



Posted: Friday, August 03, 2012

NOTICE AND CALL OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold its regular monthly meeting on
WEDNESDAY, AUGUST 08, 2012 at 7:00 PM
in the Town Hall at 409 Trinity Street

CLOSED SESSION BEGINS AT 6:30 PM

- I. CALL TO ORDER/ROLL CALL
- II. PLEDGE OF ALLEGIANCE
- III. ADJOURN TO CLOSED SESSION
 1. Government Code section 54956.9(b)(3): Pending Litigation
- IV. RECONVENE TO OPEN SESSION
- V. APPROVAL OF AGENDA
- VI. APPROVAL OF MINUTES - July 11, 2012 cc
- VII. COUNCIL MEMBER REPORTS, INCLUDING COMMITTEE ASSIGNMENTS
- VIII. ORAL STAFF REPORTS - Specific Department Reports, Planning Commission
- IX. ITEMS FROM THE FLOOR
(Three (3) minute limit per Speaker unless Council approves request for extended time.)
- X. CONSENT AGENDA
 1. Financial Status Reports for June 2012.
 2. Staff Activities Report for July 2012.
 3. Letter to Coastal Conservancy to Support RCAA Study.
- X. DISCUSSION/ACTION AGENDA ITEMS
 1. Discussion/Decision regarding Change Orders and Amendment to Agreement with GHD for Main and Trinity HR3 Project.
 2. Discussion/Decision regarding Resolution 2012-10; Approving OWTS Program Fees and Initial Implementation.
 3. Discussion/Decision regarding Ordinance 2012-03; Proposing an Extension of the ¼% Sales Tax Increase to be implemented pending voter approval at the November 06, 2012 Election.
 4. Discussion/Decision regarding Employee Vacation Policy Change.
- XI. COUNCIL, STAFF, or PUBLIC REQUESTS FOR FUTURE AGENDA ITEMS
- XII. ADJOURNMENT

APPROVAL OF MINUTES FOR:

JULY 11, 2012 CC:

Supporting Documentation follows with: _____ 5 PAGES

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JULY 11, 2012

I. CALL TO ORDER/ROLL CALL

- Mayor Bhardwaj called the meeting to order at 7:00PM. Council members in attendance: Morgan, Miller, Bhardwaj, Davies. **Fulkerson was absent.**
- City Staff in attendance: City Clerk Gabriel Adams, City Manager Karen Suiker, City Engineer Josh Wolf, City Attorney Andy Stunich.

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

1. Government Code section 54956.9(b)(3): Pending Litigation
 - a. Tsurai Ancestral Society Liability Claims for Damages, etc. against the City of Trinidad.

IV. RECONVENE TO OPEN SESSION

Mayor Bhardwaj announced that there were no decisions made during closed session to report.

V. APPROVAL OF AGENDA

*Motion (Miller/Davies) to approve the agenda as written. **Passed 4-0.***

VI. APPROVAL OF MINUTES – June 13, 2012 cc,

*Motion (Davies/Miller) to approve June 13 minutes as written. **Passed 4-0.***

VII. COMMISSIONERS REPORTS

Davies: Nothing to report.

Miller: Coastal National Monument Gateway Committee met and discussed ways to promote birding in our area.

Morgan: Appointed to Humboldt County Tourist Improvement District committee.

VIII. STAFF REPORTS

Karen Suiker – City Manager

- Summarized staff report included in the Council meeting packet. Introduced Trinidad Rancheria Vice Chairman Fred Lamberson III, who is head of the TLC Church on Berry Road, and also the Redwood Teen Challenge Director. Teen Challenge has volunteered its services to perform general landscaping and maintenance of Saunders Park.

Richard Johnson – Planning Commission Chair

- Announced the upcoming regular meeting agenda: 1) Leach property rebuild, 2) Civic Club Lighthouse Terracing Project

IX. ITEMS FROM THE FLOOR

Richard Garcia – Trinidad

Asked the Council how they plan to backfill the rental revenue lost if the lease for facilities on Trinidad Head doesn't get renewed.

X. CONSENT AGENDA

1. Financial Status Reports for May 2012
2. Ordinance 2012-03; Proposing an Extension of the % Sales Tax Increase to be implemented pending voter approval at the November 06, 2012 Election.
3. Authorize Staff to Respond to SWRCB Letter Regarding ASBS Special Protections and Request for Monitoring Program Report.
4. Change in Employee Health Insurance Plan

- Motion (Davies/Miller) to approve consent agenda. **Items 1, 3 & 4 Passed 3-1. (No – Morgan).**
- **Item 2 did not pass since it requires a 2/3 majority vote. Will be brought back at the next meeting for a second chance with the full Council present.**

XI. AGENDA ITEMS

1. Discussion/Decision regarding Consideration of Verizon's request to make upgrades to existing cellular facility on Trinidad Head.

City Attorney Stunich explained that Verizon has requested permission under its cell phone tower Leasehold with the City of Trinidad to make certain upgrades to its cell phone towers. Verizon seeks to make some minor changes inside the existing structure, replace three existing antennas with three new antennas of the same height and dimensions at the same locations, and replace a four foot dish with a three foot dish. I spoke with Verizon's attorney, Mr. Heard, on June 25, 2012. He advised that pursuant to the City Manager's request, a detailed work plan has been prepared to show exactly what will be done. His subsequent letter dated June 28, 2012 sets for the exact details on page 2. As can be seen, relatively minor modifications are proposed that will not make substantial changes to the Leasehold.

Stunich further explained that when the term "substantial" is used, it is used in the legal sense with the full understanding that many people view the matter emotionally or politically and on that basis anything done to the Leasehold is substantial. However, under an objective legal analysis, the proposed changes are far from substantial. According to a thorough analysis of the legal aspects involved, I recommend giving immediate written consent to Verizon for the proposed changes, and further recommend that any necessary permits be issued as soon as possible.

Council comments included:

Bhardwaj: Noted that the equipment proposed to be installed is smaller than what's already there.

Morgan: Federal Law supersedes State and Local Laws. There's nothing we can do to fight it.

Public comment included:

Brad Twoomey – Trinidad

Shared statistics and history of Verizon buying out smaller companies. Suggested that the City be compensated for roaming agreements as well.

Mareva Russo – Trinidad

I doubt Federal Law supersedes local land use policy. I think it's reasonable to have Verizon apply for a coastal permit. The lease specifies that the plans must be submitted and reviewed. We should hold them to it. Furthermore, the "invisible" to Verizon is the core of their business. Verizon suggests that the City not be concerned with the invisible improvements. The lease needs to end and Verizon needs to move.

Jim Cuthbertson – Trinidad

Fisherman use cell phones. This conversation has gone on too long. Approve the request so Verizon can move forward. ☺

Council comments included:

Miller: We depend and rely upon our Attorney to give us sound advice. His staff report explains that we're locked into the approval. There's also a 5 year extension on the lease agreement that Verizon may choose to continue. The City has no say in that as well. The visible changes may be minor, but the "invisible" changes are significant. I'm inclined to support of the project given the advice of our Attorney.

Davies: There isn't a choice to be made. I'm voting yes, but not happy about it.

Morgan: Will this have to go through the planning process? **City Manager Suiker** explained that the City Planner will be asked to review and determine if a CDP is required.

Bhardwaj: Trinidad Head is the ideal location for this facility, but other places have better cell service than Trinidad. I'm confident in the long-run that other options will be found. The Head is a world class resource. The best question is how do we best use the Head now that provides the future with the best resource. This proposal fits the lease. Regardless, Trinidad can't take on Verizon's legal department. I support the approval.

Motion (Miller/Davies) to grant Verizon approval to proceed with the application review process for proposed upgrades to their cellular facility on Trinidad Head. Passed 4-0.

2. Discussion/Decision regarding Azalea & Pacific State Transportation Improvement Project.

City Manager Suiker explained that the proposed Azalea and Pacific STIP Project includes the rehabilitation of Azalea Way and Pacific Street to bring the roads up to City standards, provide better emergency vehicle access and improve the road drainage facilities.

This project was initially included in the State/Regional Transportation Improvement Program (STIP/RTIP) in 2002 following a series of public meetings. State funds to complete the design on this project expired in 2008; however, the City Council more recently approved an allocation of Proposition 1B funds to replace those expired funds which enabled the archaeological review, survey and project design to move forward. Two public meetings have been held to present the proposed design specifics and respond to numerous citizen inquiries and concerns, in particular the need for a 20 foot width to meet fire code standards and the desire for a permeable surface.

City Engineer Josh Wolf explained that the resulting proposed improvements include roadway widening and paving, and installation of curb and gutters, concrete connections between the new paved roadway and adjacent existing residential concrete driveways, drainage swales, subsurface drainage systems, street signs, and trees. Azalea Way will be widened from approximately 9-feet to 20-feet, as required to comply with the California Fire Code, and paved with a combination of asphalt concrete and grass pavers. The grass pavers will allow for narrowing the visible pavement on Azalea to approximately 17 feet and achieve the remaining required width with a grass paver system. This is basically a plastic interlocking grid that is backfilled with soil and seeded with grass, and can be designed to support fire trucks. The disadvantage is that the City will need to maintain the grass on the grid and ensure that organic material doesn't build up so as to reduce its ability to support vehicles. It is felt this surface will address the citizen concerns for less paving and reduced width appearance, while still meeting fire code standards. Pacific Street's graveled surface will be replaced with an asphalt concrete paved surface that will generally follow the same extents as the graveled surface.

