditional Use Permit, the Planning Commission shall give due regard to the nature of the condition of the adjacent land uses and structures. The Planning Commission may deny such permit, may grant such permit as applied-for, or may grant such permit subject to such requirements and conditions with respect to location, construction, maintenance, operation and duration of the proposed use as the Planning Commission may deem necessary for the protection of the adjacent properties and the public interest.

If the Planning Commission determines that, based on the analysis of the operations provided above, and as conditioned the project will not negatively affect existing tenants or adjacent uses, Staff recommends that the Planning Commission:

- A. Adopt the following findings for #CUP-02-12 (The Rock on the Ridge Church):
  - 1. The Project, as conditioned, is consistent with the General Plan and applicable zoning requirements.
  - 2. The Project, as conditioned, is in harmony with the purpose of, and is similar in character with the uses allowed in, the Highway Commercial District (Chapter 17.80 of the Colfax Zoning Code).
  - 3. The Project conforms to applicable development standards.
  - 4. The Project, as conditioned, will not be detrimental to the public health, safety, or welfare.
  - 5. The site is physically suitable for the Project.
  - 6. The Project, as conditioned, will not cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat.
  - 7. The Project is consistent with the character of the immediate neighborhood.

8. The Project, as conditioned, will be accomplished without detriment to adjacent properties.
- B. Approve #CUP-02-12 (The Rock on the Ridge Church) subject to the Conditions of Approval set forth in Attachment 2.

ALL PLANNING COMMISSION DECISIONS MAY BE APPEALED TO THE CITY COUNCIL WITHIN 10 DAYS. CONTACT CITY HALL FOR APPLICATION AND FILING FEE INFORMATION.

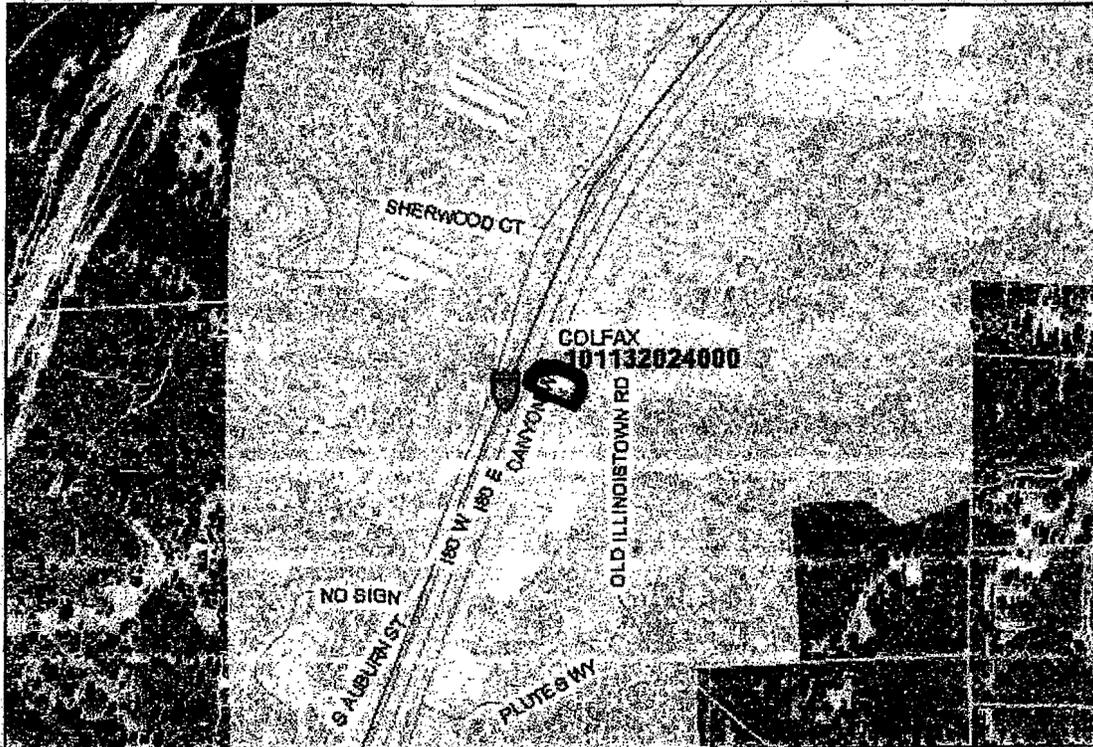
Attachments:

1. Building/Vicinity Site Photos
2. Conditions of Approval
3. Resolution

**PLACER COUNTY, CALIFORNIA**

**1506 S. Canyon Way**

<b>APN</b>	101-132-024-000
<b>Address</b>	1506 CANYON WY, COLFAX
<b>Approx. Acres</b>	0.28734147
<b>Community Plan Area</b>	City of Colfax
<b>Supervisor District</b>	BOARD OF SUPERVISORS DIST 5
<b>Fire District</b>	COLFAX CITY FIRE
<b>School District</b>	COLFAX ELEMENTARY SCHOOL DISTRICT



- Legend**
-  Selected Property
  -  Streets
  -  Parcels
  -  Lakes
  -  Placer County
  -  City Limits
  -  Counties



Address **South Canyon Way**

Address is approximate

The Rock on the Ridge Church #CUP02-12



## CONDITIONS OF APPROVAL

#CUP-02-12

1. This Conditional Use Permit, if effectuated, shall be valid for a period of two (2) years from this date (until **July 25, 2014**). Thereafter, the applicant may apply for a one-year extension of the permit, to be valid until **July 25, 2015**. Applicant understands and agrees that such extension will be contingent upon staff review and consideration of any possible use inconsistency with future highway commercial development in surrounding areas.

Approved and agreed to: \_\_\_\_\_  
Applicant Initials

2. The Conditional Use Permit shall be effectuated upon issuance of an occupancy permit by the Building Department.
3. The activities and services approved in conjunction with this Conditional Use Permit shall be as identified in the Project Description (Attachment 1).
4. All activities and services approved in conjunction with this Conditional use Permit shall be conducted entirely within the existing building.
5. The applicant shall submit a sign application to the City for review and approval prior to installation of any new signs. Depending on the size and type of sign finally approved, a building permit may be required for the sign prior to installation.
6. A minimum of six (6) off-street parking spaces, improved to City Standard, shall be provided on the site to accommodate the needs of the project's employees and congregants. One space shall be designated as van-accessible and meet the size and sign standards set forth in the Americans with Disabilities Act.
7. The applicant shall be required to pay any adjusted Sewer Services Charges that are applicable due to the proposed change in use.
8. The proposed change in use may require the upgrade of fire protection systems depending upon the final occupancy load calculated by the Building Department.
9. The applicant shall pay for and produce evidence of payment for all applicable impact or mitigation fees prior to issuance of a Certificate of Occupancy, Final Inspection or Building Permit, including, but not limited to, traffic, drainage, sewer, school, road, municipal services, etc. fees.

10. Tenant improvement or site improvement construction hours shall be limited to Monday through Friday, 6:00 a.m. to 6:00 p.m., Saturday, Sundays and observed holidays, 8:00 a.m. to 5:00 p.m.
11. The applicant shall ensure that this project is constructed and completed in accordance with all local, state and federal regulations, including obtaining any other permits that may be required by other governing bodies for this project.
12. The City's Fee Schedule and terms are incorporated as part of this approval. Applicant is aware that City charges based on actual cost and that outstanding planning application fees, engineering, and building plan check fees must be paid in full within 30 days of receipt of invoices. If the deposit(s) with the City for this project become(s) depleted and there is still work to be done, additional deposits shall be paid prior to any additional work being performed by the City on the project.
13. Other fees and deposits will be required during the building permit phase for this project, but are not included above, nor are they a part of this application. The fees/deposits for these items will be those in effect at the building permit application or issuance whichever applicable.
14. No certificate of occupancy/final inspection shall be issued until all conditions of approval are completed and approved by the appropriate City Official, Department, District, or Agency.
15. Indemnification of the City/Attorney's fees for Enforcement.
  - a. The applicant/developer agrees as a condition of approval/entitlement to defend, indemnify, and hold harmless the City and its agents, officers, employees, consultants, and volunteers from any claim, action, lawsuit or proceeding arising out the City's processing of this application, related permits and approvals and any improvements approved by City. Applicant agrees that City shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's obligations to indemnify and reimburse for actual defense costs.
  - b. In the event the City initiates proceedings against the applicant/developer regarding non-compliance with law or these conditions or any related approvals, the applicant shall reimburse the City for any and all court costs and attorney's fees as a result of any such action. Failure to reimburse the City within 30 days of receipt of invoices or establish a contractual payment schedule may result in the City placing lien against the subdivision property

in accordance with the tax assessor's process and procedures or other legal authority; and shall include costs of the lien process.

Approved and agreed to: \_\_\_\_\_  
Applicant Initials

# Project Description

## The Rock on the Ridge Church

Project Location: 1506 South Canyon Way, Assessor's Parcel No. 101-132-024, City of Colfax, Placer County, California.

The project is the consideration of a Conditional Use Permit to allow a church fellowship use to occur in an existing commercial building on an already developed parcel within the Highway Commercial zone district (CH). No modifications to the building exterior are proposed. Adequate parking will be provided via parking spaces in the front of and behind the building.

Church services will consist of, but not be limited to:

Sunday morning 9:00 a.m. to Noon  
Sunday evening 6:00 p.m. to 8:00 p.m.  
Wednesday evening 6:30 p.m. to 8:00 p.m.

Services will consist of music (worship), teaching and preaching, and children's Sunday school. There will also be various meetings throughout the week.

The building will house chairs, an office for the pastor, a pulpit, sound system and basic church equipment.

Initial congregation estimates are between 15 and 25 people.

Pastor Michael Anderson  
Pastor Christel Anderson

# City of Colfax

Resolution No. 29 - 2012

## **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLFAX APPROVING AN APPLICATION (#CUP-02-12) FOR A CONDITIONAL USE PERMIT FOR THE ROCK ON THE RIDGE CHURCH**

---

**Whereas**, the City of Colfax received Planning Application #CUP-02-12 for a Conditional Use Permit for The Rock on the Ridge Church located at 1560 South Canyon Way in the City of Colfax (the "Project"); and

**Whereas**, the City of Colfax, through the Planning Department, prepared a Notice of Exemption from CEQA for the Project; and

**Whereas**, the City of Colfax Planning Commission ("Commission") held a duly-noticed public hearing on the Project's application on July 25, 2012; and

**Whereas**, the Commission has reviewed and considered the staff report, any and all written comments received during the public review process, and any and all oral or written comments submitted at the public hearing.

**NOW THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Colfax:

1. That the Commission finds that the Project qualifies for an exemption from CEQA and directs the City Clerk to file a Notice of Exemption with the Clerk of the County of Placer for the Project within five (5) days of the date of this hearing for the Project.

2. That Planning Application #CUP-02-12 for a Conditional Use Permit for The Rock on the Ridge Church located at 1560 South Canyon Way in the City of Colfax is hereby approved subject to the following exhibits and findings:

**EXHIBIT 1 - CONDITIONS OF APPROVAL**

**FINDINGS:**

1. The Project, as conditioned, is consistent with the General Plan and applicable zoning requirements.

2. The Project, as conditioned, is in harmony with the purpose of, and is similar in character with the uses allowed in, the Highway Commercial District (Chapter 17.80 of the Colfax Zoning Code).
3. The Project conforms to applicable development standards.
4. The Project, as conditioned, will not be detrimental to the public health, safety, or welfare.
5. The site is physically suitable for the Project.
6. The Project, as conditioned, will not cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat.
7. The Project, as conditioned, is consistent with the character of the immediate neighborhood.
8. The Project, as conditioned, will be accomplished without detriment to adjacent properties.

**Passed and Adopted this 25<sup>th</sup> day of July, 2012 by the following roll call vote:**

**Ayes:**

**Noes:**

**Absent:**

**Abstain:**

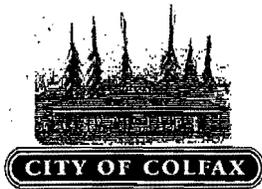
---

**Steve Harvey, Mayor**

**ATTEST:**

---

**Karen Pierce, City Clerk**



REPORT TO  
COLFAX CITY COUNCIL

COUNCIL MEETING OF  
JULY 25, 2012

Agenda Item No.

**To:** Honorable Mayor and Members of the City Council, Sitting as the Planning Commission  
**From:** Brigit S. Barnes, Planning Director and Land Use Attorney  
**Date:** July 18, 2012  
**Subject:** Consideration of Adoption of Resolution No. 30-2012, A Resolution of the Planning Commission Recommending the City Council to: (1) certify and adopt the Negative Declaration for Ordinance No. 519, An Ordinance of the City of Colfax Making Administrative Revisions to Title 17 of the Colfax Municipal Code (#PL-02-12), and (2) adopt Ordinance No. 519, An Ordinance Of The City Of Colfax Making Administrative Revisions to Title 17 Of The Colfax Municipal Code (#PL-02-12).

**Recommended Action:** Conduct Public Hearing, Consider Public and Staff Comments and adopt Resolution No. 30-2012.

**PROJECT LOCATION:** Citywide ordinance amendment, Colfax, Placer County, California

**PUBLIC NOTICE:** This meeting has been noticed in accordance with the requirements of California Planning and Zoning Law, Title 7, Chapter 65000, Government Code, as amended.

**PROJECT DESCRIPTION:** #PL-02-12/Administrative Zoning Code Revisions. The project proposes to amend the Colfax Zoning Code (Colfax Municipal Code Title 17). The purpose of these zoning code revisions is to (1) streamline the City's planning permit process by providing administrative-level approvals where feasible; (2) update the zoning code, including correcting inconsistencies, removing duplicative text and updating staff and agency references; and (3) reorganize the structure of the code to make it more understandable to both staff and the public. The project involves making administrative changes to the zoning code and does not involve changing the zoning on any parcels in the City. Any future projects processed pursuant to the provisions of the zoning code would be required to undergo applicable project-level environmental review.