If funding allows, improvements may also include the replacement of an existing 2-inch water line and the addition of a new fire hydrant. The project is limited to work within the City Right-of-Way (ROW) with the exception of minor driveway transitions to the newly paved roadway.

The project is programmed for construction (construction capital and construction engineering) in FY 12/13 for the total amount of \$423,000.

Public comment included:

Susan Berresford – Trinidad

Requested that the curbs along Azalea Street to be painted red.

Jim Cuthbertson – Trinidad

If money doesn't become available, how will he pay the engineer for all the work he's doing? City Manager Suiker explained that the City allocated \$55,000 from Prop 1B funds for engineering and archeological review of this project.

Tom Odom – Trinidad

This is a great looking project. I support it.

John Spyropolous - Trinidad

The street is fine as-is.

There were no comments from the council.

Motion (Miller/Davies) to authorize staff to finalize the design, CEQA documentation and permits, and request an allocation of construction funds from the California Transportation Commission. Passed 4-0.

Morgan was excused from the meeting at approximately 8:45pm.

3. Presentation of County's Draft General Plan and draft Environment Impact report. - 8:30 pm
City Manager Suiker introduced Martha Spencer, Supervising Planner from the County of Humboldt who presented a slide show documenting the General Plan process, current status, and overview of the changes made through the years of working on the project.

Council comments included:

Bhardwaj: In 2003 the County held Public meetings in Trinidad and worked diligently to be inclusive of the cities and communities affected by the plan. That was much appreciated. She also noted her surprise and satisfaction of the Telecommunication Element of the Plan.

No further comment was made from Council or the public.

Presentation item only. No decision was made.

4. Trinidad Head Study Committee Interim Report
Trinidad Head Study Committee Secretary Mareva Russo presented the Interim Report. The report outlined, in detail, bullet-point highlights of every meeting since the first one held on September 28, 2011. The report is on file in the City Clerk's office. To conclude, Russo requested (on behalf of the Committee) that the Council consider an extension of service so they may be able to make up for time lost from the distraction caused by road maintenance back in October 2011.

Council comments included:

Bhardwaj: Compiling knowledge of what's on the Head and what the issues are that involve the area seems useful. I hope to have a comprehensive, simplified resource that the City may reference from time-to-time.

Miller: Thanked the committee members, and expressed his support for continuation of the committee. I appreciate all the details they discover, and look forward to the info they will provide in the coming months.

Davies: Noticed that certain plants have been flagged, and asked if it was possible for permanent, informational markers be placed near established plant species throughout the trail system. Miller expressed his support for this as a future agenda item.

Motion (Miller/Davies) to approve an extension of the Trinidad Head Study Committee's service through the calendar year ending December 2012. Passed 3-0. Morgan & Bhardwaj absent.

5. November Election Schedule and Upcoming Deadlines
City Manager Suiker explained that the City's November 06, 2012 Election ballot currently includes two items; 1) A measure to continue the current ¼% Sales Tax Increase, and 2) Two (2) Councilmember seats.

City Clerk Adams provided the list of deadlines related to the Election is as follows:

- **On or before July 14 - Election Notice:** A notice will be published in the 3 locations throughout the City (City Hall, Murphy's Market, and the Trinidad Post Office), and in the McKinleyville Press announcing the November Election and the Council positions available.
- **July 16 – Candidate Nomination Period Opens:** Anyone who wants to file as candidate for one of the (2) open positions may pick up nomination packets from the Clerk's office at the Town Hall. Fee for filing a candidate statement in the election ballot is \$375. Payment must be made when the nomination packets are submitted. **Deadline for incumbents to file nomination papers is 2:00pm, Friday, August 10.**

- **On or before August 02 – Notice Published to Accept Arguments For/Against Sales Tax Increase:**
The City Clerk must file a notice to the public announcing that anyone who wishes to file arguments for or against the Sales Tax Increase continuation measure may do so by the ***deadline of 2:00pm Friday, August 10.***
- **August 10 – Deadline for Incumbents to file Nomination Packet, and Arguments For/Against the Sales Tax Increase.**
- **August 15 – Deadline for Nomination Packets IF NO INCUMBENTS file for the positions.**
- **August 20 – Deadline to file REBUTTALS to Arguments For/Against Sales Tax Increase.**
- **August 23 – Deadline to Appoint Council Candidates:** If only 2 candidates apply for 2 open positions, the Council may choose to appoint the members and cancel that part of the election. If this ends up being the case, the Council will have to hold a Special Meeting sometime between the August 15 and August 23 and make their announcement to the public.
- **November 06 – Election Day**

There was a brief discussion regarding how many Council members could meet to write the argument for the sales tax measure. City Manager Suiker agreed to look into it and respond to the Council.

By consensus, the accepted the calendar. No decision was made.

XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

XIII. ADJOURNMENT

- Meeting ended at 10:00pm.

Submitted by:

Gabriel Adams
 City Clerk

Approved by:

Julie Fulkerson
 Mayor Pro-Tem



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 9 PAGES

1. Financial Status Reports for June 2012

City of Trinidad
Statement of Revenues and Expenditures
From 6/1/2012 Through 6/30/2012

		Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue					
41010	PROPERTY TAX - SECURED	0.00	75,509.05	115,000.00	(34.34)%
41020	PROPERTY TAX - UNSECURED	0.00	3,021.82	0.00	0.00%
41040	PROPERTY TAX-PRIOR UNSECURED	0.00	57.69	0.00	0.00%
41050	PROPERTY TAX - CURRENT SUPPL	0.00	450.44	0.00	0.00%
41060	PROPERTY TAX-PRIOR SUPPL	0.00	150.49	0.00	0.00%
41071	MOTOR VEHICLES	0.00	1,065.02	0.00	0.00%
41072	PROP TX - BOOKING FEES	0.00	269.90	0.00	0.00%
41100	PROPERTY TAX - INTEREST +	0.00	38.55	0.00	0.00%
41110	PROPERTY TAX EXEMPTION	0.00	640.21	0.00	0.00%
41130	PUBLIC SAFETY 1/2 CENT	0.00	1,243.63	0.00	0.00%
41140	PROPERTY TAX - DOCUMENTARY RE	0.00	1,639.00	0.00	0.00%
41190	PROPERTY TAX ADMINISTRATION FE	0.00	(3,601.00)	0.00	0.00%
41200	LAFCO Charge	0.00	(585.09)	0.00	0.00%
41210	IN-LIEU SALES & USE TAX	0.00	23,618.40	0.00	0.00%
41220	IN LIEU VLF	0.00	26,515.00	0.00	0.00%
42000	SALES & USE TAX	61,312.37	188,395.47	180,000.00	4.66%
43000	TRANSIENT LODGING TAX	4,559.07	75,092.67	80,000.00	(6.13)%
47310	VEHICLE LICENSE COLLECTION	0.00	182.06	0.00	0.00%
47350	MOTOR VEHICLE LICENSE FEE GAP	0.00	704.32	0.00	0.00%
49080	MOTOR VEHICLE FINES	0.00	0.00	3,500.00	100.00)%
53010	COPY MACHINE FEE	2.00	35.50	100.00	(64.50)%
53020	INTEREST INCOME	1,128.91	22,625.01	15,000.00	50.83%
53060	DONATIONS	0.00	50.00	0.00	0.00%
53090	OTHER MISCELLANEOUS INCOME	(700.00)	55,971.04	24,375.00	129.62%
54020	PLANNER- APPLICATION PROCESSIN	750.00	8,020.27	8,500.00	(5.64)%
54040	ENGINEER-APPLICATION PROCESSIN	0.00	0.00	500.00	100.00)%
54050	BLDG.INSP-APPLICATION PROCESSI	158.00	44,217.62	30,000.00	47.39%
54100	ANIMAL LICENSE FEES	0.00	85.00	100.00	(15.00)%
54130	FARMERS MARKET BUSINESS LICENS	0.00	30.00	0.00	0.00%
54150	BUSINESS LICENSE TAX	155.00	8,901.00	7,500.00	18.68%
54300	ENCROACHMENT PERMIT FEES	0.00	400.00	400.00	0.00%
56150	FRANCHISE FEES	0.00	15,945.84	12,944.00	23.19%
56400	RENT - VERIZON	3,467.58	20,486.82	19,620.00	4.42%
56500	RENT - HARBOR LEASE	0.00	10,000.00	5,000.00	100.00)%
56550	RENT - PG& E	0.00	8,411.33	0.00	0.00%
56600	RENT - OTHER TENNIS COURT	0.00	70.00	0.00	0.00%
56650	RENT - SUDDENLINK	0.00	4,014.99	4,200.00	(4.41)%
56700	RENT - TOWN HALL	500.00	9,970.00	8,500.00	17.29%
56800	RENT - MISC	0.00	0.00	500.00	100.00)%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	5,000.00	100.00)%
Total Revenue		<u>71,332.93</u>	<u>603,642.05</u>	<u>520,739.00</u>	<u>15.92%</u>

City of Trinidad
Statement of Revenues and Expenditures
201 - GFAdmin
From 6/1/2012 Through 6/30/2012

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	250.00	3,000.00	3,000.00	0.00%
61000	EMPLOYEE GROSS WAGE	4,780.20	73,640.99	72,615.00	(1.41)%
61250	OVERTIME	0.00	0.00	1,500.00	100.00%
61470	FRINGE BENEFITS	46.16	594.31	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	8,746.00	100.00%
65100	DEFERRED RETIREMENT	124.89	3,888.72	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	8.15	4,212.69	6,384.00	34.01%
65300	WORKMEN'S COMP INSURANCE	0.00	4,485.68	0.00	0.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	23.50	687.00	1,200.00	42.75%
65600	PAYROLL TAX	377.89	5,874.11	0.00	0.00%
68090	CRIME BOND	0.00	700.00	0.00	0.00%
68100	FIDELITY BOND	0.00	0.00	770.00	100.00%
68200	INSURANCE - LIABILITY	0.00	5,210.70	10,908.00	52.23%
68300	PROPERTY & CASUALTY	0.00	3,747.60	4,387.00	14.57%
71100	ATTORNEY-MEETINGS	0.00	646.50	15,000.00	95.69%
71110	ATTORNEY-ADMINISTRATIVE TASKS	313.50	6,489.22	8,000.00	18.88%
71130	ATTORNEY-LITIGATION	82.50	8,955.00	10,000.00	10.45%
71160	ACCOUNTING	0.00	471.84	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	2,236.25	2,000.00	(11.81)%
71220	CITY ENG-APPLICATION PROCESS	0.00	65.50	2,000.00	96.72%
71300	CITY PLANNER-MEETINGS	788.00	4,355.00	4,200.00	(3.69)%
71310	CITY PLANNER-ADMIN. TASKS	4,097.00	16,655.06	7,000.00	(137.93)%
71320	CITY PLANNER-APPL. PROCESS	3,191.00	12,440.00	7,000.00	(77.71)%
71330	CITY PLANNER-ENFORCEMENT	0.00	201.50	0.00	0.00%
71340	CITY PLANNER - SPECIAL PROJECT	4,449.00	13,158.00	25,000.00	47.37%
71400	BLDG.INSPECTOR-MEETINGS	432.22	7,081.55	0.00	0.00%
71410	BLDG INSPECTOR-ADMIN TASKS	0.00	4.69	0.00	0.00%
71420	BLDG INSPECTOR-PERMIT PROCESS	0.00	14,507.52	25,000.00	41.97%
71430	BLDG INSPECTOR-ENFORCEMENT	0.00	90.00	0.00	0.00%
71510	ACCOUNTANT-ADMIN TASKS	572.97	12,143.34	20,000.00	39.28%
71620	AUDITOR-FINANCIAL REPORTS	0.00	11,067.00	11,913.00	7.10%
72000	CHAMBER OF COMMERCE	0.00	5,500.00	4,500.00	(22.22)%
72100	BAD DEBTS	0.00	109.98	0.00	0.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	142.50	1,149.25	1,200.00	4.23%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	0.00	1,500.00	100.00%
75170	RENT	650.00	7,800.00	7,800.00	0.00%
75180	UTILITIES	132.14	4,098.83	4,000.00	(2.47)%
75190	DUES & MEMBERSHIP	0.00	357.08	1,000.00	64.29%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	8,871.38	9,822.00	9.68%
75220	OFFICE SUPPLIES & EXPENSE	511.16	5,524.04	4,500.00	(22.76)%
75240	BANK CHARGES	3.00	129.20	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	600.00	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	1,900.00	100.00%
76110	TELEPHONE	105.39	1,706.24	2,500.00	31.75%
76130	CABLE & INTERNET SERVICE	160.95	1,931.40	2,000.00	3.43%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	1,913.58	4,871.26	3,500.00	(39.18)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	1,940.04	5,000.00	61.20%
Total Expense		23,155.70	261,198.47	297,345.00	12.16%

City of Trinidad
Statement of Revenues and Expenditures
301 - Police
From 6/1/2012 Through 6/30/2012

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
61000	EMPLOYEE GROSS WAGE	1,505.35	18,797.26	19,585.00	4.02%
61470	FRINGE BENEFITS	0.00	1.15	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	2,359.00	100.00%
65200	MEDICAL INSURANCE AND EXPENSE	(76.48)	(76.48)	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	603.62	0.00	0.00%
65400	UNEMPLOYMENT COMPENSATION	0.00	1,700.33	0.00	0.00%
65600	PAYROLL TAX	115.33	1,440.30	0.00	0.00%
71620	AUDITOR-FINANCIAL REPORTS	0.00	846.00	0.00	0.00%
75170	RENT	650.00	7,800.00	7,800.00	0.00%
75180	UTILITIES	162.32	2,123.45	1,200.00	(76.95)%
75190	DUES & MEMBERSHIP	0.00	122.00	0.00	0.00%
75220	OFFICE SUPPLIES & EXPENSE	0.00	101.35	300.00	66.22%
75300	CONTRACTED SERVICES	0.00	64,052.00	82,745.00	22.59%
75350	ANIMAL CONTROL	113.00	1,356.00	1,396.00	2.87%
75990	MISCELLANEOUS EXPENSE	0.00	44.76	0.00	0.00%
76110	TELEPHONE	79.90	951.96	1,800.00	47.11%
78150	VEHICLE REPAIRS	0.00	882.45	883.00	0.06%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	39.00	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	50.75	0.00	0.00%
78210	Advertising Outreach & Project	0.00	61.50	0.00	0.00%
Total Expense		<u>2,549.42</u>	<u>100,897.40</u>	<u>118,068.00</u>	<u>14.54%</u>

City of Trinidad
Statement of Revenues and Expenditures
401 - Fire
From 6/1/2012 Through 6/30/2012

	<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>	
Expense					
60900	HONORARIUMS	150.00	1,800.00	1,800.00	0.00%
75180	UTILITIES	46.85	2,486.30	2,638.00	5.75%
75190	DUES & MEMBERSHIP	0.00	10.00	10.00	0.00%
75260	BACKGROUNDS / EDUCATION	0.00	0.00	1,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	175.00	100.00%
75990	MISCELLANEOUS EXPENSE	0.00	150.00	0.00	0.00%
76110	TELEPHONE	10.72	67.73	175.00	61.30%
76140	RADIO & DISPATCH	0.00	1,602.26	0.00	0.00%
78140	VEHICLE FUEL & OIL	0.00	68.22	750.00	90.90%
78150	VEHICLE REPAIRS	0.00	3,715.74	6,400.00	41.94%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	1,207.02	500.00	(141.40)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	8,936.56	7,500.00	(19.15)%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,500.00	100.00%
90000	Capital Reserves	0.00	0.00	50,000.00	100.00%
96200	TRANSFER OUT	0.00	50,000.00	0.00	0.00%
	Total Expense	<u>207.57</u>	<u>70,043.83</u>	<u>72,448.00</u>	<u>3.32%</u>

City of Trinidad
Statement of Revenues and Expenditures
501 - PW (Public Works)
From 6/1/2012 Through 6/30/2012

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
61000	EMPLOYEE GROSS WAGE	3,082.07	39,776.05	39,180.00	(1.52)%
61250	OVERTIME	0.00	188.20	3,000.00	93.73%
61470	FRINGE BENEFITS	0.00	2.31	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	4,720.00	100.00%
65100	DEFERRED RETIREMENT	293.74	3,632.84	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	1,237.67	17,361.19	21,113.00	17.77%
65300	WORKMEN'S COMP INSURANCE	0.00	1,846.76	0.00	0.00%
65600	PAYROLL TAX	258.60	3,254.76	0.00	0.00%
68200	INSURANCE - LIABILITY	0.00	473.70	992.00	52.25%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	4,077.75	5,000.00	18.45%
71250	CITY ENGINEER - PROJECT FEES	0.00	4,596.25	2,500.00	(83.85)%
71510	ACCOUNTANT-ADMIN TASKS	0.00	0.00	1,100.00	100.00%
75180	UTILITIES	0.00	35.52	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	1,500.00	100.00%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	81.77	0.00	0.00%
78100	STREET MAINT/REPAIR/SANITATION	300.00	43,651.85	114,700.00	61.94%
78120	STREET LIGHTING	304.92	3,827.55	4,800.00	20.26%
78125	Street Lighting - Improvements	0.00	0.00	40,000.00	100.00%
78130	TRAIL MAINTENANCE	0.00	152.78	1,000.00	84.72%
78140	VEHICLE FUEL & OIL	452.56	4,355.93	3,000.00	(45.20)%
78150	VEHICLE REPAIRS	0.00	2,488.63	4,300.00	42.12%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	265.07	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	151.17	4,612.04	5,500.00	16.14%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	506.38	0.00	0.00%
Total Expense		<u>6,080.73</u>	<u>135,187.33</u>	<u>252,405.00</u>	<u>46.44%</u>

City of Trinidad
Statement of Revenues and Expenditures
204 - IWM
From 6/1/2012 Through 6/30/2012