## **BACKGROUND AND DISCUSSION:**

There are two primary planning and land use policy documents in the City of Colfax – the General Plan and the Zoning Code. Long-range goals, policies and objectives for the physical development of the City are established in the General Plan document. The Zoning Code is a regulatory document that regulates the level, intensity and type of land use for a development project, and includes specific, enforceable standards such as minimum lot size, maximum building height, minimum building setbacks, and a list of allowable uses within a given zone. Zoning looks at a given parcel and its immediately surrounding uses, whereas the general plan has a community-wide perspective.

The City's Zoning Code (Title 17 of the Municipal Code) dates from 1967 and has been amended from time to time, but appears to have never been comprehensively updated since its initial composition. Last year, staff was directed to modify review procedures for development in the City by delegating more authority to the Planning Director to administratively review and approve projects. By allowing the Planning Director to approve projects rather than requiring full Planning Commission and/or City Council review, it encourages improvement of the City by expediting the application and review process and lowering the overall cost of compliance with land use regulations for business and property owners. The City's Planning staff, City Manager, Land Use Committee, Community Services Director and City Attorney have worked together to achieve these goals.

## **FISCAL IMPACT:**

Adoption of Administrative Zoning Code Revisions will not have a fiscal impact on the City after adoption; it is hoped that the streamlining aspects of these revisions reduce the costs of review and administration by City staff. The costs of conducting specific project review remain the responsibility of project applicants pursuant to City policy, but the time and in certain cases extraordinary costs required of applicants to process minor approvals will be reduced. Supporting existing businesses and attracting new businesses in this manner is a potential benefit to the City's fiscal health.

## **PROJECT ANALYSIS:**

The project proposes to amend the Colfax Zoning Code (Colfax Municipal Code Title 17). The purpose of the Administrative Zoning Code Revisions Project is to:

- (1) streamline and thereby decrease the costs associated with the City's permit process by providing administrative-level approvals where feasible;
- (2) update the zoning code, including correcting inconsistencies, removing duplicative text and updating staff and agency references; and
- (3) re-organize the structure of the code to reflect modern city-type formatting and make it more understandable to both staff and the public.

The project involves making administrative changes to the zoning code and does not involve changing the zoning on any parcel in the City. Staff has advised the City Manager during preparation of this draft code that certain inconsistencies in zoning designation have been discovered on the existing City of Colfax Zoning Map. The City Manager has directed Staff to prepare revisions to the Zoning Map as a future project. Any future projects processed pursuant to the provisions of the zoning code would be required to undergo applicable project-level environmental review.

Once the Updated Zoning Code is adopted, the new administrative review process will be applied to projects and the costs of staff labor will be decreased because less staff time is required. Less staff time is required principally because staff does not have to prepare for and present projects anticipating minor changes with no practical environmental effects to the Planning Commission or City Council as required by the present Zoning Code. While the primary focus of the revisions is on the administrative review process and reorganizing and improving the usability of the Zoning Code, staff has also taken this opportunity to update various topics for consistency with State and federal law and to propose changes reflective of industry best practices.

The Table of Contents and a matrix-style summary of the proposed zoning code revisions are attached to this Staff Report (see Attachment Nos. 1 and 2).

The proposed new zoning code is comprised of five (5) articles:

Article I	-	General Provisions
Article II	-	Administration
Article III	-	Use and Zone District Regulations
Article IV	-	General Development Regulations
Article V	-	Special Area and Specific Use Regulations

The following is a brief description of each Article.

#### **ARTICLE I – GENERAL PROVISIONS**

Article I is an introduction to the zoning code and the districts established under the code. It includes definitions of key words and phrases used throughout the code. Proposed changes include adding new definitions, correcting outdated definitions, providing illustrations for ease of reference, and updating staff and agency references.

#### **ARTICLE II – ADMINISTRATION**

Article II contains the procedures for processing a permit, types of permits, types of public hearing and public notice, approval authority, the appeal process, permit revocation and enforcement and development agreements. The information has been organized into charts, where feasible for ease of reference. Proposed changes include establishing a new permit review process and approval authority structure, a summary of which is set forth below. This Article contains most of the significant revisions to the code. The goal was to streamline and thereby

decrease the costs associated with the City's permit process by providing administrative-level approvals wherever possible.

#### PERMIT TYPE & APPROVAL AUTHORITY

- Administrative Permit (AP) = The Planning Director is the approval authority for an Administrative Permit for uses that are listed as administratively-permitted uses and are in substantial compliance with the applicable development standards.
- Conditional Use Permit (CUP) = The Planning Commission is the approval authority for projects involving uses that require a conditional use permit or for any administratively-permitted uses where a public hearing was requested after notice of intent to approve was served on property owners within a 400' radius.
- Design Review Permit (DRP) = There are a series of exemptions for various design review projects. If the project is not exempt, the approval authority is the Planning Director, who also has the discretion to elevate a design review project to the Planning Commission if the proposal is not in substantial compliance with applicable, adopted design guidelines and prior conditions of approval, or if the Planning Director determines that, because of location, size or design, the public hearing should not be waived. The Planning Commission is the approval authority for design review projects that have been elevated by the Planning Director, and for design review projects processed in conjunction with any permit where the Planning Commission has been identified as the approval authority, such as a conditional use permit, rezone, general plan amendment or a project that involves a significant building (defined as those registered with the Federal or California Historic Registries). Note: Single-family and two-family residences are not subject to design review.
- Sign Permit (SP) = The approval authority for a sign permit is the Planning Director (known as an administrative sign permit). The Planning Director may also delegate administrative sign permit review and approval to other City employees. The Planning Director also has the discretion to elevate a sign permit application to the Planning Commission. The Planning Commission is the approval authority for sign permit projects that have been elevated by the Planning Director, and for sign permit projects processed in

conjunction with any permit where the Planning Commission has been identified as the approval authority, such as a conditional use permit, rezone or general plan amendment.

- Extension (EXT) = The Planning Director is the approval authority for extensions unless he/she determines that a public hearing is required, in which case the Planning Commission would be the approval authority.
- Modification (MOD) = The Planning Director is the approval authority for modifications unless he/she determines that a public hearing is required, in which case the Planning Commission would be the approval authority.
- Variance (VAR), Administrative = The Planning Director is the approval authority for variances that do not exceed 35% of the development standard.
- Variance (VAR) = The Planning Commission is the approval authority for variances that are 35% or greater than the development standard.
- Planned Development (PD) = The Planning Commission is the approval authority for planned developments
- General Plan Amendment (GPA) = The Planning Commission is the approval authority for projects that require a general plan amendment
- Rezone (REZ) = The Planning Commission is the approval authority for projects that require a rezone
- Development Agreements (DA) = The Planning Commission makes a recommendation to the City Council (approval authority)

#### PUBLIC HEARING TYPES

- A = Hearing waived; notice of intent to approve mailed to applicant and 400' radius property owners
- B = Full public hearing and notice per Government Code
- C = Hearing waived; notice of intent to approve posted on project site by property owner
- D = No hearing or notice required

<b>REQUIRED HEARINGS, AUTHORIZED APPROVAL AUTHORITY AND PUBLIC NOTICE</b>		
	<b>APPROVAL AUTHORITY</b>	
	<b>PLANNING DIRECTOR</b>	<b>PLANNING COMMISSION</b>
<b>TYPE OF PERMIT OR VARIANCE</b>		
Administrative Permit	D	-
Conditional Use Permit	-	B
Design Review Permit	-	B
Design Review Permit, Administrative	A/C/D	-
Development Agreement	-	B*
Extension	D	-
General Plan Amendment	-	B
Modification	A	-
Planned Developments	-	B
Rezone	-	B
Sign Permit	-	B
Sign Permit, Administrative	D	-
Variance	-	B
Variance, Administrative	D	

\*The planning commission makes a recommendation to the City Council

#### APPEAL AUTHORITY

A decision of the Planning Director is appealed to the City Manager.  
A decision of the City Manager is appealed to the Planning Commission.  
A decision of the Planning Commission is appealed to the City Council.

#### ARTICLE III – USE AND ZONE DISTRICT REGULATIONS

Article III sets forth a comprehensive list of uses that are allowed within each zoning district. Proposed changes include providing more examples of the types of uses contemplated by each zoning district and providing a clearer definition for each use. Information has been organized into

charts for ease of reference. This Article also provides development standards specific to each zoning district, such as height restrictions and setback requirements.

#### **ARTICLE IV – GENERAL DEVELOPMENT REGULATIONS**

Article IV contains general development regulations that apply to most projects (such as parking requirements, design guidelines and tree preservation guidelines, etc.), most of which were already part of the zoning code and have been inconsequentially revised. Proposed changes include organizing the parking requirements into a chart for ease of reference.

#### **ARTICLE V – SPECIAL AREA AND SPECIFIC USE REGULATIONS**

In Article V, use-specific regulations have been established, which are in addition to the general development standards (such as parking requirements and design guidelines) contained in Article IV. Examples of a specific use include such things as Home Occupations and Nightclubs. Most of these use-specific regulations are newly-added to the zoning code.

#### ***Other City Departmental Review***

The City Engineer and Fire Marshall have no comments on the project. Substantial comments have been received from the City's Community Services Director, which have in large part been incorporated into the proposed revisions. The City received no comments from the Sheriff.

#### **GENERAL PLAN CONSISTENCY:**

The intent of the Administrative Zoning Code Revisions Project is to make the development process more understandable, cost-effective and expeditious for potential business and property owners in order to create an environment that encourages locating new jobs and services within the City.

Based on the foregoing, the Administrative Zoning Code Revisions Project is consistent with the following General Plan Goals and Policies:

- a. Goal 8.5.2 – Encourage development that will provide a wide and balanced range of goods and services while creating employment for the resident labor force.
- b. Goal 8.5.6 – Create an economic atmosphere that encourages retention of jobs and business within the City.
- c. Policy 8.5.2 – Support and encourage commercial uses that do not create adverse impacts on other nearby uses, including the continued rejuvenation of the historic business district for local and specialty shoppers.
- d. Policy 8.5.4 – Attract new industries, and promote commercial uses which provide employment for the resident labor force.

## **ENVIRONMENTAL ANALYSIS:**

In accordance with the California Environmental Quality Act, the City of Colfax conducted an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. On the basis of that study, the City found that the proposed project will not have a significant adverse effect on the environment. Therefore, a proposed Negative Declaration was prepared (see Attachment No. 3). A Negative Declaration analyzes the potential environmental impacts of the project across a wide range of impact areas. The determination that the proposed project will not have a significant adverse effect on the environment is supported by the following facts: (1) The project involves making administrative changes to the zoning code and does not involve changing the zoning on any parcels in the City; (2) The revisions do not allow for a use or development standard greater in intensity than that contemplated under the original zoning code; and (3) Any future projects processed pursuant to the provisions of the zoning code would be required to undergo applicable project-level environmental review.

### ***Public Review of Environmental Document***

The Proposed Negative Declaration was circulated for public review, both locally and through the State Clearinghouse process, for a period of at least 30 days (June 21 through July 24, 2012). The Negative Declaration and Initial Study were posted on the City's website at [www.ci.colfax.us.ca](http://www.ci.colfax.us.ca). As of the date of this Staff Report (July 18), the City had received no comments from reviewing local and state agencies. If any should come in between July 19 and 24, 2012, Staff will provide an updated Staff Report to the Planning Commission.

In adopting the Negative Declaration, the Planning Commission must make the following findings under CEQA:

- The Negative Declaration has been completed in compliance with CEQA;
- Based on the record (including the Initial Study and comments received), there is no substantial evidence that the project will have a significant effect on the environment; and
- The Negative Declaration reflects the City's independent judgment and analysis.

CEQA also requires the lead agency to specify the location and custodian of the documents and other materials which constitute the record of proceedings upon which its decision is based. The custodian and location of these documents for the project is:

Planning Director  
City of Colfax Planning Department  
33 S. Main Street  
Colfax, CA 95713

**RECOMMENDED FINDINGS:**

Staff has drafted a Resolution containing the following recommended findings (see Attachment No. 4):

- A. Staff recommends the Planning Commission make a recommendation to the City Council to certify and adopt the Negative Declaration based on the following findings:
  - 1. The Negative Declaration has been completed in compliance with CEQA;
  - 2. Based on the record (including the Initial Study and comments received), there is no substantial evidence that the project will have a significant effect on the environment; and
  - 3. The Negative Declaration reflects the City’s independent judgment and analysis.
  
- B. Staff recommends the Planning Commission make a recommendation to the City Council to adopt the Ordinance based on the following findings:
  - 1. The proposed Ordinance is consistent with the following General Plan Goals and Policies:
    - a. Goal 8.5.2 – Encourage development that will provide a wide and balanced range of goods and services while creating employment for the resident labor force.
    - b. Goal 8.5.6 – Create an economic atmosphere that encourages retention of jobs and business within the City.
    - c. Policy 8.5.2 – Support and encourage commercial uses that do not create adverse impacts on other nearby uses, including the continued rejuvenation of the historic business district for local and specialty shoppers.
    - d. Policy 8.5.4 – Attract new industries, and promote commercial uses which provide employment for the resident labor force.

This Staff Report includes Proposed Ordinance No. 519: An Ordinance of the City of Colfax Making Administrative Revisions to Title 17 of the Colfax Municipal Code (see Attachment 5).

**ALL PLANNING COMMISSION DECISIONS MAY BE APPEALED TO THE CITY COUNCIL WITHIN 10 DAYS. CONTACT CITY HALL FOR APPLICATION AND FILING FEE INFORMATION.**

**Attachments:**

1. Table of Contents for Proposed Zoning Code
2. Matrix Summary of Proposed Administrative Zoning Code Revisions
3. Negative Declaration
4. Resolution 30-2012
5. Proposed Ordinance

**Title 17**

**ZONING**

**ARTICLE I GENERAL PROVISIONS**

**Chapters:**

- 17.04 Introductory Provisions**
- 17.08 Interpretations**
- 17.12 Definitions**
- 17.16 Establishment and Designation of Districts**
- 17.20 Zoning Map**

**ARTICLE II ADMINISTRATION**

**Chapters:**

- 17.24 Administration and Procedures**
- 17.28 Zoning Clearance Certification**
- 17.32 Permit and Variance Requirements**
- 17.36 Application Processing Procedures**
- 17.40 Public Review Provisions and Approval Standards**
- 17.44 Appeals**
- 17.48 Development Agreements**
- 17.52 Zoning Code Amendments**
- 17.56 Revocation Procedure**
- 17.60 Enforcement**

**ARTICLE III USE AND ZONE DISTRICT REGULATIONS**

**Chapters:**

- 17.64 Use Type Classifications**
- 17.68 Open Space, Civic and Agricultural Zones**
- 17.72 Residential Zones**
- 17.76 Commercial Zones**
- 17.80 Industrial and Manufacturing Zones**
- 17.84 Overlay and Special Purpose Zones**
- 17.88 Planned Developments**

## **ARTICLE IV GENERAL DEVELOPMENT REGULATIONS**

### **Chapters:**

- 17.92 General Development Standards**
- 17.96 Accessory Uses and Structures**
- 17.100 Nonconforming Uses, Buildings and Structures**
- 17.104 Density Bonuses and Other Incentives**
- 17.108 Off-Street Parking and Loading**
- 17.110 Tree Preservation Guidelines**
- 17.112 Signs**
- 17.116 Design Guidelines**
- 17.120 Performance Standards**
- 17.122 California State-Mandated Water Efficient Landscape Regulations**

## **ARTICLE V SPECIAL AREA AND SPECIFIC USE REGULATIONS**

### **Chapters:**

- 17.124 Special Area and Specific Use Requirements**
- 17.128 Adult (Sex)-Oriented Entertainment Businesses**
- 17.132 Antenna and Communication Facilities**
- 17.136 Bus Depots**
- 17.140 Emergency Shelter**
- 17.144 Food Service Facility**
- 17.148 Food Distribution**
- 17.152 Home Occupations**
- 17.156 Large Amusement Complexes**
- 17.160 Large Family Day Care**
- 17.162 Medical Marijuana Dispensaries**
- 17.163 Mineral Extraction and Processing**
- 17.164 Nightclubs**
- 17.168 Open Air Vending Facilities**
- 17.172 Outdoor Restaurant Seating**
- 17.176 Self-Service Storage Facilities**
- 17.180 Power Generating Facilities**
- 17.184 Recycling Collection Centers**
- 17.188 Relocation of Dwellings (Single and Two-Family)**
- 17.192 Reasonable Accommodations**
- 17.196 Second Dwelling Units**
- 17.200 Significant Buildings**
- 17.204 Temporary Uses**
- 17.208 Used Goods Collection Centers**

## SUMMARY OF ADMINISTRATIVE ZONING CODE REVISIONS

The proposed Zoning Code separates the code into five (5) “Articles.” The purpose of the zoning code revisions is to (1) streamline the City’s planning permit process by providing administrative-level approvals where feasible; (2) update the zoning code, including correcting inconsistencies, removing duplicative text and updating staff and agency references; and (3) re-organize the structure of the code to make it more understandable to both staff and the public.

<b>Proposed Code Chapter</b>	<b>Summary of Proposed Revisions</b>	<b>Prior Code Chapter</b>
Table of Contents	Updates Table of Contents to reflect correct order of existing and new chapters of Title 17	Table of Contents
ARTICLE I – GENERAL PROVISIONS	New title for a portion of the Zoning Code	N/A
17.04 Introductory Provisions	Deletes prior Section 17.04.040	17.04 Introductory Provisions
17.08 Interpretations	New Chapter	N/A
17.12 Definitions	Re-numbers Chapter to 17.12 Adds new Section – Purpose Adds new Section – General Rules of Construction Adds new definitions Updates some definitions Adds new diagrams to illustrate certain definitions	17.08 Definitions 17.24 General Provisions and Exceptions (certain portions)
17.16 Establishment and Designation of Districts	Re-numbers Chapter to 17.16 Adds existing Zone Districts (R-MHS, SPSD and H) to chart because they were missing from the previous chart	17.12 Establishment and Designation of Districts

	<p>Deletes prior Section 17.12.020.B</p> <p>Adds “substantial compliance” phraseology</p>	
<p>17.20 Zoning Map</p>	<p>Re-numbers Chapter to 17.20</p> <p>Adds Section 17.20.040.E</p> <p>Changes planning commission responsibilities and/or authority to planning director</p>	<p>17.16 Zoning Map</p>
<p>ARTICLE II – ADMINISTRATION AND PROCEDURES</p>	<p>New title for a portion of the Zoning Code</p>	<p>N/A</p>
<p>17.24 Administration</p>	<p>This is an all-new Chapter that sets forth the authority to administer the Zoning Code</p> <p>The prior Section (17.20) contained the types of permits required, hearing and appeal procedures, and fee schedules</p> <p>These items have been incorporated into new separate Chapters for ease of reference</p>	<p>17.20 Administration</p>
<p>17.28 Zoning Clearance Certification</p>	<p>New Chapter</p> <p>This Chapter provides a process for obtaining verification from the Planning Department that a parcel is in substantial compliance with all current requirements of the Zoning Code and, if applicable, the terms and conditions of any previously approved permit or variance</p> <p>Includes the requirement that a zoning clearance certification be obtained prior to the issuance of a building permit for a parcel</p>	<p>N/A</p>
<p>17.32 Permit and Variance Requirements</p>	<p>New Chapter</p> <p>This Chapter sets forth a new permit and approval authority structure, which is summarized in Attachment 1 to this Matrix</p>	<p>17.20 Administration (certain portions)</p>

	The goal is to streamline the City's planning permit process by providing administrative-level approvals where feasible	
17.36 Application Processing Procedures	New Chapter This Chapter describes the planning application process for permits, modifications, extensions, reconsideration requests and re-applications	N/A
17.40 Public Review Provisions and Approval Standards	New Chapter Charts were utilized for ease of reference where possible This Chapter sets forth a new public noticing and hearing structure, which is summarized in Attachment 1 to this Matrix The text contained in Sections 17.40.070.B.2.a-c was taken from the prior code The text contained in Sections 17.40.070.D.1-3 was retained from the prior code The text contained in Sections 17.40.070.E.1-4 was retained from the prior code The text contained in Sections 17.40.070.H.3.a-c was retained from the prior code	17.20 Administration (certain portions)
17.44 Appeals	New Chapter Charts were utilized for ease of reference where possible This Chapter sets forth a new appeal structure, which is summarized in Attachment 1 to this Matrix	17.20 Administration (certain portions)
17.48 Development Agreements	Revises code to reflect changes in the Government Code regarding Development Agreements	17.25 Development Agreements
17.52 Zoning Code Amendments	Changes Title to Zoning Code Amendments New code Sections 17.52.010-060 replace prior code Sections 17.52.010-090	17.52 Amendments

17.56 Revocation Procedure	New Chapter This Chapter set forth the circumstances under which a permit can be revoked and explains the revocation process	N/A
17.60 Enforcement	New code Sections 17.60.010-050 replace prior code Sections 17.56.010, 0.20 and .040 Re-numbers prior code Section 17.56.030 to 17.60.040 The text contained in Section 17.60.050 was retained from the prior code	17.56 Enforcement
ARTICLE III – USE AND ZONE DISTRICT REGULATIONS	New title for a portion of the Zoning Code	N/A
17.64 Use Type Classifications	New Chapter Provides thorough definitions and examples for various types of uses	N/A
17.68 Open Space, Civic and Agricultural Zones	This is an all-new Chapter that incorporates the prior Agricultural, Open Space and Special Public Service Districts Chapters into one The provisions of this Chapter were retained from the prior code, except for the following: The allowed uses and types of permits required for each of those uses are included in this Chapter The accessory uses and buildings section is now located in new Chapter 17.96 Accessory Uses and Structures Charts were utilized for ease of reference where possible	17.60 Agricultural District 17.64 Open Space District 17.92 Special Public Service District
17.72 Residential Zones	This is an all-new Chapter that incorporates the prior Single-Family Residence, Multi-Family Residence and Residential Mobilehome Subdivision Districts Chapters into one	17.68 Single-Family Residence District

	<p>The provisions of this Chapter were retained from the prior code, except for the following:</p> <p>The allowed uses and types of permits required for each of those uses are included in this Chapter</p> <p>The accessory uses and buildings section is now located in new Chapter 17.96 Accessory Uses and Structures</p> <p>Removes limitation on number of animals from this Chapter and establishes new Chapter 6.20 "Limitation on Number of Animals" in Municipal Code Title 6 "Animals"</p> <p>Charts were utilized for ease of reference where possible</p>	<p>17.72 Multi-Family Residence District</p> <p>17.88 Residential Mobilehome Subdivision District</p> <p>17.24 General Provisions and Exceptions (certain portions)</p>
<p>17.76 Commercial Zones</p>	<p>This is an all-new Chapter that incorporates the prior Retail Commercial and Highway Commercial Districts Chapters into one</p> <p>The provisions of this Chapter were retained from the prior code, except for the following:</p> <p>The allowed uses and types of permits required for each of those uses are included in this Chapter</p> <p>The accessory uses and buildings section is now located in new Chapter 17.96 Accessory Uses and Structures</p> <p>Deletes prior Chapter 17.76.070 "Marketing Analysis"</p> <p>Deletes prior Chapter 17.76.110 "New Districts – Minimum Area"</p> <p>Deletes prior Chapter 17.76.080 "Uses to be Enclosed"</p> <p>Removes limitation on number of animals from this Chapter and establishes new Chapter 6.20 "Limitation on Number of Animals" in Municipal Code Title 6 "Animals"</p> <p>Charts were utilized for ease of reference where possible</p>	<p>17.76 Retail Commercial District</p> <p>17.80 Highway Commercial District</p>

<p>17.80 Industrial Zones</p>	<p>This is an all-new Chapter that incorporates the prior Light Industrial District Chapter into one</p> <p>The provisions of this Chapter were retained from the prior code, except for the following:</p> <p>Creates a new Heavy Industrial District category; however, the zoning has not been changed on any parcels to this designation</p> <p>The purpose for the Light Industrial District set forth in Section 17.80.010 was retained from the prior code; a new purpose statement was added to distinguish between the two use categories</p> <p>The allowed uses and types of permits required for each of those uses are included in this Chapter</p> <p>The accessory uses and buildings section is now located in new Chapter 17.96 Accessory Uses and Structures</p> <p>Removes limitation on number of animals from this Chapter and establishes new Chapter 6.20 "Limitation on Number of Animals" in Municipal Code Title 6 "Animals"</p> <p>Charts were utilized for ease of reference where possible</p>	<p>17.84 Light Industrial District</p>
<p>17.84 Overlay and Special Purpose Zones</p>	<p>This is an all-new Chapter that incorporates the prior Historic District Overlay Zone and Special Development Overlay Zone Districts Chapters into one</p> <p>The provisions of this Chapter were retained from the prior code, except for the following:</p> <p>Removes the 8.7 Overlay Zoning District (OZ 8.7) in its entirety since no parcels on the zoning map have ever been identified as subject to this zoning district</p> <p>The applicable development standards for each district are included in this Chapter and were retained from the prior code</p>	<p>17.96 Design Guidelines and Historic Zone (certain portions)</p> <p>17.100 Overlay Zoning</p> <p>17.98 "SD" Special Development Overlay Zone</p>

	<p>Moves the Findings section for the Historic Zone district to new Section 17.40.070 of Chapter 17.40 “Public Review Provisions and Approval Standards”</p> <p>The Historic Zone District Design Guidelines are contained in new Chapter 17.116 “Design Guidelines”</p>	
<p>17.88 Planned Developments</p>	<p>Re-numbers Chapter to 17.88</p> <p>Removes the word “Unit” from the title of this Chapter</p> <p>The provisions of this Chapter were retained from the prior code, except for the following:</p> <p>Moves the Findings section to new Section 17.40.070 of Chapter 17.40 “Public Review Provisions and Approval Standards”</p>	<p>17.48 Planned Unit Developments</p>
<p>ARTICLE IV – GENERAL DEVELOPMENT REGULATIONS</p>	<p>New title for a portion of the Zoning Code</p>	<p>N/A</p>
<p>17.92 General Development Standards</p>	<p>Provides a purpose for this Article</p>	<p>N/A</p>
<p>17.96 Accessory Uses and Structures</p>	<p>This is an all-new Chapter that incorporates the accessory uses and structures that were identified in prior individual zoning district chapters</p> <p>The provisions of this Chapter were retained from the prior code, except for the following:</p> <p>Adds new examples of accessory uses and structures that were deemed appropriate for each zoning district</p> <p>Adds new diagrams to illustrate certain definitions</p>	<p>17.24.030; 17.24.040; 17.60.070; 17.68.030; 17.72.030; 17.76.030; 17.80.030; 17.84.030; 17.88.040</p>

<p>17.100 Nonconforming Uses and Structures</p>	<p>Provisions for nonconforming uses and structures were retained from the prior code Adds new provisions for nonconforming parking and parcels</p>	<p>17.32 Nonconforming Uses and Buildings</p>
<p>17.104 Density Bonuses and Other Incentives</p>	<p>No changes</p>	<p>17.104 Density Bonuses and Other Incentives</p>
<p>17.108 Off-Street Parking and Loading</p>	<p>Re-numbers Chapter to 17.108 The provisions of this Chapter were retained from the prior code, except for the following: Re-organizes parking requirements by use type into a chart for ease of reference Removes the excerpt from the ACS Accessibility Standards Interpretive Manual for regarding Handicapped Accessible Parking Requirements and incorporates it by reference instead Adds a new provision to allow for shared parking and the purchase and/or lease of parking spaces Adds new requirements for motorcycle and bicycle parking spaces</p>	<p>17.36 Off-Street Parking and Loading</p>
<p>Chapter 17.110 Tree Preservation Guidelines</p>	<p>Removes Tree Preservation Guidelines from Title 12 (Chapter 12.16 – Article II) of the Municipal Code and places them in this new Zoning Code Chapter The provisions of this Chapter were retained from the prior code, except for the following: Designates the planning director as the enforcement authority instead of the planning commission Requires a tree removal plan based on the health of the trees and which takes into account CalFire defensive perimeter protection requirements</p>	<p>Title 12, Chapter 12.16 – Article II Tree Preservation Guidelines</p>