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
46000	GRANT INCOME	5,000.00	10,000.00	5,000.00	100.00%
47600	BLUE BAG SALES	448.00	3,271.00	3,500.00	(6.54)%
47650	RECYCLING REVENUE	1,921.69	30,593.41	32,000.00	(4.40)%
	Total Revenue	<u>7,369.69</u>	<u>43,864.41</u>	<u>40,500.00</u>	<u>8.31%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	771.01	13,097.61	13,265.00	1.26%
61250	OVERTIME	0.00	57.51	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	1,598.00	100.00%
65100	DEFERRED RETIREMENT	92.52	1,507.57	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	345.45	4,942.35	6,461.00	23.50%
65300	WORKMEN'S COMP INSURANCE	0.00	591.62	0.00	0.00%
65600	PAYROLL TAX	66.05	1,099.81	0.00	0.00%
75120	WASTE RECYCLING PICKUP/DISPOSA	1,440.00	16,800.00	16,000.00	(5.00)%
75130	GARBAGE	0.00	556.99	0.00	0.00%
75140	BLUE BAG PURCHASES	0.00	3,975.00	3,500.00	(13.57)%
78100	STREET MAINT/REPAIR/SANITATION	673.75	5,258.69	7,000.00	24.88%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	399.38	1,000.00	60.06%
78210	Advertising Outreach & Project	0.00	302.60	0.00	0.00%
85000	CAPITAL OUTLAY	0.00	4,719.45	4,800.00	1.68%
	Total Expense	<u>3,388.78</u>	<u>53,308.58</u>	<u>53,624.00</u>	<u>0.59%</u>
	Net Income	<u>3,980.91</u>	<u>(9,444.17)</u>	<u>(13,124.00)</u>	<u>(28.04)%</u>

City of Trinidad
Statement of Revenues and Expenditures
601 - Water
From 6/1/2012 Through 6/30/2012

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	20,000.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	0.00	1,926.48	1,000.00	92.65%
57100	WATER SALES	23,893.49	238,372.79	221,000.00	7.86%
57300	NEW WATER HOOK UPS	0.00	0.00	9,000.00	(100.00)%
57500	WATER A/R PENALTIES	1,223.19	10,215.39	6,000.00	70.26%
	Total Revenue	<u>25,116.68</u>	<u>250,514.66</u>	<u>257,000.00</u>	<u>(2.52)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	6,020.10	83,856.90	83,354.00	(0.60)%
61250	OVERTIME	0.00	271.86	5,000.00	94.56%
61470	FRINGE BENEFITS	0.00	2.31	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	10,040.00	100.00%
65100	DEFERRED RETIREMENT	666.66	9,012.81	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	2,385.39	33,783.69	43,590.00	22.50%
65300	WORKMEN'S COMP INSURANCE	0.00	3,877.88	0.00	0.00%
65600	PAYROLL TAX	511.92	7,023.92	0.00	0.00%
68200	INSURANCE - LIABILITY	0.00	3,789.60	7,933.00	52.23%
68300	PROPERTY & CASUALTY	0.00	2,498.40	2,925.00	14.58%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	350.00	4,500.00	92.22%
71160	ACCOUNTING	0.00	254.07	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	38,620.00	38,620.00	43,620.00	11.46%
71230	ENGINEER-SPECIAL PROJECTS	0.00	14,785.50	14,848.00	0.42%
71510	ACCOUNTANT-ADMIN TASKS	308.53	6,538.71	9,000.00	27.35%
71620	AUDITOR-FINANCIAL REPORTS	0.00	8,987.00	9,000.00	0.14%
72100	BAD DEBTS	0.00	80.72	0.00	0.00%
75180	UTILITIES	1,295.43	12,097.10	14,000.00	13.59%
75190	DUES & MEMBERSHIP	374.00	930.68	900.00	(3.41)%
75220	OFFICE SUPPLIES & EXPENSE	192.00	2,788.00	2,000.00	(39.40)%
75230	INTEREST EXPENSE	0.00	1,363.50	1,935.00	29.53%
75240	BANK CHARGES	10.00	30.00	0.00	0.00%
75280	TRAINING / EDUCATION	0.00	315.00	0.00	0.00%
75300	CONTRACTED SERVICES	500.00	500.00	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	52.08	250.00	79.17%
76100	TELEPHONE & COMMUNICATIONS	0.00	81.77	0.00	0.00%
76110	TELEPHONE	82.87	854.17	1,500.00	43.06%
76130	CABLE & INTERNET SERVICE	49.00	588.00	588.00	0.00%
76160	LICENSES & FEES	0.00	2,245.01	2,200.00	(2.05)%
78140	VEHICLE FUEL & OIL	160.86	1,895.55	3,000.00	36.81%
78150	VEHICLE REPAIRS	0.00	1,408.34	1,500.00	6.11%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	433.30	2,000.00	78.33%
78170	SECURITY SYSTEM	0.00	1,135.80	276.00	(311.52)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	5,747.94	5,000.00	(14.96)%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	512.27	500.00	(2.45)%
79100	WATER LAB FEES	0.00	2,125.00	5,500.00	61.36%
79120	WATER PLANT CHEMICALS	0.00	7,202.38	16,000.00	54.99%
79130	WATER LINE HOOK-UPS	0.00	0.00	4,000.00	100.00%
79150	WATER LINE REPAIR	0.00	1,123.73	20,000.00	94.38%
79160	WATER PLANT REPAIR	0.00	5,945.55	10,000.00	40.54%
	Total Expense	<u>51,176.76</u>	<u>263,108.54</u>	<u>324,959.00</u>	<u>19.03%</u>

City of Trinidad
 Statement of Revenues and Expenditures
 601 - Water
 From 6/1/2012 Through 6/30/2012

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Net Income	<u>(26,060.08)</u>	<u>(12,593.88)</u>	<u>(67,959.00)</u>	<u>(81.47)%</u>

City of Trinidad
Statement of Revenues and Expenditures
701 - Cemetery
From 6/1/2012 Through 6/30/2012

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	3,000.00	(100.00)%
58100	CEMETERY PLOT SALES	3,305.00	9,732.00	9,000.00	8.13%
58150	Cemetery Plot Refunds	0.00	(2,820.00)	0.00	0.00%
	Total Revenue	<u>3,305.00</u>	<u>6,912.00</u>	<u>12,000.00</u>	<u>(42.40)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	596.47	8,744.09	8,727.00	(0.20)%
61250	OVERTIME	0.00	57.51	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	1,051.00	100.00%
65100	DEFERRED RETIREMENT	71.55	984.95	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	301.21	4,180.36	5,184.00	19.36%
65300	WORKMEN'S COMP INSURANCE	0.00	430.44	0.00	0.00%
65600	PAYROLL TAX	51.09	726.56	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	500.00	100.00%
78180	OTHER REPAIR & MAINTENENCE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	88.80	500.00	82.24%
	Total Expense	<u>1,020.32</u>	<u>15,212.71</u>	<u>16,462.00</u>	<u>7.59%</u>
	Net Income	<u>2,284.68</u>	<u>(8,300.71)</u>	<u>(4,462.00)</u>	<u>86.03%</u>



CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

2. Staff Activities Report for July 2012.



STAFF ACTIVITIES REPORT

Through July 2012

A Staff Activities Report is provided to the City Council on a monthly basis, with additions to the previous report indicated in **bold type face**. Old information will be left on this report for a period of time and then removed or updated.

City Administration:

1. Code Analysis. The City has responded to the issues and questions raised by Code Publishing, and the next process is to index the code, prepare the online version, and then the code will be published.
2. On-Site Waste Water Treatment (OWTS) Ordinance. A public education proposal from Streamline Planning to implement this ordinance was approved by the Council at its August 2011 meeting. Materials proposed to be mailed out to property owners are presented as a separate agenda item for this meeting.
3. Library. The building construction is currently underway. Simultaneously, City staff is working with County staff on development of a Memorandum of Understanding to be in effect once the facility is occupied. Additionally, the City will be working with the North Coast Land Trust on a Lease for the subject property.
4. Town Hall Sound System. Funds were included in the adopted budget for a replacement sound system and as a result of a number of tests, we believe we have arrived at an acceptable system and are working with a local business to purchase the system components.
5. Sales Tax Add On. The current .75% sales tax add on is scheduled to expire on March 31, 2013. The Council has adopted applicable resolutions in order for the tax add to appear on the November ballot. Due to an absence, the enabling ordinance as required by the State Board of Equalization failed to secure two-thirds vote at the July meeting and is resubmitted for consideration at this meeting.
6. Harbor Lease. The lease agreement for the submerged lands between the City and the Rancheria expired in January 2011, and staff continues to follow up with the Rancheria to be able to bring forward a new or extended lease.

PLANNING ISSUES

1. **General Plan.** The Planning Commission has approved the Circulation Element of the General Plan, which will be forwarded to the Council when the figures are finalized. Staff is now working on the Public Safety and Noise Elements components and responding to the Planning Commission's request for additional noise readings.

2. **Accessory Dwelling Unit (ADU)/Vacation Dwelling Unit (VDU) LCP Amendment.** Staff has received verbal confirmation from the Coastal Commission staff that the application packets on the ADU and VDU regulations were deemed complete, and are now in the processing pipeline.