<p>17.112 Signs</p>	<p>The provisions of this Chapter were retained from the prior code, except for the following:</p> <p>Designates the planning director as the administrator of this Chapter and the approving authority for sign permits instead of the city manager (Note: The Planning Commission will still be the approving authority for any sign permits associated with a project that is already being heard by the Planning Commission)</p> <p>Removes all references to the Design Review Commission, which has been disbanded</p> <p>Moves sign permit requirements to new Chapter 17.32 “Permit and Variance Requirements”</p> <p>Removes sign permit application requirements because they belong in an administrative form, not in the zoning code</p> <p>Retains sign guidelines and standards from prior code, including Tables</p> <p>Moves the Findings section to new Section 17.40.070 of Chapter 17.40 “Public Review Provisions and Approval Standards”</p> <p>Adds recently-adopted Digital Billboard Sign Ordinance</p> <p>Revises the prohibited signs section to be consistent with the newly-adopted Digital Billboard Sign Ordinance</p> <p>Changes signs on vehicles and/or trailers from “exempt” to “permitted”</p> <p>Re-defines “Shopping Center Planned Sign Program” as “Master Sign Program”</p> <p>Adds provisions that the City would not interfere with copyrighted national logo of any business outside of the Historic District</p> <p>Adds a provision for Liability of Damages</p> <p>Adds a provision for Enforcement</p>	<p>17.112 Signs</p>
-------------------------	--	-------------------------

<p>17.116 Design Guidelines</p>	<p>Re-numbers Chapter to 17.116</p> <p>The provisions of this Chapter were retained from the prior code, except for the following:</p> <p>Removes references to Design Review Commission, since it has been disbanded</p> <p>Removes design review permit application requirements because they belong in an administrative form, not in the zoning code</p> <p>Moves references to the establishment of the Historic District to new Chapter 17.84 “Overlay and Special Purpose Zones”</p> <p>Moves design review permit requirements to new Chapter 17.32 “Permit and Variance Requirements”</p> <p>Moves the Findings section to new Section 17.40.070 of Chapter 17.40 “Public Review Provisions and Approval Standards”</p> <p>Moves sign standards to Chapter 17.112 “Signs”</p>	<p>17.96 Design Guidelines and Historic Zone (certain portions)</p>
<p>17.120 Performance Standards</p>	<p>Re-numbers Chapter to 17.120</p> <p>Removes non-commercial noise standards from zoning code and establishes new Chapter 8.28 “Noise Standards” to Municipal Code Title 8 “Health &amp; Safety”</p> <p>Updates references to agencies involved in enforcement of performance standards</p>	<p>17.40 Performance Standards</p>
<p>17.122 California State-Mandated Water Efficient Landscape Regulations</p>	<p>No changes</p>	<p>17.110 California State-Mandated Water Efficient Landscape Regulations</p>

ARTICLE V – SPECIAL AREA AND SPECIFIC USE REGULATIONS	New title for a portion of the Zoning Code	N/A
17.124 Special Area and Specific Use Regulations	Provides a purpose statement for this Article	N/A
17.128 Adult (Sex)-Oriented Entertainment Businesses	Re-numbers Chapter to 17.128 The provisions of this Chapter were retained from the prior code, except for the following: Updates definitions to include new uses in modern society Changes the distance limitation from 500 feet to 1,000 feet from residential zones Adds provision requiring additional public notice of a permit application for this use be sent to property owners within 1,000 of the proposed use	17.108 Sex-Oriented Entertainment Businesses
17.132 Antennas and Communications Facilities	New Chapter Sets forth additional requirements for this particular use type	N/A
17.136 Bus Depots	New Chapter Sets forth additional requirements for this particular use type	N/A
17.140 Emergency Shelters	New Chapter Sets forth additional requirements for this particular use type	N/A
17.144 Food Service Facility	New Chapter Sets forth additional requirements for this particular use type	N/A

17.148 Food Distribution Facility	New Chapter Sets forth additional requirements for this particular use type	N/A
17.152 Home Occupations	Re-numbers Chapter to 17.152 Adds purpose statement Adds definition of a home occupation Adds limitations on uses Adds performance standards Adds the requirement that an administrative permit must be obtained in the following instances: (1) If the home occupation is not in conformance with the performance standards; or (2) If the home occupation requires personal contact with customers at the subject site, or involves regulatory oversight and/or permits	17.28 Home Occupations
17.156 Large Amusement Complexes	New Chapter Sets forth additional requirements for this particular use type	N/A
17.160 Large Family Day Care	New Chapter Sets forth additional requirements for this particular use type	N/A
17.162 Medical Marijuana Dispensaries	Re-numbers Chapter to 17.162	17.109 Medical Marijuana Dispensaries
17.163 Mineral Extraction and Processing	This is a new Chapter that incorporates Section 17.44.010.D of Chapter 17.44 “Use Permits” Sets forth additional requirements for this particular use type	Section 17.44.010.D of Chapter 17.44 Use Permits

17.164 Nightclubs	New Chapter Sets forth additional requirements for this particular use type	N/A
17.168 Open Air Vending Facilities	New Chapter Sets forth additional requirements for this particular use type	N/A
17.172 Outdoor Restaurant Seating	New Chapter Sets forth additional requirements for this particular use type	N/A
17.176 Self-Service Storage Facilities	New Chapter Sets forth additional requirements for this particular use type	N/A
17.180 Power Generating Facilities	New Chapter Incorporates Section 17.44.010.F of Chapter 17.44 "Use Permits" Sets forth additional requirements for this particular use type	Section 17.44.010.F of Chapter 17.44 "Use Permits"
17.184 Recycling Collection Centers	New Chapter Sets forth additional requirements for this particular use type	N/A
17.188 Relocation of Dwellings (Single or Multi-Family)	New Chapter Sets forth additional requirements for this particular use type	N/A

<p>17.192 Reasonable Accommodations</p>	<p>New Chapter Sets forth a process for individuals with disabilities to make requests for reasonable accommodation in regard to relief from the various land use, zoning, or rules, policies, practices and/or procedures of the city</p>	<p>N/A</p>
<p>17.196 Second Dwelling Units</p>	<p>New Chapter Incorporates Section 17.68.090 “Second Residential Units”, except for the following: Adds the requirement that the second residential unit shall also be required to obtain a separate legal sewer connection Removes the requirement that the property owner reside in one of the units at all times</p>	<p>17.68.090 Second Residential Units</p>
<p>17.200 Significant Buildings</p>	<p>New Chapter Defines and identifies Significant Buildings and sets forth a process to protect those buildings from demolition</p>	<p>N/A</p>
<p>17.204 Temporary Uses</p>	<p>New Chapter Sets forth a list of permitted and prohibited temporary uses and additional requirements for those temporary uses</p>	<p>N/A</p>
<p>17.208 Used Goods Collection Centers</p>	<p>New Chapter Sets forth additional requirements for this particular use type</p>	<p>N/A</p>

MISCELLANEOUS REVISIONS	
Deletes as obsolete	17.20.080 “Zoning permits – Issuance – Denial”
Deletes as obsolete	17.20.090 “Zoning permits – Compliance with Performance Standards”
Deletes as obsolete	17.20.150 “Special permits and approvals”
Deletes, as this is a Building Code issue	17.20.160 “Temporary Occupancy Permits”
Deletes	Section 17.24.060 “Lots of Record”
Deletes	Section 17.24.070 “Conditional Use Permits – Lot created prior to January 1, 1975”

## ATTACHMENT 1 - SUMMARY OF NEW PERMIT PROCESSING STRUCTURE

### PERMIT TYPE & APPROVAL AUTHORITY

- Administrative Permit (AP) = The Planning Director is the approval authority for an Administrative Permit for uses that are listed as administratively-permitted uses and are in substantial compliance with the applicable development standards.
- Conditional Use Permit (CUP) = The Planning Commission is the approval authority for projects involving uses that require a conditional use permit or for any administratively-permitted uses where a public hearing was requested after notice of intent to approve was served on property owners within a 400' radius.
- Design Review Permit (DRP) = There are a series of exemptions for various design review projects. If the project is not exempt, the approval authority is the Planning Director (known as an administrative design review permit), who also has the discretion to elevate a design review project to the Planning Commission if the proposal is not in substantial compliance with applicable, adopted design guidelines and prior conditions of approval, or if the Planning Director determines that, because of location, size or design, the public hearing should not be waived. The Planning Commission is the approval authority for design review projects that have been elevated by the Planning Director, and for design review projects processed in conjunction with any permit where the Planning Commission has been identified as the approval authority, such as a conditional use permit, rezone, general plan amendment or a project that involves a significant building (defined as those registered with the Federal or California Historic Registries). Note: Single-family and two-family residences are not subject to design review.
- Sign Permit (SP) = The approval authority for a sign permit is the Planning Director (known as an administrative sign permit). The Planning Director may also delegate administrative sign permit review and approval to other City employees. The Planning Director also has the discretion to elevate a sign permit application to the Planning Commission. The Planning Commission is the approval authority for sign

permit projects that have been elevated by the Planning Director, and for sign permit projects processed in conjunction with any permit where the Planning Commission has been identified as the approval authority, such as a conditional use permit, rezone or general plan amendment.

- Extension (EXT) = The Planning Director is the approval authority for extensions unless he/she determines that a public hearing is required, in which case the Planning Commission would be the approval authority.
- Modification (MOD) = The Planning Director is the approval authority for modifications unless he/she determines that a public hearing is required, in which case the Planning Commission would be the approval authority.
- Variance (VAR), Administrative = The Planning Director is the approval authority for variances that do not exceed 35% of the development standard.
- Variance (VAR) = The Planning Commission is the approval authority for variances that are 35% or greater than the development standard.
- Planned Development (PD) = The Planning Commission is the approval authority for planned developments
- General Plan Amendment (GPA) = The Planning Commission is the approval authority for projects that require a general plan amendment
- Rezone (REZ) = The Planning Commission is the approval authority for projects that require a rezone
- Development Agreements (DA) = The Planning Commission makes a recommendation to the City Council (approval authority)

**PUBLIC HEARING TYPES**

- A = Hearing waived; notice of intent to approve mailed to applicant and 400' radius property owners
- B = Full public hearing and notice per Government Code
- C = Hearing waived; notice of intent to approve posted on project site by property owner
- D = No hearing or notice required

<b>REQUIRED HEARINGS, AUTHORIZED APPROVAL AUTHORITY AND PUBLIC NOTICE</b>		
	<b>APPROVAL AUTHORITY</b>	
	<b>PLANNING DIRECTOR</b>	<b>PLANNING COMMISSION</b>
<b>TYPE OF PERMIT OR VARIANCE</b>		
Administrative Permit	D	-
Conditional Use Permit	-	B
Design Review Permit	-	B
Design Review Permit, Administrative	A/C/D	-
Development Agreement	-	B*
Extension	D	-
General Plan Amendment	-	B
Modification	A	-
Planned Developments	-	B
Rezone	-	B
Sign Permit	-	B
Sign Permit, Administrative	D	-
Variance	-	B
Variance, Administrative	D	

\*The planning commission makes a recommendation to the City Council

**APPEAL AUTHORITY**

A decision of the Planning Director is appealed to the City Manager.  
 A decision of the City Manager is appealed to the Planning Commission.  
 A decision of the Planning Commission is appealed to the City Council

**ATTACHMENT 3 – NEGATIVE DECLARATION**  
**AVAILABLE ON THE CITY’S WEBSITE AT**  
**[www.ci.colfax.ca.us](http://www.ci.colfax.ca.us)**  
**UNDER “REPORTS & DOCUMENTS”**

# City of Colfax

Resolution No. 30- 2012

## A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLFAX:

- (1) MAKING A RECOMMENDATION TO THE CITY COUNCIL TO CERTIFY AND ADOPT THE NEGATIVE DECLARATION FOR ORDINANCE NO. 519: AN ORDINANCE OF THE CITY OF COLFAX APPROVING ADMINISTRATIVE REVISIONS TO TITLE 17 OF THE COLFAX MUNICIPAL CODE; AND
  - (2) MAKING A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT ORDINANCE NO. 519: AN ORDINANCE OF THE CITY OF COLFAX MAKING ADMINISTRATIVE REVISIONS TO TITLE 17 OF THE COLFAX MUNICIPAL CODE
- 

**Whereas**, the City of Colfax submitted planning project #PL-02-12 to the Planning Commission (“Commission”) for an Ordinance making Administrative Revisions to Title 17 of the Colfax Municipal Code (the “Project”); and

**Whereas**, the City of Colfax, through the Planning Department, prepared an Initial Study and Negative Declaration of Environmental Impacts for the Project; and

**Whereas**, the Commission held a duly-noticed public hearing on the Project and its environmental document on July 25, 2012; and

**Whereas**, the Commission has reviewed and considered the proposed Initial Study and Negative Declaration of Environmental Impacts for the Project; and

**Whereas**, the Commission has reviewed and considered the staff report, any and all written comments received during the public review process, and any and all oral or written comments submitted at the public hearing; and

**Whereas**, the Commission finds that the Negative Declaration has been completed in compliance with the California Environmental Quality Act; and

**Whereas**, the Commission finds on the basis of the whole record before it, including the Initial Study and any comments received, that there is no substantial evidence that the Project will have a significant effect on the environment; and

**Whereas**, the Commission finds that the Initial Study and Negative Declaration reflect the independent judgment and analysis of the City as lead agency for the Project; and

**Whereas**, the Commission finds that the Project is consistent with the following General Plan Goals and Policies:

1. Goal 8.5.2 – Encourage development that will provide a wide and balanced range of goods and services while creating employment for the resident labor force.
2. Goal 8.5.6 – Create an economic atmosphere that encourages retention of jobs and business within the City.
3. Policy 8.5.2 – Support and encourage commercial uses that do not create adverse impacts on other nearby uses, including the continued rejuvenation of the historic business district for local and specialty shoppers.
4. Policy 8.5.4 – Attract new industries, and promote commercial uses which provide employment for the resident labor force.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission recommends to the City Council that it:

A. Certify and Adopt the Negative Declaration for Ordinance 519: An Ordinance Making Administrative Revisions to Title 17 of the Colfax Municipal Code and

B. Adopt Ordinance 519: An Ordinance Making Administrative Revisions to Title 17 of the Colfax Municipal Code

**Passed and Adopted this 25<sup>th</sup> day of July, 2012 by the following roll call vote:**

**Ayes:**

**Noes:**

**Absent:**

**Abstain:**

---

**Steve Harvey, Mayor**

**ATTEST:**

---

**Karen Pierce, City Clerk**

[PROPOSED] ORDINANCE 519

**AN ORDINANCE OF THE CITY OF COLFAX REPEALING TITLE 17 OF THE COLFAX MUNICIPAL CODE AND ADOPTING NEW TITLE 17 OF THE COLFAX MUNICIPAL CODE; ADDING CHAPTER 6.20 TO TITLE 6 OF THE COLFAX MUNICIPAL CODE; AND ADDING CHAPTER 8.28 TO TITLE 8 OF THE COLFAX MUNICIPAL CODE**

---

**Whereas**, in 1990 the City of Colfax adopted a General Plan, which established the comprehensive, long-term planning goals and policies for the physical development of land within the City's jurisdiction; and

**Whereas**, in accordance with the Government Code, and at the direction of the City Council, Planning Department staff have performed a comprehensive review of Title 17 of the Colfax Municipal Code and prepared administrative zoning code revisions, which include a new Title 17 (attached to this Ordinance as Exhibit A) replacing the existing zoning code in its entirety; a new Municipal Code Chapter 6.20 ["Limitations on Number of Animals"] (attached to this Ordinance as Exhibit B); and a new Municipal Code Chapter 8.28 ["Noise Standards"] (attached to this Ordinance as Exhibit C); and

**Whereas**, the administrative zoning code revisions are intended to establish rules and regulations for the use of land within the City's jurisdiction and implement the goals and policies of the General Plan; and

**Whereas**, the proposed administrative zoning code revisions are composed of reformatting many existing zoning provisions, eliminating inconsistent and outdated provisions, codifying new zoning provisions, adding use classifications reflecting modern residential, business, industry and community services type uses, re-structuring administrative provisions regulating the processes, findings and decision-making authorities for permits and entitlements, and expanding purpose statements, definitions and graphics in order to supplement, clarify and strengthen the written provisions of the zoning code; and

**Whereas**, in accordance with the California Environmental Quality Act ("CEQA") an initial study was performed, the result of which was preparation and circulation of a Negative Declaration analyzing the administrative zoning code revisions and concluding that adoption of the revisions could not have a significant effect on the environment because none of the impacts required to be analyzed under CEQA would exceed established thresholds of significance; and

**Whereas**, in accordance with established CEQA procedures, the City Council has, by separate Resolution: (1) considered the Negative Declaration and the record of the proceedings; (2) determined that there is no substantial evidence supporting a fair argument that adoption of the Project will result in a significant environmental effect;

and (3) adopted the Negative Declaration as an objective and accurate document, prepared in accordance with CEQA, and which reflects the independent judgment and analysis of the City in the analysis of the Project's environmental impacts; and

**Whereas**, the City Council and Planning Commission held duly-noticed public hearings on July 25, 2012 to consider the administrative zoning code revisions; and

**Whereas**, on July 25, 2012, the Planning Commission recommended that the City Council adopt the Ordinance for the administrative zoning code revisions; and

**Whereas**, the City Council has reviewed and carefully considered the administrative zoning code revisions following lawfully-noticed public hearings and, based on the reasons and findings set forth in this Ordinance, the City Council adopts the administrative zoning code revisions.

**NOW, THEREFORE, BE IT ORDAINED** that, based on the entirety of the record before it, which includes, without limitation, the California Environmental Quality Act, the City of Colfax General Plan, the Negative Declaration, including all written comments received on the Negative Declaration, all reports, minutes and public testimony submitted as part of the City Council and Planning Commissions duly-noticed public hearings on July 25, 2012, and any other evidence, the City Council of the City of Colfax does hereby ordain as follows:

**SECTION 1 – FINDINGS:**

1. The foregoing recitals are true and correct and made a part of this Ordinance.
2. The administrative zoning code revisions consists of a new Title 17 (attached to this Ordinance as Exhibit A) replacing the existing zoning code in its entirety; a new Municipal Code Chapter 6.20 ["Limitations on Number of Animals"] (attached to this Ordinance as Exhibit B); and a new Municipal Code Chapter 8.28 ["Noise Standards"] (attached to this Ordinance as Exhibit C);
3. The documents and other material constituting the record for these proceedings are in the custody of the Planning Director and located at the City of Colfax Planning Department, whose office is located at 33 S. Main Street, Colfax, CA 95713.
4. In accordance with established CEQA procedures, the City Council has, by separate Resolution: (1) considered the Negative Declaration and the record of the proceedings; (2) determined that there is no substantial evidence supporting a fair argument that adoption of the Project will result in a significant environmental effect; and (3) adopted the Negative Declaration as an objective and accurate document, prepared in accordance with CEQA, and which reflects the independent judgment and analysis of the City in the analysis of the Project's environmental impacts

5. The administrative zoning code revisions are consistent with the following General Plan Goals and Policies:

- a. Goal 8.5.2 – Encourage development that will provide a wide and balanced range of goods and services while creating employment for the resident labor force.
- b. Goal 8.5.6 – Create an economic atmosphere that encourages retention of jobs and business within the City.
- c. Policy 8.5.2 – Support and encourage commercial uses that do not create adverse impacts on other nearby uses, including the continued rejuvenation of the historic business district for local and specialty shoppers.
- d. Policy 8.5.4 – Attract new industries, and promote commercial uses which provide employment for the resident labor force.

6. The rules and regulations in the administrative zoning code revisions will implement the City's long-term land use and planning objectives, and among other compelling interests, will provide for separation of inconsistent land uses, facilitate provision of community services, and clarify land use and development standards and processes. Accordingly, adoption of the administrative zoning code revisions is necessary to fully implement the goals and policies of the General Plan. Further, for the reasons stated, adoption of the administrative zoning code revisions is a matter of public necessity and convenience, and will further the public health, safety and general welfare.

#### **SECTION 2 – REPEAL OF TITLE 17**

Title 17 is hereby repealed in its entirety and replaced as provided in Section 3 below.

#### **SECTION 3 – NEW TITLE 17 ADOPTED**

Title 17 is hereby added to the Colfax Municipal Code to read as set forth in Exhibit A attached hereto and incorporated herein.

#### **SECTION 4 – NEW CHAPTER 6.20 ADOPTED**

Chapter 6.20 is hereby added to the Colfax Municipal Code to read as set forth in Exhibit B attached hereto and incorporated herein.

#### **SECTION 5 – NEW CHAPTER 8.28 ADOPTED**

Chapter 8.28 is hereby added to the Colfax Municipal Code to read as set forth in Exhibit C attached hereto and incorporated herein.

**SECTION 6 – 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 7 – SEVERABILITY**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, the remainder of this Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council of the City of Colfax hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid or unenforceable.

**SECTION 8 – EFFECTIVE DATE**

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

This ordinance shall, within fifteen (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, duly-held on the 25<sup>th</sup> of July, 2012 and passed and adopted at a regular meeting of the City Council of the City of Colfax, duly-held on the 8<sup>th</sup> day of August, 2012, by the following vote:

- Ayes:**
- Noes:**
- Absent:**
- Abstain:**

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

**ATTEST:**

\_\_\_\_\_  
**Karen Pierce, City Clerk**

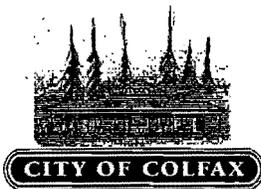
**ATTACHMENT 5 – PROPOSED ZONING ORDINANCE**

**(TITLE 17 OF THE COLFAX MUNICIPAL CODE)**

**AVAILABLE ON THE CITY’S WEBSITE AT**

**[www.ci.colfax.ca.us](http://www.ci.colfax.ca.us)**

**UNDER “REPORTS & DOCUMENTS”**



REPORT TO  
COLFAX CITY COUNCIL

COUNCIL MEETING OF  
JULY 25, 2012

Agenda Item No.

To: Honorable Mayor and Members of the City Council  
From: Brigit S. Barnes, Planning Director and Land Use Attorney  
Date: July 18, 2012  
Subject: Introduction and First Reading of Ordinance No. 519, An Ordinance Of The City Of Colfax Making Administrative Revisions to Title 17 Of The Colfax Municipal Code (#PL-02-12)

**Recommended Action:** By motion introduce Ordinance by title only, waive reading and continue for second reading at a future city council meeting.

**PROJECT LOCATION:** Citywide ordinance amendment, Colfax, Placer County, California

**PUBLIC NOTICE:** This meeting has been noticed in accordance with the requirements of California Planning and Zoning Law, Title 7, Chapter 65000, Government Code, as amended.

**PROJECT DESCRIPTION:** #PL-02-12/Administrative Zoning Code Revisions. The project proposes to amend the Colfax Zoning Code (Colfax Municipal Code Title 17). The purpose of these zoning code revisions is to (1) streamline the City's planning permit process by providing administrative-level approvals where feasible; (2) update the zoning code, including correcting inconsistencies, removing duplicative text and updating staff and agency references; and (3) re-organize the structure of the code to make it more understandable to both staff and the public. The project involves making administrative changes to the zoning code and does not involve changing the zoning on any parcels in the City. Any future projects processed pursuant to the provisions of the zoning code would be required to undergo applicable project-level environmental review.

**DISCUSSION:**

The July 18, 2012 Staff Report submitted to the Planning Commission is incorporated herein by reference for background, which discusses the Administrative Zoning Code Revisions Project (#PL-02-12) at length.

On July 25, 2012, the Planning Commission will conduct a public hearing on the Project. At the conclusion of the hearing, the Planning Commission may make a recommendation to the City Council to: (1) certify and adopt the Negative Declaration for the Administrative Zoning Code Revisions Ordinance; and (2) adopt said Ordinance.

**RECOMMENDATION:**

If the Planning Commission makes the above-referenced recommendation, Staff recommends that the City Council introduce and waive the full reading of the text of the Ordinance for the Administrative Zoning Code Revisions Project and schedule a second hearing on said Ordinance for August 8, 2012.

# CITY OF COLFAX

ORDINANCE NO. 518

AN ORDINANCE OF THE CITY OF COLFAX AUTHORIZING COLLECTION OF DELINQUENT SEWER SERVICE CHARGES ON THE PLACER COUNTY SECURED TAX ROLL FOR FISCAL YEAR 2012-2013

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

Section 1:

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

Section 2. Superseding Provisions

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

Section 3. Severability

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

Section 4. Effective Date

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

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 11<sup>th</sup> day of July, 2012, and passed and adopted at a regular meeting of the City Council held on the 25<sup>th</sup> day of July, 2012, at a duly held regular meeting of the City of Colfax, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Stephen Harvey  
Mayor

APPROVED AS TO FORM:

ATTEST:

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

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

Ordinance 518

Exhibit A

Recitals

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

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

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

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

D. At the July 11, 2012 hearing the City Council heard and considered all objections and protests to the Report and determined that protests were not made by the owners of a majority of the separate parcels of property described in the Report; and

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

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

Ordinance

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

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

City of Colfax

Sewer Service Charges - Delinquent Accounts Report

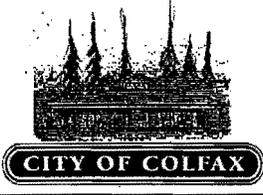
Balance As Of: 4/30/2012  
 Not Paid By: 7/3/2012 79 Totals: \$95,259.40 \$952.59 \$96,211.99