3. **Moss Subdivision.** At a special meeting held November 10, 2011, the Council directed staff to appeal the decision by the Humboldt County Planning Commission to approve the Moss Subdivision on Fox Farm Road in Westhaven, and a timely appeal was subsequently filed together with payment of the appeal fee of \$2,322.65. **That appeal is scheduled to be heard before the County Board of Supervisors on September 4, 2012.**

4. **Civic Club Lighthouse Project.** This continues to consume significant staff time, and consideration of this project has been continued to the August 15 Planning Commission meeting in order to allow staff to consider and address comments received from and on behalf of the Tsurai Ancestral Society. The Planner, City Attorney and City Manager are working to respond to the issues raised.

Status of Grant Funded Programs

1. Project Name: Gateway Project

Source of Funds: Combination of Transportation Enhancement Funds, Federal High Risk Rural Roads Funds and local Proposition 1B funds

Status: The streetlight replacement component of this project has now been completed and the photo cells installed. Construction of the project is nearly completed with all work expected to be finished by mid-August. The project has resulted in a new accessible route along the north side of Main and Trinity Streets from the Highway 101 northbound on ramp to the Trinidad Elementary School, and along the south side of Main Street from the Highway 101 northbound off ramp to View Avenue. Other project improvements include landscaping, irrigation, new traffic signs, drainage/stormwater facilities and a decorative street light. Additionally, if funds allow, the Trinidad Elementary School's concrete driveways will be replaced with driveways that meet current accessibility standards.

2. Project Name: Town Hall Heating System

Source of Funds: Energy Efficiency Block Grant (\$25,000)

Status: All work on the installation of the furnaces and insulation has now been completed, and we have received reimbursement for \$24,000 of the total expenditures. The cost came in at \$1,598 over budget to make one of the units functional. **Staff is working with the County of Humboldt (as the Grant Administrator) and is hopeful that savings from other entities (specifically Ferndale) will be redirected to offset Trinidad's cost overrun.**

3. Project Name: Turbidity Monitoring (SCADA upgrade)

Source of Funding: CA State Proposition (\$113,628)

Status: **GHD is acting as the project manager. This project is well underway and substantially complete, having been delayed due to our inability to get clarification from the California Department of Public Health on the need to hire a third party labor compliance officer.**

4. Project Name: Water Plant Improvement Project

Source of Funding: Safe Drinking Water Revolving Fund (\$193,100)

Status: **The work on the project to date has focused on completing the preliminary design and environmental compliance report. In June, the City submitted a full application for Proposition 50 funds to install the plant improvements being developed through this grant. If the application is successful, it would provide for 100% funding.**

5. Project Name: Luffenholtz Creek Sediment Reduction

Source of Funding: California Department of Public Health (\$1,670,720)

Status: **The California Department of Public Health (CDPH) has issued a Letter of Commitment and authorization to sign that letter was given at the June City Council meeting. Work has now begun to complete design, specifications and CEQA, which are required before the final funding agreement with the CDPH is signed. Costs for design and CEQA will not be reimbursed until the Funding agreement has been signed. The City's cooperating project partners, GHD, RCAA and Green Diamond have agreed to complete the work on a paid when paid basis and wait for payment until the grant reimbursement comes through (Green Diamond is only providing matching funds, and is not directly receiving grant funds). If for some reason the grant is not executed, neither RCAA nor GHD will expect payment for services rendered. The cost the City will be expected to carry would be about \$25,000 for the geotech and survey work as well as City staff. A**

contract with GHD has been executed, and a contract with RCAA will be presented for consideration at a future council meeting meeting.

6. Project Name: Trinidad Pier Reconstruction (ASBS Project)

Source of Funding: CA State Proposition 84 (\$2,500,000)

Background: This is a Trinidad Rancheria project, in partnership with the City of Trinidad. The City has a grant from State Water Resources Control Board that will fund \$2.5 million of the estimated total cost of \$10 million for reconstruction of the Pier.

Status: The pier reconstruction is complete and the pier is now open to the public. Post project water quality monitoring and reporting will be conducted for several seasons to complete the grant in 2013.

7. Project Name: Storm Water Management Improvement

Source of Funding: CA State Proposition 84 (\$2,500,000)

Status: This project is currently in the pre-design phase, and this phase should be completed in October, with final design completed in early 2013. Construction is scheduled for spring and summer of 2013, with the project completed in 2014.

8. Project Name: Trinidad to Humboldt Bay Coastal Watershed Program

Source of Funding: Department of Conservation Watershed Coordinator Grant (\$293,910)

Status: The Trinidad to Humboldt Bay Watershed Coordinator has provided assistance to staff of Green Diamond, GHD, RCAA and Madrone Enterprises to secure the funding for the Luffenholtz Creek Source Water Protection Project. Staff is working with Arcata and Eureka staff to organize a fall workshop for contractors and developers on methods to improve treatment of stormwater runoff onsite through installing low impact development features. Staff has met several times with the North Coast Stormwater Coalition and the State and Regional Water Board to understand the requirements of the new Phase II NPDES Permit which will soon apply to the City of Trinidad and four other local agencies.

9. Project Name: Azalea & Pacific

Source of Funding: Proposition 1B (\$55,000)

Two town meetings were held to gather citizen input on this project and the design is being finalized to widen and pave Azalea Way and portions of Pacific Street in order to bring the roads up to city standards, provide improved emergency vehicle access and improve the road drainage facilities. The project is scheduled to be reviewed at the next regularly scheduled Planning Commission meeting, where the Commission will consider taking action on the project's Grading Permit, Coastal Development Permit and CEQA Categorical Exemption. Following the adoption of CEQA, the City will request an allocation of construction funds from the California Transportation Commission (CTC). If the construction funds are allocated this year, the project will proceed to construction in Spring/Summer of 2013. However, if state transportation funds are not available, the CTC may defer the allocation of the construction funds for several years.

Public Works Department

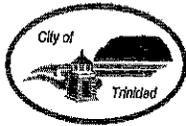
1. Vegetation Management. The July rains have extended the growing season, which means Public Works is still devoting substantial time to vegetation maintenance on the city's rights of way. Additionally, vegetation management has once again resumed to historic efforts on Trinidad Head.

2. Non-Routine Summer/Fall Projects

- Removal of solids collected in backwash tank as a result of filter process
- Secured benches at Saunders Park to prevent damage by skateboarders
- Painted/striped city streets/roads and curbs
- Annual hydrant flushing
- Annual valve exercising
- Installation of vehicle barriers to protect town hall leach field
- Fire flow rate analysis on lower Edwards
- Ongoing water leak detection

3. Saunders Park Spruce Up. A major weeding, sprucing and placement of shredded bark on the landscaped areas of Saunders Park was recently completed by Teen Challenge, a group of teenagers and young adults sponsored by Trinidad Living Assembly Church under the direction of Fred Lamberson, Trinidad Rancheria Vice Chair. Teen Challenge is additionally offering regular maintenance at this site for which staff is very grateful.

4. Humboldt County Leadership Academy Though the cooperative efforts of Humboldt County, Public Works Director Bryan Buckman has been allowed to enroll and participate in a leadership academy that the County presents from time to time for its management personnel. Sessions include issues related to influencing and negotiating skills for managers, coaching employees, driving organizational change, managing and resolving conflicts, managing oneself, and more. Participation involves five half day sessions over a five month period, plus various work assignments in between, and builds rapport and communication and cooperation between managers from different departments, and in our case, different entities. We are grateful to Humboldt County for expanding enrollment in this academy at no cost to the City.



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

3. Letter to Coastal Conservancy to Support RCAA Study.



August 8, 2012

State Coastal Conservancy
Board Chairman Douglas Bosco
1330 Broadway, Suite 1300
Oakland, CA 94612

Dear Chairman Bosco:

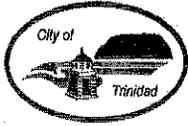
At their meeting of August 8, the Trinidad City Council voted in support of the Natural Resources Services Division of Redwood Community Action Agency in the development of the Little River Trail Feasibility Study.

This study is an important step in connecting the Hammond Coastal Trail to Scenic Drive and Patrick's Point Drive that will effectively direct people off Highway 101 and onto a safer alternative route. This one-mile connection will provide touring and local cyclists a continuous and easy-to-follow trail while also providing a high quality multiple-use coastal trail experience.

Thank you for considering the Natural Resources Services proposal and supporting coastal access, trail connectivity and enhanced quality of life on the north coast.

Sincerely,

Kathy Bhardwaj
Mayor



AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 29 PAGES

1. Discussion/Decision regarding Change Orders and Amendment to Agreement with GHD for Main and Trinity HR3 Project.

DISCUSSION AGENDA ITEM

Date: August 8, 2012

Item: Change Orders and Amendment to Agreement with GHD for Main and Trinity HR3 Project

Background: The agreement for Construction Engineering Services for the Gateway Project was approved at the Council's January 2012 meeting and provided for compensation of \$70,000 to complete a number of tasks related to construction management services. The Council awarded the contract at their meeting in May of 2012. A total of nine contract change orders (CCO's) have since been issued totaling \$68,741.90 and providing for a total of 18 working days to be added to the original 35 working days. Council approval of those change orders, which are summarized below, is requested.

CCO#1 – Widened the sidewalk along portions of Main Street from 4 feet to 4.5 feet, and added an additional 250 feet of new concrete curb and gutter and replaced two additional driveways.