Location ID	Name	Property Address	Property ID	Delinquent	Processing		Total
					Fee		
AUBN-000011-0000-00	JULIE LALONDE	11 N AUBURN STREET	006-073-009-000	\$956.59	\$ 9.57		\$966.16
AUBN-000033-0000-00	LOUIS RESENDEZ	33 N AUBURN STREET	006-073-007-000	\$1,170.07	\$ 11.70		\$1,181.77
AUBN-000035-0000-00	RICK NICHELINI	35 N AUBURN STREET	006-073-006-000	\$571.48	\$ 5.71		\$577.19
AUBS-000002-0000-00	YOLANDA DOUGHERTY	2 S AUBURN ST	006-074-008-000	\$2,128.79	\$ 21.29		\$2,150.08
AUBS-000308-0000-00	ROBERT SINNOCK	308 S AUBURN ST	006-143-005-000	\$690.69	\$ 6.91		\$697.60
AUBS-000555-0000-00	JAMES PAYNE	555 S AUBURN ST	100-230-048-000	\$8,808.66	\$ 88.09		\$8,896.75
AUBS-000555-000E-00	COLFAX MAX	555 S AUBURN ST #E	100-230-048-000	\$471.24	\$ 4.71		\$475.95
AUBS-000575-000A-00	SIERRA MARKET	575 S AUBURN ST	100-230-048-000	\$2,473.46	\$ 24.73		\$2,498.19
CACC-000214-0000-00	LISA SANTANA	214 CANYON CREEK CIR	101-200-031-000	\$1,170.07	\$ 11.70		\$1,181.77
CACC-000215-0000-01	JAMIEY EMMANS	215 CANYON CREEK CIR	101-200-024-000	\$930.71	\$ 9.31		\$940.02
CACC-000247-0000-00	KEN ARNOLD	247 CANYON CREEK CIR	101-200-028-000	\$1,175.37	\$ 11.75		\$1,187.12
CACC-000256-0000-02	MARTIN KASHEVAROFF	256 CANYON CREEK CIR	101-200-040-000	\$1,170.07	\$ 11.70		\$1,181.77
CACC-000300-0000-00	LISETTE KEANE	300 CANYON CREEK CIR	101-200-044-000	\$1,109.01	\$ 11.09		\$1,120.10
CACC-000306-0000-01	MONTY ESSEX	306 CANYON CREEK CIR	101-200-043-000	\$1,170.07	\$ 11.70		\$1,181.77
CANC-000333-0001-00	JAMES PAYNE	203 CANYON COURT	101-080-030-000	\$3,399.44	\$ 33.99		\$3,433.43
CANS-000212-0000-02	JAMES PAYNE	212 S CANYON WAY	101-080-031-000	\$950.83	\$ 9.51		\$960.34
CANS-000920-0000-00	KATHLEEN KECK	920 S CANYON WAY	100-152-004-000	\$1,171.46	\$ 11.71		\$1,183.17
CHUE-000111-0000-00	PAUL JOHNSON	111 E CHURCH ST	006-103-001-000	\$1,204.22	\$ 12.04		\$1,216.26
CHUE-000120-0000-02	LARRY TILITSON	120 E CHURCH ST	006-076-018-000	\$1,164.36	\$ 11.64		\$1,176.00
COLF-000040-0000-02	SCOTT & MAUREEN MERRITT	40 COLFAX AVE	006-062-003-000	\$1,174.40	\$ 11.74		\$1,186.14
COND-000104-0002-00	JOHN MEDEIROS	104 CONDI LN	100-260-026-000	\$1,227.52	\$ 12.28		\$1,239.80
CULV-000005-0000-00	RANDY RICHISON	5 CULVER ST	006-063-005-000	\$1,163.96	\$ 11.64		\$1,175.60
DEPO-000011-0000-02	RICK NICHELINI	11 DEPOT STREET	006-043-004-000	\$639.16	\$ 6.39		\$645.55
DEPO-000055-0000-01	LISA QUIRK	55 E DEPOT ST	006-042-006-000	\$1,144.55	\$ 11.45		\$1,156.00
FIRH-000056-0000-00	STEVEN JONES	56 FIRE HOUSE ALLEY	006-066-031-000	\$1,133.14	\$ 11.33		\$1,144.47
FOST-000210-0000-02	MICHAEL& DENISE BARNARD	210 FOSTER RD	100-270-024-000	\$408.52	\$ 4.09		\$412.61
GEAR-000009-0000-00	MARK HOWARD	9 GEARHART LN	006-010-006-000	\$456.88	\$ 7.14		\$720.89 Paid Partial
GEAR-000012-0000-00	LAVERNE BECK	12 GEARHART LN	006-022-005-000	\$456.88	\$ 4.57		\$461.45
GLEN-000203-0001-00	DIANNE STRAMBI	203 GLENDALE RD	100-270-030-000	\$706.45	\$ 7.06		\$713.51
GRAV-023653-0000-02	GREGG WIBBERLEY	23653 GRAND VIEW AVE	101-161-048-000	\$921.80	\$ 9.22		\$931.02

EXHIBIT A

GRAV-023680-0000-02	MARK FORER	23680 GRAND VIEW AVE	101-161-042-000	\$1,171.46	\$	11.71	\$1,183.17
GRAV-023750-0000-00	CHRIS STASKUS	23750 GRAND VIEW AVE	101-161-037-000	\$931.81	\$	9.32	\$941.13
GRAV-023755-0000-00	BOB OSGOOD	23755 GRAND VIEW AVE	101-161-028-000	\$1,171.46	\$	11.71	\$1,183.17
GRAV-000121-0000-00	SMILE MERCHANT	121 W GRASS VALLEY STREI	006-061-007-000	\$326.19	\$	3.26	\$329.45
HUNT-000141-0000-00	TRENTON MOL	141 HUNTER LN	100-110-010-000	\$1,192.85	\$	11.93	\$1,204.78
JEFF-000245-0000-00	VICKY CURREY	245 JEFFERY PLACE	006-112-018-000	\$1,170.07	\$	11.70	\$1,181.77
LINC-000029-0000-00	ALBERTO SANCHEZ	29 LINCOLN ST	006-093-005-000	\$1,222.01	\$	12.22	\$1,234.23
MAIN-000046-0000-00	WAY WEST	46 N MAIN ST	006-067-003-000	\$2,610.70	\$	26.11	\$2,636.81
MAIN-000348-0000-00	LAVERNE BECK	348 N MAIN ST	006-022-005-000	\$692.97	\$	6.93	\$699.90
MAIS-000027-0000-00	WAY WEST	27 S MAIN ST	006-066-010-000	\$2,110.74	\$	21.11	\$2,131.85
MAIS-000121-0002-00	AUBURN CREEKS REAL ESTATE	121 S MAIN ST	006-091-007-000	\$1,149.96	\$	11.50	\$1,161.46
MARE-000121-0000-02	ROB OHNMACHT	121 E MARVIN STREET	006-074-009-000	\$1,170.07	\$	11.70	\$1,181.77
MARV-000210-0000-00	CHRISTIAN DAY	210 MARVIN AVE	006-075-004-000	\$1,170.07	\$	11.70	\$1,181.77
MINC-000116-0000-01	JASON BARR	116 MINK CREEK DR	100-260-053-000	\$490.06	\$	4.90	\$494.96
OAKE-000034-0000-00	ANDREW MARGHERITA	34 E OAK ST	006-101-007-000	\$1,193.00	\$	11.93	\$1,204.93
OAKH-000108-0000-00	KRIS SCHWARTZ	108 OAK HILL DR	006-010-046-000	\$1,184.18	\$	11.84	\$1,196.02
OAKR-001323-0002-00	JEREMY SCHWARTZ	1323 OAK RIDGE DR	100-250-035-000	\$1,191.88	\$	11.92	\$1,203.80
OAKR-001390-0000-02	MARTIN BURMIESTER	1390 OAK RIDGE DR	100-250-067-000	\$505.23	\$	5.05	\$510.28
OAKW-000104-0000-00	ARDITH CAMPBELL	104 W OAK ST	006-112-038-000	\$1,183.04	\$	11.83	\$1,194.87
OAKW-000216-0001-00	TISELL ROLF & WHALLEY,ERIK	216 W OAK ST	006-112-026-000	\$357.80	\$	3.54	\$357.80 Paid Partial
OAKW-000233-0000-00	FRANK BOZZA	233 W OAK ST	006-080-034-000	\$488.54	\$	4.89	\$493.43
PINS-000155-0000-00	VICKI SMITH	155 PINE ST	006-112-063-000	\$2,080.92	\$	20.81	\$2,101.73
PLEA-000120-0000-00	ANGELO DELCARLO	120 PLEASANT ST	006-030-037-000	\$1,170.07	\$	11.70	\$1,181.77
PLEA-000150-0000-00	HELEN MARKLE	150 PLEASANT ST	006-030-006-000	\$454.13	\$	4.54	\$458.67
PLEA-000415-0000-00	MIKE BAST	415 PLEASANT ST	006-010-035-000	\$824.16	\$	8.24	\$832.40
PNT0-000300-0002-00	ROBERT LANG	300 PINETOP CIR	101-190-003-000	\$3,965.85	\$	39.66	\$4,005.51
QUIN-000054-0000-01	RANDY RICHISON	54 QUINNS LN	006-091-035-000	\$1,170.07	\$	11.70	\$1,181.77
QUIN-000121-0000-02	LANTY MOLLOY	121 QUINNS LN	006-080-047-000	\$659.84	\$	6.60	\$666.44
RAIL-000101-0000-00	JAMES DOYLE	101 RAILROAD AVE	- - -	\$847.41	\$	8.47	\$855.88
RAIL-000159-0000-00	JAMES DOYLE	159 RAILROAD AVE	006-071-004-000	\$786.17	\$	7.86	\$794.03
RAIL-000201-0000-00	JAMES DOYLE	201 RAILROAD AVE	- - -	\$456.88	\$	4.57	\$461.45
RAIL-000223-0000-00	ART WHITE	223 RAILROAD AVE	006-131-009-000	\$1,655.80	\$	16.56	\$1,672.36
RAIL-000235-0000-00	HANFORDS CATERING	PO BOX 1236	006-131-009-000	\$572.96	\$	5.73	\$578.69
RAIS-000153-0000-03	JAMES DOYLE	153 S RAILROAD STREET	006-131-009-000	\$692.97	\$	6.93	\$699.90
RISS-000230-0000-00	KELLEY HOLDERFIELD	230 RISING SUN RD	006-080-042-000	\$692.22	\$	6.92	\$699.14
ROSE-000401-0000-00	JOHN ANDERSON	401 ROSE AVE	006-121-003-000	\$1,193.00	\$	11.93	\$1,204.93
SCHO-000034-0000-02	TERI SCHROETER	34 SCHOOL ST	006-041-003-000	\$1,170.07	\$	11.70	\$1,181.77
SCHO-000054-0000-00	THERESA LIGHTY	54 SCHOOL ST	006-041-001-000	\$1,178.74	\$	11.79	\$1,190.53

SHOL-000123-0000-00	STEVE TURNER	123 SCHOLTZ AVE	006-112-034-000	\$1,170.07	\$	11.70	\$1,181.77
SHOL-000136-0000-02	TED GIBSON	136 SCHOLTZ AVE	006-112-055-000	\$425.84	\$	4.26	\$430.10
SHOL-000232-0000-00	KIRK FALTERSACK	232 SCHOLTZ AVE	006-112-048-000	\$1,193.00	\$	11.93	\$1,204.93
SHOL-000240-0000-02	GLEN & CHRISTY REED	240 SCHOLTZ AVE	006-112-020-000	\$2,103.85	\$	21.04	\$2,124.89
SHOL-000444-0000-00	WAYNE PRICE	444 SCHOLTZ AVE	100-130-050-000	\$342.97	\$	3.43	\$346.40
SUNR-000242-0000-03	TAMMY JAMESON	242 SUNRISE AVE	006-044-003-000	\$1,184.81	\$	11.85	\$1,196.66
TREA-000151-0000-02	LISA MARK	151 TREASURTON ST	100-260-013-000	\$1,171.67	\$	11.72	\$1,183.39
TREA-000215-0000-02	GARY PIERCE	215 TREASURTON ST	100-270-005-000	\$1,164.36	\$	11.64	\$1,176.00
VIST-000205-0000-01	CHRIS SHAWL	205 VISTA AVE	006-044-004-000	\$334.16	\$	3.34	\$337.50
WALN-000044-0000-00	BETH MCSHANE	44 WALNUT ST	006-133-005-000	\$1,170.07	\$	11.70	\$1,181.77
WASH-000034-0000-00	SCOTT NAMANNY	34 WASHINGTON ST	006-132-003-000	\$1,170.07	\$	11.70	\$1,181.77



**REPORT TO  
COLFAX CITY COUNCIL**

Agenda Item No.

**COUNCIL MEETING OF  
July 25, 2012**

**To:** Honorable Mayor and Members of the City Council  
**From:** Bruce Kranz, City Manager  
**Prepared By:** Alan Mitchell, City Engineer  
**Subject:** Consideration of Adoption of Resolution No. 31-2012: A Resolution of the City Council of the City of Colfax Authorizing the City Manager To Execute the First Amendment to the Consultant Services Agreement between the City of Colfax and Psomas.

**Recommended Action:** Adopt Resolution No. 31-2012

**DISCUSSION:**

On May 21, 2012, through Resolution 19-2012 adopted May 23, 2012, the City entered into a Consulting Services Agreement (CSA) with Psomas for Resident Engineering, Inspection and Geotechnical Services for the construction of the Pond 3 Liner Project. Psomas' team was selected through a Qualifications Based Selection (QBS) process and deemed highly qualified to provide the services.

The I&I Mitigation Project requires construction inspection and materials sampling and testing services as well. Staff recommends the City utilize the results of the previous QBS process, to save time and money in procuring the necessary services. Psomas is qualified to perform these services and staff negotiated a fair and reasonable scope and fee with Psomas to perform this work under its existing Pond 3 Liner contract with the City.

Staff recommends that Council adopt the resolution amending Psomas' contract for the aforementioned services. If Council adopts the resolution then Psomas' revised contract will total \$328,938 which includes the First Amendment for \$115,386 and the original CSA for \$213,552.

**ALTERNATIVES:** None recommended by staff.

**FINANCIAL AND/OR POLICY IMPLICATIONS:** The fee associated with the inspection and geotechnical services is estimated to be \$115,386 based on the scope of work and construction duration. Compensation will be based on actual time and materials expended, and the approved amount cannot be exceeded without prior city approval.

The City Engineer has reviewed the Fee and finds it fair and reasonable for the proposed services.

The cost will be covered by State Revolving Fund funds, and adequate funds are budgeted to cover the proposed Fee.

**ATTACHMENTS:**

- (1) First Amendment to the Consultant Services Agreement between the City and Psomas
- (2) Resolution

**FIRST AMENDMENT TO CONSULTANT SERVICES AGREEMENT  
BETWEEN THE CITY OF COLFAX AND PSOMAS**

---

**ARTICLE 1. PARTIES AND DATE**

This First Amendment to the Consultant Services Agreement (“First Amendment”) dated as of the 25<sup>th</sup> day of July, 2012 is entered into by and between the City of Colfax (“City”) and Psomas (“Consultant”).

**ARTICLE 2. RECITALS**

**2.1** City and Consultant entered into that certain Consultant Services Agreement dated May 21, 2012 (“Agreement”), whereby Consultant agreed to provide those services specified in Exhibits A of the Agreement.

**2.2** City is preparing to construct improvements for the purpose of reducing Inflow and Infiltration into its wastewater collection system. These improvement are related to and utilize the same funding that the Agreement is based upon. The construction project is titled, “I&I Mitigation” with City project number 11-01.01.

**2.3** City and Consultant now desire to amend the Agreement to add construction inspection, materials sampling and testing services for the I&I Mitigation Project in accordance with Exhibit A – Revision 1, attached hereto.

**ARTICLE 3. TERMS**

**3.1 Services. Section shall be amended to read as follows:**

Subject to the terms and conditions set forth in the Agreement, Consultant shall provide said services described in Exhibit A – Revision 1. Consultant shall provide said services at the time, place and in the manner specified in Exhibit A - Revision 1.

**3.2 Compensation. Section shall be amended to read as follows:**

Exhibit A – Revision 1 is the negotiated Rate Schedule for services and expenses related to the I&I Mitigation Project. The Consultant shall be paid monthly for the actual fees, costs and expenses for all time and materials required and expended, in accordance with the terms in Exhibit A – Revision 1, for services rendered pursuant to the Agreement at the times and in the manner set forth.

**3.3 Continuing Effect of Agreement. Except as amended by this Amendment, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after**

**FIRST AMENDMENT TO CONSULTANT SERVICES AGREEMENT  
BETWEEN THE CITY OF COLFAX AND PSOMAS**

---

the date of this Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this Amendment.

**3.4 Adequate Consideration.** The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.

**3.5 Counterparts.** This Amendment may be executed in duplicate originals, each of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

PSOMAS  
A California Corporation

CITY OF COLFAX  
A Municipal Corporation

\_\_\_\_\_  
Kenneth D. Stram, Vice President/Principal

\_\_\_\_\_  
Bruce Lee Kranz, City Manager

ATTEST:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Alfred A. Cabral, City Attorney

June 19, 2012

Mr. Alan Mitchell, PE  
 Colfax City Engineer  
 Ponticello Enterprises Consulting Engineers  
 1216 Fortna Avenue  
 Woodland, CA 95776

RE: Proposed Amendment for the Addition of Inspection and Materials Testing Services for the I & I Mitigation Project

Dear Mr. Mitchell,

Thank you for the opportunity to provide additional inspection and testing services to the City of Colfax. Per your request, we are offering to provide construction inspection and materials sampling and testing services for your I & I Mitigation Project this summer as defined below.

Our understanding is that the project is scheduled to start construction on approximately August 1<sup>st</sup> and last 120 calendar days. The work involves the replacement and/or CIPP lining of a major portion of the City's collection system including laterals. Materials sampling and testing will be provided by our subconsultant, Holdrege and Kull, according to the attached scope and fee. All inspection and materials sampling and testing services will be provided in accordance with our existing contract and scope of services for the Colfax WWTP Pond 3 Liner Project and will be provided by qualified individuals, subject to your approval.

The following table summarizes our estimated not-to-exceed fee, based on the above understanding:

NAME	FIRM	RESPONSIBILITY	HOURLY RATE	TOTAL HRS	TOTAL COST
Ken Stram, PE	PSOMAS	Project Manager	\$ 175	17	\$2,975
Cliff Watson, PE	PSOMAS	Construction Inspector	\$ 117	688	\$80,496
Kim Yuson	PSOMAS	Administrative Support	\$ 70	34	\$2,380
	H&K	Materials Testing			\$28,129
		Sub Administration (5%)			\$1,406
		<b>Requested Amendment</b>			<b>\$115,386.00</b>

1075 Creekside Ridge Drive  
 Suite 200  
 Roseville, CA 95678-3504

Tel 916.788.8122  
 Fax 916.788.0600  
 www.psomas.com

Mr. Alan Mitchell, PE  
Page 2 of 2  
June 19, 2012  
Colfax I & I Mitigation Project

Our current budget is \$213,552. This amendment request is for \$115,386, which would bring the total authorized amount to \$328,938, if approved. Please indicate your approval of this request and authorization to proceed by signing below in the signature block provided. Please feel free to contact me at (916) 788-4851 or at [kstram@psomas.com](mailto:kstram@psomas.com).

Sincerely,

**PSOMAS**



Ken Stram, PE, LEED AP  
Project Manager  
[kstram@psomas.com](mailto:kstram@psomas.com)

Authorization to Proceed

**CITY OF COLFAX**

---

Signature

---

Name/Title

---

Date

Enclosure(s)

# EXHIBIT A - REVISION 1



PL12001 (I&I Mitigation)  
June 12, 2012

Psomas  
1075 Creekside Ridge Drive #200  
Roseville, California 95678

Attention: Ken Stram

**Reference:** *Colfax I&I Mitigation*  
Placer County, California

**Subject:** *Proposal for Construction Materials Testing Services*

Dear Ken,

Holdrege & Kull (H&K) is pleased to present you with this proposed scope of services and fee estimate for materials testing services associated with the I&I Mitigation Project for the City of Colfax wastewater system in Placer County, California.

## ***PROPOSED SCOPE OF SERVICES***

Based on H&K's understanding of the project, H&K proposes to perform the following scopes of services. Unless otherwise specified, an employee of H&K with the appropriate qualifications will perform each task.

### ***Materials Testing Services***

H&K understands that the project will require the following periodic materials testing services:

- Periodic field moisture/density testing during the backfilling operations associated with the installation of new piping for the wastewater collection system.
- Periodic field moisture/density testing during the backfilling operations associated with the removal and replacement of sewer manholes.
- Laboratory testing to support the materials testing being performed in the field.
- Preparation and distribution of field and laboratory reports presenting the results of testing performed.

**SCHEDULE**

H&K is located near the site and will attempt to accommodate last minute schedule changes if possible. H&K typically requests 48 hours advance notice for changes in the testing schedule. The time required for our services is dependent on the contractor's schedule. H&K relies on the client or the client's representative to notify H&K in advance of work being performed which requires observation and/or testing.

**FEE ESTIMATE**

H&K will endeavor to utilize staff concurrently working on the Colfax Wastewater Treatment Plant Pond 3 Upgrades when scheduling allows in an attempt to minimize cost. We have assumed that prevailing wage rates will apply during the course of the contract. We estimate the cost to provide the services outlined above and detailed in the attached fee estimate will be \$28,129.

**TERMS**

Actual fees will depend on contractor and subcontractor efficiency, suppliers, production schedules, and manpower commitments to various phases of construction. Actual fees will be based on the fee schedule in effect at the time services are provided. Should any conditions be encountered which require additional testing outside the scope of services outlined above, we will advise you promptly and obtain your approval on a recommended course of action. We can provide additional testing services beyond this estimate, at your request.

H&K appreciates the opportunity to submit this scope of services/fee estimate and we look forward to working with you. If you have any questions or need further information, please call.

Sincerely,

**HOLDREGE & KULL**

John Atkinson  
Laboratory and Field Supervisor

Fee estimate detail

C:\Users\johnal\Documents\H&K\proposals\PL12001 Colfax landl Mitigation\PN12001 Colfax landl Mitigation scope and estimate 12-0612.doc



# **CITY OF COLFAX**

## **RESOLUTION NO. 31-2012**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX AUTHORIZING CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF COLFAX AND PSOMAS**

**WHEREAS**, the Council of the City of Colfax on May 23, 2012 adopted Resolution 19-2012 for a Consulting Services Agreement with Psomas for Resident Engineer/Inspection and Geotechnical Engineering Services for the WWTP Pond 3 Liner Project; and,

**WHEREAS**, the City is preparing for construction of the I&I Mitigation Project that will utilize the same funding sources and will occur at the same time as the WWTP Pond 3 Liner Project; and,

**WHEREAS**, Psomas and its sub-consultant, H&K, are qualified to perform construction inspection and materials sampling and testing services for the I&I Mitigation Project.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Colfax hereby authorizes 1) the City Manager to execute the First Amendment to Consulting Services Agreement between the City of Colfax and Psomas; and 2) expenditures to said contractor not to exceed \$328,938.

**PASSED AND ADOPTED**, this 25<sup>th</sup> day of July, 2012, by the City Council of the City of Colfax, by the following roll call vote:

AYES:

NOES:

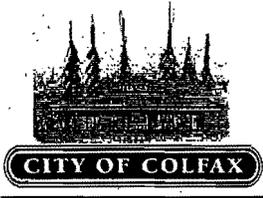
ABSENT:

ABSTAIN:

\_\_\_\_\_  
Stephen Harvey, Mayor

ATTEST:

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



**REPORT TO  
COLFAX CITY COUNCIL**

**COUNCIL MEETING OF  
July 25, 2012**

Agenda Item No.

**To:** Honorable Mayor and Members of the City Council  
**From:** Bruce Kranz, City Manager  
**Prepared By:** Alan Mitchell, City Engineer  
**Subject:** Consideration of Adoption of Resolution No. 32-2012: A Resolution of the City Council of the City of Colfax determining that Lorang Brothers Construction is the lowest responsive, responsible bidder on the I&I Mitigation Project, authorizing the City Manager to execute all necessary documents and take all actions to complete the I&I Mitigation Project, and appropriating sufficient funds to pay for the I&I Mitigation Project.

**Recommended Action:** Staff recommends the City Council adopt Resolution No. 32-2012, 1) authorizing the City Manager to execute a Construction Contract with Lorang Brothers Construction, Inc. in the amount of \$2,063,478 for the Base Bid plus Additive Alternate #2, and 2) authorizing expenditures not to exceed available funding under the review and approval of the Pond 3 Liner Committee consisting of Mayor Harvey and Council Member Delfino.

**ISSUE STATEMENT AND DISCUSSION:** The City received loans and grants to complete wastewater related projects including the Pond 3 Liner Project, Supervisory Control and Data Acquisition Project (SCADA), and an Inflow and Infiltration (I&I) Mitigation Project. These grants and loans were provided by the State Water Resource Control Board, the USDA, and the USEPA. The funds available for the I&I Mitigation are required to spent on sewer collection system rehabilitation by December 31, 2013.

Plans and specification for a 2012 I&I Mitigation Project were prepared and competitive bids were solicited in May 2012. Bid opening was held on July 6, 2012 with three bidders responding. The lowest responsive bid was from Lorang Brother Construction. A complete list of the bids is attached to this staff report.

The bid schedule included a base bid and two additive bid items. The base bid represents the minimum work necessary to attain a significant I&I reduction (mitigation) within the public system, and the major items of work include replacement or lining of 8,400 feet of sewer main, replacement or lining of 187 laterals from the main to property lines, and replacement of 32 manholes.. Additive #1 bid items represent additional sewer rehabilitation, including lining of 10,000 feet of sewer main and replacement or lining of 124 laterals. Unfortunately, the base bid price together with Additive #1 price exceeds the available budget, so the Additive #1 items of work will be deferred and added back into this project, if additional funding allows, or included in a subsequent I/I project if necessary. Additive #2 bid item is a project to repave Grand View Way at the completion of the Pond 3 Liner Project. This work is included in the Pond 3 Liner contract, at an amount of \$160,000. Due to potential funding constraints with the Pond 3 Liner Project, and the concern with the high cost for the work, staff included the item as Additive Alternate #2 in the I&I Mitigation Project. The funding constraints were not realized, however, Lorang Brothers submitted a bid that is nearly half the

cost of the Pond 3 Liner contractor, therefore staff feels it's prudent to complete the work with the I/I Mitigation project.

Based on Lorang's proposal and the above information, staff recommends that Council authorize the City Manager to execute a construction contract with Lorang Brothers Construction in the amount of \$2,063,478 for the Base Bid plus Additive Alternate #2. Staff further recommends that Council authorize expenditures with Lorang Brothers at an amount not to exceed the available construction funds for the project. Change orders and extra work beyond the scope approved by Council in the contract will be reviewed and approved by the Pond 3 Liner Committee consisting of Mayor Harvey and Council Member Delfino.

The low bid was checked for responsiveness in accordance with the bidding instructions and State requirements related to UDBE. It is staff's opinion that Lorang Brothers' bid is responsive and that the contract should be awarded to Lorang Brothers.

Work should commence in early August and be substantially completed by the end of November 2012. Final completion of the whole project is slated for December 2013.

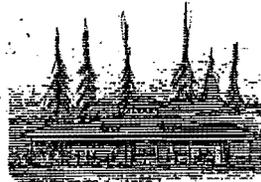
During the winter of 2012/13, a follow-on I&I study will be conducted to determine the effectiveness of this 2012 I&I Mitigation project, and identify any additional needs. If a balance of funds remains after completion of the Pond 3 Liner, I/I Mitigation, and SCADA projects, then staff will come back to Council with a recommendation and budget for these additional needs, which can be addressed in a subsequent I&I project.

**ALTERNATIVES:** None recommended by staff.

**FINANCIAL AND/OR POLICY IMPLICATIONS:** Construction costs for the I&I Mitigation Project are funded with a loan from the Clean Water State Revolving Fund and a USDA grant, which are also funding the Pond 3 Liner and SCADA projects. Based on the final bid results for all three projects, the planning, design, dewatering, construction management, administration and construction cost break down as shown in the below table.