CCO#2 – Retrofitted an existing drain inlet instead of replacing with new structure.

CCO#3 – Retrofitted existing sidewalk underdrain in order to comply with ADA requirements.

CCO#4 – Added irrigation piping and hose bibs in landscape islands.

CCO#5 – Modified two curb ramps and storm drain inlets to comply with ADA requirements.

CCO#6 – Constructed cast-in-place storm drain junction box instead of precast manhole.

CCO#7 – Constructed 8-inch curbs under Highway 101 underpass instead of 6-inch curbs in order to clear existing storm drain pipe.

CCO#8 – Replaced existing curb and asphalt sidewalk and driveways on the south side of Main Street between the intersection of Scenic Drive and View Avenue with new concrete curbs, gutters and sidewalks, and removed and reset the existing bus stop enclosure and trash bin on Main Street on new concrete slab.

CCO#9 – Installed removable in roadway signs to elementary school crosswalk.

In addition, the existing traffic signs around Trinidad Elementary School were replaced to bring the signs up to current standards.

Other work anticipated to be added pending the availability of funds, includes replacing the two driveway approaches to Trinidad Elementary School to bring the driveways up to current disability access standards.

An amendment to the current agreement with GHD is proposed, which will provide for an additional \$15,000 in construction management compensation as a result of the additional work. This will bring the total construction management costs to \$85,000. These additional costs, as well as costs for all the contract change orders, are within the project's available budget.

Proposed Action:

Approve contract change orders one through nine and authorize the City Manager to execute the Amendment to Agreement with GHD to provide for an additional \$15,000 in Construction Engineering Services (total \$85,000).

Attachments:

Change Orders 1 – 9

Amendment to Agreement



**AMENDMENT TO
AGREEMENT BETWEEN CLIENT AND CONSULTANT**

**Agreement Between
City of Trinidad and GHD**

**ADDITIONAL CONSTRUCTION ENGINEERING
FOR THE
MAIN AND TRINITY HR3 PROJECT**

JULY 26, 2012

This scope of services relates to a prime agreement between the City of Trinidad and GHD (formerly Winzler & Kelly) dated August 5th, 2004. All provisions of the prime agreement apply to this scope of services unless otherwise stated in this scope of services.

INTRODUCTION

GHD has previously provided construction engineer services for the Trinidad Main and Trinity HR3 Project. As a result of the construction bid prices being lower than the amount of funding available, additional construction work was added to the project in order to maximize the benefit of the grant funds to the City of Trinidad. Additional work added to the construction contract includes the following:

- Widened the sidewalk along portions of Main Street from 4.0 feet to 4.5 feet.
- Added an additional 250 feet of new concrete curb and gutter and replaced two additional driveways.
- Replaced the existing curb and asphalt sidewalk and driveways on the south side of Main Street between the intersection with Scenic Drive and View Avenue, with new concrete curbs, gutters and sidewalks;
- Removed and reset the existing bus stop enclosure and trash bin on Main Street on a new concrete slab; and
- Replaced the existing traffic signs around Trinidad Elementary School to bring the signs up to current standards;

Other work anticipated to be added to the construction contract includes replacing the two driveway approaches to Trinidad Elementary School to bring the driveways up to current ADA standards.

The services outlined in this Contract Amendment provide the additional construction management assistance services necessary result of the additional work and contract days added to the construction contract through change orders.

SCOPE OF SERVICES

The scope of services is limited to the following tasks:

Task 1: Additional Construction Engineering (CE)

Construction Management

GHD will provide as-needed engineering, coordination assistance, and construction management assistance for the Trinidad Main and Trinity HR3 Project. Services included in this amendment may include the following:



- Updating the Areas of Potential Effects (APE) map and coordinating with Caltrans for the revalidation of NEPA as required to replace the Trinidad Elementary School driveways.
- Preparing Public Interest Findings (PIF) to allow for the reimbursement of agency furnished materials.
- Recording working days, non- working days and whether related days and issue weekly statement of working days
- Reviewing Contractor monthly payment requests, review differences in payment quantities with contractor, and prepare and submit recommendation of payment requests to City.
- Maintain project records and files as needed for general compliance with Local Assistance Procedures Manual (LAPM) Chapter 16 requirements.
- Coordinate and manage Submittal and Shop Drawing reviews and maintain tracking logs.
- Monitor the Contractor's construction schedule and progress for adherence to project schedule, coordinate with the Contractor on planned activities, notify Contractor and City of any schedule issues identified, review schedule revisions and negotiate time extensions if necessary.
- Request For Information (RFI) & Contract Change Orders (CCO)
 - Manage Contractor correspondence including RFIs, Potential Change Orders (PCOs) and CCOs – include technical / engineering assistance and review, maintain logs, prepare and transmit responses and coordinate with other parties to develop responses.
- Submit copy of CCO memorandum and CCOs to Caltrans (when required).
- Attend on-site meetings to address construction issues, prepare agenda and meeting minutes.
- Prepare an additional Caltrans Reimbursement Requests. Reimbursement requests will include:
 - Bid Summary/Cost to Date form
 - Signed Progress Pay on Contractor's letterhead
 - Contractor Contract
 - Notice in Paper of Project Advertisement
 - Attend on-site meetings to address construction issues

On-site Observation

- Provide regular on-site construction observation to review Contractor general conformance with the project plans and specifications.
- Prepare daily observation reports including digital photo logs of progress.
- Check for general compliance with Water Pollution Control plan.
- Maintain a set of red line plans depicting changes noted by the construction observer.
- Collect and maintain material tags and testing tags/reports for compliance with City of Trinidad's Quality Assurance Plan and Caltrans LAPM guidelines.
- Review traffic control and Contractor daily activities.
- Review Contractor's erosion and sediment control BMPs.

GENERAL ASSUMPTIONS/EXCLUSIONS

This scope of services is based on the tasks described above which are anticipated for the project.

This proposal is based on the following assumptions:

- Total of 50 working days (35 from original contract and 15 through contract change orders) is allowed for construction of the project.
- The Contractor is responsible for site safety.
- The City will be actively involved in the administration of the construction contract and will participate in key decisions.
- Caltrans Local Assistance will provide oversight throughout the implementation of the project for conformance with State and Federal funding and construction requirements



- The City will provide utility locations and assist with the coordination any utility shut downs if needed.
- Additional construction inspection or management necessitated by site conditions discovered during construction, or contractor's actions is not included in this scope of services.
- Independent Assurant Sampling and Testing (verification of materials testing laboratory and staff) is not required as all materials are anticipated to be accepted based on a certificate of compliance.
- Additional services not identified in this scope can be provided with a scope and budget amendment.

COMPENSATION

GHD will complete the above scope of services on a time and materials basis as budget allows, in accordance with our current fee schedule, for the total estimated fee of **\$15,000**. The amount of effort required for construction engineering will depend on the contractor and their means and methods, the actual site conditions, services provided by the City, involvement and requests by agencies, requests by the City and other factors. We will work with the City to provide the services requested and communicate where the budget stands as we move through the construction process. It is possible that our estimated effort may not be adequate to complete all of the tasks depending on the factor listed above. We will not exceed the contract amount without prior written authorization from the City.

Invoices will be prepared monthly and are due and payable within 30 days of the date of the invoice. Finance charges of 1-1/2% per month will be applied to all outstanding balances.

Original Contract	\$70,000
<u>Amendment No. 1</u>	<u>\$15,000</u>
Total	\$85,000

AGREED

Karen Suiker
Trinidad City Manager

Date


Steve Allen
GHD

2/26/12
Date

City of Trinidad Accounting Tracking Number



CHANGE ORDER

Project Trinidad Gateway TE/HR3 Project Owner City of Trinidad
 Contractor Ford Logging dba Pacific Earthscape Contract Change Order No. 1
 Engineer Josh Wolf, PE Date May 31, 2012

At the request of the Owner, the following changes shall be made to the work being completed to the project:

Item No. 1: Remove and replace existing sidewalk and driveway segment from View Street to Chevron on North side with new 4.5 ft sidewalk, new driveway with 13 ft flat opening (matching existing), and curb and gutter. Note, that the existing sidewalk and driveway is approximately 4.4' wide.

Demolish and remove 56 SY of existing AC, Curb & Gutter, and Driveway, place 64 LF of Curb & Gutter, 173 SF of Sidewalk, and 112 SF of Driveway, where shown on attached sheet

Item No. 2: Remove and replace existing driveway, increase sidewalk width by 6" to 4.5 ft total (not counting curb into the street), and add additional curb and gutter at location of replaced driveway from View St to Ocean Avenue. Note, a small portion of this at Ocean Avenue near the existing is already at the planned width and remains unchanged and follows the contract documents.

Demolish and remove 27 SY of existing AC, Curb & Gutter, and Driveway, place 19 LF of Curb & Gutter, place 40 SF of additional Sidewalk and 157 SF of additional Driveway, where shown on attached sheet.

Item No. 3: Remove and replace existing curb, increase sidewalk and ramp width by 6" to 4.5 ft total (not counting curb into the street except Stagecoach curb ramp which will extend away from street) and additional curb and gutter at locations where existing curb is to be removed in between planned bulbout locations from Ocean Avenue to Stagecoach Road.