Activity	Pond 3 Liner	SCADA	I&I Mitigation	TOTAL
Planning	\$ 145,276	\$ -	\$ -	\$ 145,276
Design	\$ 170,000	\$ 15,868	\$ 424,132	\$ 610,000
Construction Management	\$ 265,000	\$ 15,000	\$ 310,000	\$ 590,000
Administration	\$ 42,724	\$ 3,000	\$ 47,000	\$ 92,724
Dewatering (Pond 3)	\$ 262,455	\$ -	\$ -	\$ 262,455
Construction	\$ 2,395,000	\$ 73,072	\$ 2,469,473	\$ 4,937,545
<b>TOTAL</b>	<b>\$ 3,380,455</b>	<b>\$ 91,940</b>	<b>\$ 2,889,505</b>	<b>\$ 6,362,000</b>

Attachment: Bid Results  
Resolution



**CITY OF COLFAX**

**I & I MITIGATION PROJECT,  
CITY PROJECT NO. 11-01.01 ~ SWRCB PROJECT NO. C-06-7806-110  
BID OPENING – FRIDAY, JULY 6, 2012 AT 2:00 P.M.**

<b>CONTRACTOR</b>	<b>BASE BID</b>	<b>ADDITIVE BID ITEM #1</b>	<b>ADDITIVE BID ITEM #2</b>	<b>BASE BID + ADD #1 + ADD #2</b>
Lorang Brothers Construction Inc	\$1,978,978	\$1,041,226	\$84,500	\$3,104,704
Ranger Pipelines Incorporated	\$2,233,395	\$984,366.00	\$66,300	\$3,284,061
McGuire and Hester	\$3,237,021	\$1,373,892	\$81,250	\$4,692,163
<b>Engineer's Estimate</b>	<b>\$1,850,000.00</b>	<b>\$750,000.00</b>	<b>85,000.00</b>	<b>\$2,685,000.00</b>

OPENED BY: Karen Pierce

READ BY: Jim Fletter

WITNESSED BY: Jim Fletter

BASE BID No. ITEM DESCRIPTION	Unit	Quantity	Engineer's Estimate		Lorang Brothers Constr Inc		Ranger Pipelines Incorporated		McGuire and Hester	
			Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1 Mobilization and Demobilization	LS	1	\$ 78,398.00	\$ 78,398.00	\$ 77,000.00	\$ 77,000.00	\$ 81,500.00	\$ 81,500.00	\$ 143,000.00	\$ 140,000.00
2 Post-construction and non-construction pipe cleaning and CCTV Inspection	LF	6960	\$ 2.50	\$ 17,400.00	\$ 7.00	\$ 48,720.00	\$ 1.00	\$ 6,960.00	\$ 6.00	\$ 41,760.00
3 Spot repair of existing 6-inch and 8-inch sanitary sewer by open-cut method	EA	10	\$ 5,000.00	\$ 50,000.00	\$ 2,920.00	\$ 29,200.00	\$ 7,708.00	\$ 77,080.00	\$ 4,300.00	\$ 43,000.00
4 Spot repair lateral connection by open cut method	EA	128	\$ 1,500.00	\$ 192,000.00	\$ 2,528.00	\$ 323,584.00	\$ 1,800.00	\$ 230,400.00	\$ 3,600.00	\$ 460,800.00
5 Replace existing lateral by open-cut method	EA	173	\$ 1,000.00	\$ 173,000.00	\$ 1,220.00	\$ 368,760.00	\$ 1,200.00	\$ 207,600.00	\$ 4,600.00	\$ 795,800.00
6 CIPP lining of existing lateral by non-dig method	EA	14	\$ 4,000.00	\$ 56,000.00	\$ 7,535.00	\$ 105,490.00	\$ 1,600.00	\$ 21,000.00	\$ 7,200.00	\$ 100,800.00
7 Relocation of sewer lateral for Sierra Vista Community Center	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	\$ 3,500.00	\$ 3,500.00	\$ 40,000.00	\$ 40,000.00
8 Install new or replace existing property line cleanout by open-cut method	EA	180	\$ 500.00	\$ 90,000.00	\$ 425.00	\$ 76,500.00	\$ 500.00	\$ 90,000.00	\$ 1,000.00	\$ 180,000.00
9 Replace existing sewer main with 8-inch SDR-26 PVC by open-cut method	LF	2,897	\$ 150.00	\$ 449,550.00	\$ 91.00	\$ 272,727.00	\$ 303.00	\$ 908,091.00	\$ 195.00	\$ 584,415.00
10 Replace existing 4-inch sewer main with 4-inch DIP by open-cut method	LF	118	\$ 150.00	\$ 17,700.00	\$ 122.00	\$ 14,396.00	\$ 90.00	\$ 10,620.00	\$ 175.00	\$ 20,650.00
11 CIPP lining of 6-inch sewer main	LF	3,965	\$ 34.00	\$ 134,810.00	\$ 35.00	\$ 138,775.00	\$ 32.00	\$ 126,880.00	\$ 38.00	\$ 142,740.00
12 CIPP lining of 8-inch sewer main	LF	1,288	\$ 42.00	\$ 54,096.00	\$ 37.00	\$ 47,656.00	\$ 33.00	\$ 42,504.00	\$ 37.00	\$ 47,656.00
13 Blank Space	LF	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
14 Raise or Reset Manhole Frame & Cover	EA	24	\$ 850.00	\$ 20,400.00	\$ 900.00	\$ 21,600.00	\$ 500.00	\$ 12,000.00	\$ 800.00	\$ 19,200.00
15 Replace Manhole Frame & Cover with Pamrex or Pamtight Frame & Cover	EA	6	\$ 1,500.00	\$ 9,000.00	\$ 1,600.00	\$ 9,600.00	\$ 900.00	\$ 5,400.00	\$ 1,600.00	\$ 9,600.00
16 Blank Space	EA	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
17 Dig and Replace Sewer Manhole	EA	32	\$ 5,500.00	\$ 176,000.00	\$ 5,100.00	\$ 163,200.00	\$ 8,000.00	\$ 256,000.00	\$ 9,500.00	\$ 304,000.00
18 Install New Sewer Manhole	EA	8	\$ 6,000.00	\$ 48,000.00	\$ 5,200.00	\$ 41,600.00	\$ 7,500.00	\$ 60,000.00	\$ 7,500.00	\$ 60,000.00
19 Construct New or Replace Flushing Branch	EA	8	\$ 3,750.00	\$ 30,000.00	\$ 815.00	\$ 7,320.00	\$ 2,500.00	\$ 20,000.00	\$ 1,800.00	\$ 14,400.00
20 Construction Access, Tree Removal, Cleaning, Grubbing and Site Preparation	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 23,000.00	\$ 23,000.00	\$ 14,500.00	\$ 14,500.00	\$ 20,000.00	\$ 20,000.00
21 Traffic Control	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 28,000.00	\$ 28,000.00	\$ 4,500.00	\$ 4,500.00	\$ 50,000.00	\$ 50,000.00
22 Sheeting, Shoring and Bracing	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 28,000.00	\$ 28,000.00	\$ 3,500.00	\$ 3,500.00	\$ 25,000.00	\$ 25,000.00
23 Sewage Flow Control	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 25,000.00	\$ 25,000.00	\$ 3,500.00	\$ 3,500.00	\$ 40,000.00	\$ 40,000.00
24 Pre-Construction Lateral CCTV Inspection	EA	188	\$ 200.00	\$ 37,600.00	\$ 320.00	\$ 60,160.00	\$ 50.00	\$ 9,400.00	\$ 300.00	\$ 56,400.00
25 CIPP Lining of CMP Storm Drain on Pleasant Street	LF	50	\$ 60.00	\$ 3,000.00	\$ 185.00	\$ 8,250.00	\$ 150.00	\$ 7,500.00	\$ 160.00	\$ 8,000.00
26 Remove Alley AC, Re-grade and Place 3 Inches of AC	SF	4,160	\$ 2.40	\$ 9,984.00	\$ 5.75	\$ 23,920.00	\$ 6.00	\$ 24,960.00	\$ 5.00	\$ 20,800.00
27 N/A	LF									
28 Provide 16-inch DIP Casing	LF	60	\$ -	\$ -	\$ 442.00	\$ 26,520.00	\$ 100.00	\$ 6,000.00	\$ 200.00	\$ 12,000.00
<b>TOTAL BASE BID (All Items) =</b>				\$ 1,764,938.00		\$ 1,978,978.00		\$ 2,233,395.00		\$ 3,237,821.00

**ADDITIVE #1 BID ITEMS**

No. ITEM DESCRIPTION	Unit	Quantity	Unit Price	Extended Price						
A4 Spot repair lateral connection by open-cut method	EA	114	\$ 1,500.00	\$ 171,000.00	\$ 2,328.00	\$ 265,392.00	\$ 2,950.00	\$ 336,300.00	\$ 3,200.00	\$ 364,800.00
A5 Replace existing lateral by open-cut method	EA	114	\$ 1,000.00	\$ 114,000.00	\$ 2,426.00	\$ 276,564.00	\$ 2,040.00	\$ 232,560.00	\$ 4,200.00	\$ 478,800.00
A6 CIPP lining of existing lateral by non-dig method	EA	10	\$ 4,000.00	\$ 40,000.00	\$ 7,535.00	\$ 75,350.00	\$ 1,500.00	\$ 15,000.00	\$ 7,200.00	\$ 72,000.00
A8 Install new or replace existing property line clean-out by open-cut method	EA	124	\$ 500.00	\$ 62,000.00	\$ 425.00	\$ 52,700.00	\$ 500.00	\$ 62,000.00	\$ 650.00	\$ 80,600.00
A11 CIPP lining of 6-inch sewer main	LF	8,480	\$ 34.00	\$ 288,660.00	\$ 35.00	\$ 297,150.00	\$ 32.00	\$ 271,680.00	\$ 36.00	\$ 305,640.00
A12 CIPP lining of 8-inch sewer main	LF	802	\$ 42.00	\$ 33,684.00	\$ 37.00	\$ 29,674.00	\$ 33.00	\$ 26,466.00	\$ 37.00	\$ 29,674.00
A13 CIPP lining of 10-inch sewer main	LF	1,009	\$ 48.00	\$ 48,432.00	\$ 44.00	\$ 44,396.00	\$ 40.00	\$ 40,360.00	\$ 42.00	\$ 42,378.00
<b>TOTAL OF ADDITIVE #1 BID ITEMS</b>				\$ 757,776.00		\$ 1,041,226.00		\$ 984,366.00		\$ 1,373,892.00
<b>TOTAL BASE BID &amp; ADDITIVE #1 BID ITEMS</b>				\$ 2,522,714.00		\$ 3,020,204.00		\$ 3,217,761.00		\$ 4,610,913.00

**ADDITIVE #2 BID ITEMS**

No. ITEM DESCRIPTION	Unit	Quantity	Unit Price	Extended Price						
A27 Replace Grand View Way	TON	650	\$ 130.00	\$ 84,500.00	\$ 130.00	\$ 84,500.00	\$ 102.00	\$ 66,300.00	\$ 125.00	\$ 81,250.00
<b>TOTAL OF ADDITIVE #2 BID ITEMS</b>				\$ 84,500.00		\$ 84,500.00		\$ 66,300.00		\$ 81,250.00
<b>TOTAL BASE BID &amp; ADDITIVE #1 BID ITEMS &amp; ADDITIVE #2 BID ITEMS</b>				\$ 2,607,214.00		\$ 3,104,704.00		\$ 3,284,061.00		\$ 4,692,163.00

**Listed Subcontractors**

CIPP Pipe Lining of 6", 8" and 10" Sewer Lines	Christian Bros Lining Co	Christian Bros Lining Co
CIPP Pipe Lining of Laterals	Nor-Cal Pipeline Services	
AC		Martin Brothers Constr
Cured In Place Pipe Lining of Main Line (Partial)		Christian Bros Lining Co
Cured In Place Pipe Lining of Laterals		Nor-Cal Pipeline Services
Pipeline Cleaning & Video Inspection		Nor-Cal Pipeline Services
Tree Removal (Partial)		Mountain Enterprises
Asphalt Sawcutting (Partial)		California Cut & Core

Prepared By:  
KLL / Ponticello Enterprises



# City of Colfax

Resolution No. 32 - 2012

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLFAX DETERMINING THAT LORANG BROTHERS CONSTRUCTION IS THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER ON THE I&I MITIGATION PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS AND TAKE ALL ACTIONS TO COMPLETE THE POND 3 LINER PROJECT, AND APPROPRIATING SUFFICIENT FUNDS TO PAY FOR THE I&I MITIGATION PROJECT.**

---

**WHEREAS**, the City of Colfax (“City”) is required to complete an inflow and infiltration reduction project by December 31, 2013 under its Regional Water Quality Control Boards (Board) Cease and Desist Order, R5-2011-0097; and

**WHEREAS**, design for the “I&I Mitigation Project” (Project) conforming to the Board requirement were solicited for bid; and

**WHEREAS**, on July 6, 2012, after due and proper notice, the City received three bid proposals for construction of the Project with Lorang Brothers Construction ostensibly being the lowest bidder for the base bid and each additive bid item at a Base Bid of \$1,978,978, Additive #1 Bid Items of \$1,041,226, and Additive #2 Bid Item of \$84,500 for a total bid of \$3,104,704.00; and

**WHEREAS**, City staff reviewed the bid documentation submitted by Lorang Brothers Construction and found them to be responsive and responsible; and

**WHEREAS**, City staff has recommended that the Project be awarded to Lorang Brothers Construction as the lowest responsive, responsible bidder; and,

**WHEREAS**, available funding for the project is \$2,469,473; and,

**WHEREAS**, the Base Bid plus Additive #1 Bid Items exceed the available funding but Base Bid plus Additive #2 Bid Item is less than the available funding; and,

**WHEREAS**, City staff recommends that City Council award the contract to Lorang Brother Construction from the Base Bid and the Additive #2 Bid Item.

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

1. The foregoing recitals are true and correct statements of fact and are incorporated into this Resolution by this reference.

2. The City Manager is hereby authorized to execute a construction contract for the Project with Lorang Brothers Construction on behalf of the City.

3. The City Manager is hereby authorized to execute all other documents necessary to facilitate construction of the Project, and appropriate, encumber and expend an amount not to exceed \$2,063,478.00, the Base Bid plus Additive #2 Bid Item, to pay for construction of the Project.

4. The City Manager is authorized to expend an amount not to exceed the available funding under the review and approval of the Pond 3 Liner Committee consisting of Mayor Harvey and Council Member Delfino.

**PASSED AND ADOPTED**, this 25<sup>th</sup> day of July, 2012, by the City Council of the City of Colfax, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Stephen Harvey, Mayor

ATTEST:

---

Karen Pierce, City Clerk