Demolish and remove 85 SY of existing AC, Curb & Gutter, Driveway, place 174 LF of Curb & Gutter, place 133 SF of additional Sidewalk and 11 SF of additional Curb Ramps, where shown on attached sheet.

Following is a description of the extra work to be completed on contract unit prices:

Estimate of Increase in contract items @ contract unit prices:

Bid Item No.	Description	Quantity	Units	Unit Cost	Subtotal
7	Remove Concrete/AC (Curb, Gutter, Sidewalk, Curb Ramp, Driveway, Asphalt)	168	SY	\$ 22.15	\$ 3721.20
18	Concrete Curb and Gutter	257	LF	\$ 36.50	\$ 9380.50
19	Minor Concrete - Sidewalks	346	SF	\$ 5.15	\$ 1781.90
21	Minor Concrete - Curb Ramps	11	SF	\$ 10.75	\$ 118.25
23	Minor Concrete - Driveways	269	SF	\$ 13.20	\$ 3550.80



The total increase for this change is estimated to be \$ 18,552.65. The final amount will be based on actual quantities demolished/constructed.

ADJUSTMENT OF CONTRACT SUM		ADJUSTMENT OF CONTRACT TIME (CONSECUTIVE CALENDAR DAYS)	
Original Contract Sum	\$ 305,850.00	Original Contract Time	35
Prior Adjustments	\$ 0.00	Prior Adjustments	0
Contract Sum Prior to this Change	\$ 305,850.00	Contract Time Prior to this Change	35
Adjustment for this Change	\$ 18,552.65	Adjustment for this Change	3
Revised Contract Sum	\$ 324,402.65	Revised Contract Time	38

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE -DESCRIBED CHANGE IN THE WORK.

ENGINEER

RECOMMENDED BY:

DATE:

5/31/12

GHD Inc.

CONTRACTOR

ACCEPTED BY:

DATE:

6-4-2012

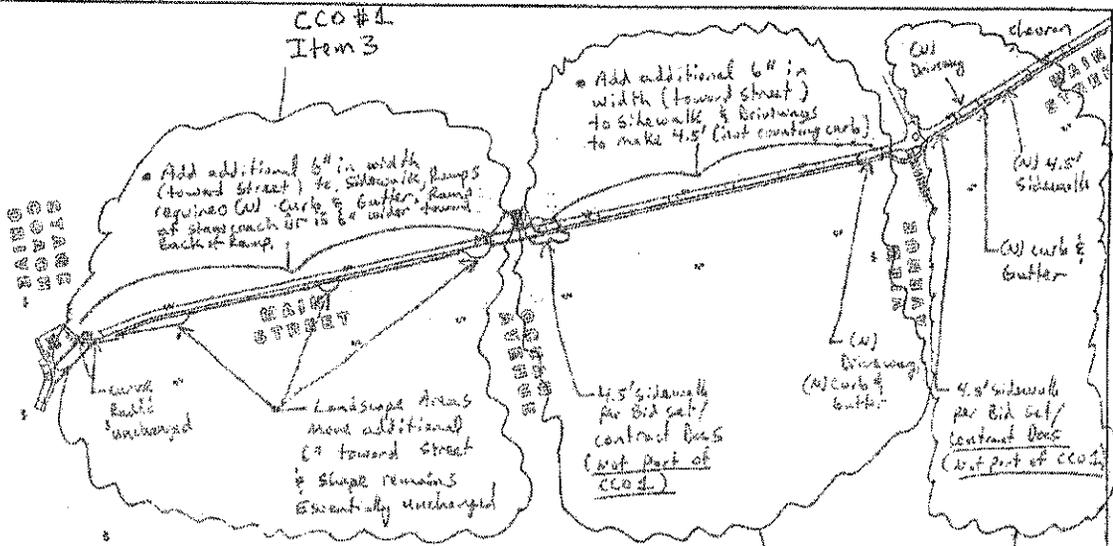
Ford Logging dba Pacific Earthscape

OWNER

APPROVED BY:

DATE:

Karon Seukin 6-5-2012
City of Trinidad City Manager



CCO #1
Item 3

• Add additional 6" in width (toward street) to Sidewalk Ramps required (w/ Curbs & Gutters) Ramp at slope each 6" is 6" wider toward each of Ramp.

• Add additional 6" in width (toward street) to sidewalk & crossings to make 4.5' (not counting curb)

clearance

(w) 4.5' Sidewalk

(w) curb & gutter

(w) Sidewalk

(w) curb & gutter

4.5' sidewalk per Bid set / Contract Docs (not part of CCO #1)

Landscaped Areas move additional 6" toward street & slope remains essentially unchanged

4.5' sidewalk per Bid set / Contract Docs (not part of CCO #1)

CCO #1
Item 2

CCO #1
Item 3

TRINIDAD ELEMENTARY SCHOOL



TRINIDAD CITY HALL

- Notes:
1. Survey stake out reflects these changes
 2. Quantities / removal quantity will be modified per CCO #1 to account for above modifications, as with concrete and curbs & gutters for Items.
- Additional Work To be part of Contract Change Order #1.

IS. 5-31-11

SITE PLAN WEST
CITY OF TRINIDAD
GATEWAY & HIGH PROJECT



CHANGE ORDER

Project Trinidad Gateway TE/HR3 Project Owner City of Trinidad
 Contractor Ford Logging & Pacific Earthscape Contract Change Order No. 2
 Engineer Josh Wolf, PE Date June 5, 2012

At the request of the Owner, the following changes shall be made to the work being completed to the project:

The City has requested that the existing drain inlet at the intersection of Ocean Ave. and Main Street be retrofitted with a new frame, grate and inlet protection instead of replacing the entire structure with a new Type G1 Drain Inlet.

Contractor shall sawcut to remove portion of existing drain inlet. Drill and dowel #4 rebar 6" into existing drain inlet wall to secure concrete to existing. Provide new galvanized bicycle proof grate per Caltrans Standard Specifications. Provide integrated inlet style filter (Kristar FloGard+Plus or approved equal).

Following is a description of work to be removed from contract based on contract unit prices:

Decrease in contract items @ agreed unit prices:

Bid Item No.	Description	Quantity	Units	Unit Cost	Subtotal
11	Type G1 Drain Inlet Protection	(1)	EA	\$ 6,100.00	(\$ 6,100.00)

Following is a description of the work to be completed on agreed prices:

Increase in contract items @ agreed prices:

Bid Item No.	Description	Quantity	Units	Unit Cost	Subtotal
N/A	Retrofit Existing Drain Inlet and Provide Inlet Protection	1	EA	\$ 3,106.85	\$ 3,106.85

The total decrease for this change is 2,993.15.

ADJUSTMENT OF CONTRACT SUM		ADJUSTMENT OF CONTRACT TIME (CONSECUTIVE CALENDAR DAYS)	
Original Contract Sum	18,850.00	Original Contract Time	35
Prior Adjustments	18,552.65	Prior Adjustments	3
Contract Sum Prior to this Change	24,402.65	Contract Time Prior to this Change	38
Adjustment for this Change	(2,993.15)	Adjustment for this Change	0
Revised Contract Sum	21,409.50	Revised Contract Time	38

CONTRACTOR WAIVES ANY CLAIM FOR ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE DESCRIBED CHANGE



ENGINEER

RECOMMENDED BY:

DATE:

[Handwritten Signature]

GHD Inc.

6/13/12

CONTRACTOR

ACCEPTED BY:

DATE:

[Handwritten Signature]

Ford Logging dba Pacific Earthscape

6-21-2012

OWNER

APPROVED BY:

DATE:

[Handwritten Signature] 6-27-2012

City of Trinidad City Manager



CHANGE ORDER

Project Trinidad Gateway TE/HR3 Project Owner City of Trinidad
 Contractor Ford Logging dba Pacific Earthscape Contract Change Order No. 3
 Engineer Josh Wolf, PE Date June 13, 2012

At the request of the Owner, the following changes shall be made to the work being completed to the project:

The City has requested that the existing sidewalk underdrain located on the north side of Main Street near station 19+50 be demo/removed and reconstructed so that the sidewalk cross slope at the underdrain complies with the Americans with Disabilities Act.

Contractor shall demo the existing sidewalk underdrain, salvage the existing 3"x3"x1/4" angle bar, 1/2"x3" steel anchor, 1/2" side bar, and 1/2" diamond plate steel cover, and reconstruct underdrain per detail shown on attached record drawing. Maximum cross slope of diamond plate steel cover shall be 2%.

The following is a description of the extra work to be completed on agreed prices:

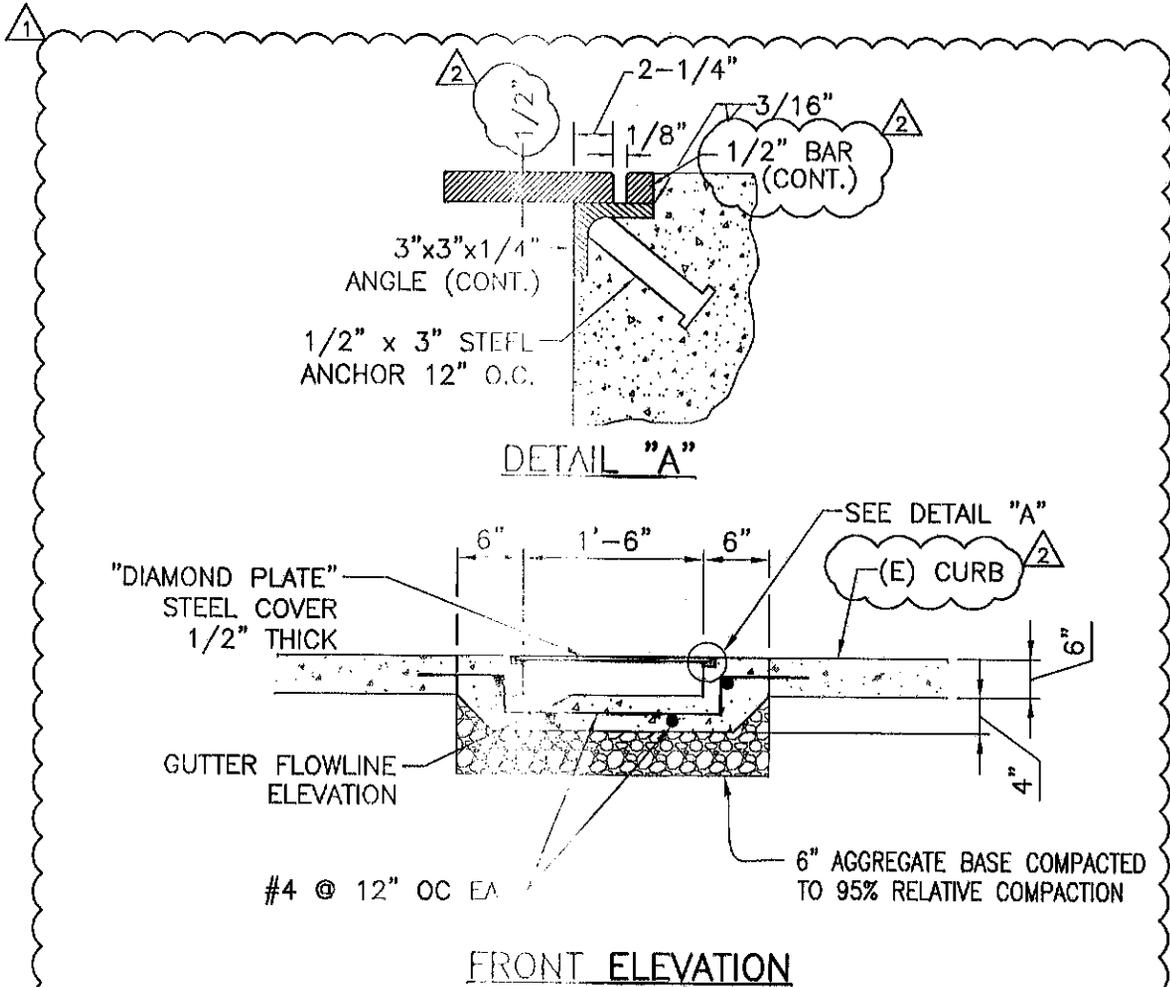
Increase in contract items @ agreed prices:

Bid Item No.	Description	Quantity	Units	Unit Cost	Subtotal
N/A	Demo/Remove and Reconstruct Sidewalk Underdrain	1	LS	\$ 930.00	\$ 930.00

The total increase for this change is \$ 930.00.

ADJUSTMENT OF CONTRACT SUM		ADJUSTMENT OF CONTRACT TIME (CONSECUTIVE CALENDAR DAYS)	
Original Contract Sum	\$ 305,850.00	Original Contract Time	35
Prior Adjustments	\$ 15,559.50	Prior Adjustments	3
Contract Sum Prior to this Change	\$ 21,409.50	Contract Time Prior to this Change	38
Adjustment for this Change	\$ 930.00	Adjustment for this Change	0
Revised Contract Sum	\$ 22,339.50	Revised Contract Time	38

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE-DESCRIBED CHANGE IN THE WORK.



NOTES:

1. DRAIN TO SLOPE A MINIMUM OF 2% TOWARDS GUTTER.
2. ALL EXPOSED PARTS SHALL BE GALVANIZED.
3. CONTRACTOR TO DRILL AND DOWEL #4 @ 24" O.C. INTO (E) SIDEWALK AT JUNCTIONS TO (E) SIDEWALK.
4. TACK WELD STEEL COVER TO 1/2" BAR @ 12" O.C.

21
SIDEWALK UNDERDRAIN
 TYP. C-5.0 SCALE: NTS

RECORD DRAWING

THESE RECORD DRAWINGS HAVE BEEN PREPARED, IN PART, ON THE BASIS OF INFORMATION COMPILED AND FURNISHED BY THE PROJECT CONTRACTOR AND OTHERS. THE ENGINEER WILL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH HAVE BEEN INCORPORATED INTO THIS DOCUMENT AS A RESULT. FIELD VERIFICATION OF FACTS AND DATA SHOULD BE MADE IF THESE DOCUMENTS ARE TO BE USED AS A BASIS FOR FUTURE WORK.

	5/22/2009 JMKLF	7/21/2009 JMKLF					
	BID ADDENDUM NO. 1	WORK DIRECTIVE NO. 1					
	WINZLER & KELLY		PH (707) 443-8328 FAX (707) 444-8330		SUBCONSULTANT		
	633 THIRD STREET EUREKA, CA 95501-0417				DRAWING SCALE AS NOTED		
	DES	SPV	JW	SA	DRAWING SCALE AS NOTED		
	DES	SPV	JW	SA			
CITY OF TRINIDAD	TRINIDAD CENTER ROAD PROJECT		CIVIL REVISION DRAWING		DETAILS 1		
	JOB NUMBER 01063-09-003		WORK DIRECTIVE NO. 1		REVISION DRAWING NO. SK-10		
	ISSUED 7/21/2009						
C-5.0							

REUSE OF DOCUMENTS: This document and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Winzler & Kelly and shall not be reused in whole or in part for any other project without Winzler & Kelly's written consent. © 2009 Winzler & Kelly



ENGINEER

RECOMMENDED BY:

[Handwritten signature]

GHD Inc.

DATE:

6/5/12

CONTRACTOR

ACCEPTED BY:

[Handwritten signature]

Ford Logging dba Pacific Earthscape

DATE:

6-15-2012

OWNER

APPROVED BY:

[Handwritten signature]

City of Trinidad City Manager

DATE:

6-27-2012



CHANGE ORDER

Project Trinidad Gateway TE/HR3 Project Owner City of Trinidad
 Contractor Ford Logging dba Pacific Earthscape Contract Change Order No. 4
 Engineer Josh Wolf, PE Date June 15, 2012

At the request of the Owner, the following changes shall be made to the work being completed to the project:

The City has requested two additional irrigation water service connections be added to the work, as well as additional irrigation piping, double check valves, utility boxes, irrigation sleeve and lockable hose bibs at various locations.

The additional irrigation water service connections will be provided at: (1) the new bulbout planter on the north side of Main Street near View Avenue (Station 18+25±), and (2) the new bulbout planter on the north side of Main Street just east of Stagecoach Road (Station 13+25±). The two additional irrigation water service connections will be measured and paid at contract unit price. This will include full compensation for all work shown on detail 60, sheet C-3.4 of the Plans and as described in the Specifications.

Contractor shall provide additional irrigation piping, double check valves, utility boxes, irrigation sleeve and hose bibs at various locations as shown on attached drawings. Additional irrigation piping, double check valves, utility boxes, irrigation sleeve and hose bibs shall be paid at agreed price, which shall include full compensation for all work necessary to provide a complete and working system. The attached plans are diagrammatic and may not show every pipe, fitting or component required to complete the work. The Contractor is responsible for providing a complete and working system. The water meters will be provided by the City and installed by the Contractor.

The following is a description of the extra work to be completed on contract unit prices:

Increase in contract items @ contract unit prices:

<u>Bid Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Subtotal</u>
14	Irrigation Water Service Lateral	2	EA	\$ 5,300.00	\$ 10,600.00

The following is a description of the extra work to be completed on agreed prices:

Increase in contract items @ agreed prices:

<u>Bid Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Subtotal</u>
N/A	Irrigation Piping, Double Check Valves, Utility Boxes, Irrigation Sleeve, and Hose Bibs	1	LS	\$ 5,300.00	\$ 5,300.00



The total increase for this change is \$ 15,900.00 .

ADJUSTMENT OF CONTRACT SUM		ADJUSTMENT OF CONTRACT TIME (CONSECUTIVE CALENDAR DAYS)	
Original Contract Sum	\$ 305,850.00	Original Contract Time	35
Prior Adjustments	\$ 16,489.50	Prior Adjustments	3
Contract Sum Prior to this Change	\$ 322,339.50	Contract Time Prior to this Change	38
Adjustment for this Change	\$ 15,900.00	Adjustment for this Change	3
Revised Contract Sum	\$ 338,239.50	Revised Contract Time	41

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE -DESCRIBED CHANGE IN THE WORK.

ENGINEER

RECOMMENDED BY:

DATE:

6/15/12

GHD Inc.

CONTRACTOR

ACCEPTED BY:

DATE:

6-21-2012

Ford Logging dba Pacific Earthscape

OWNER

APPROVED BY:

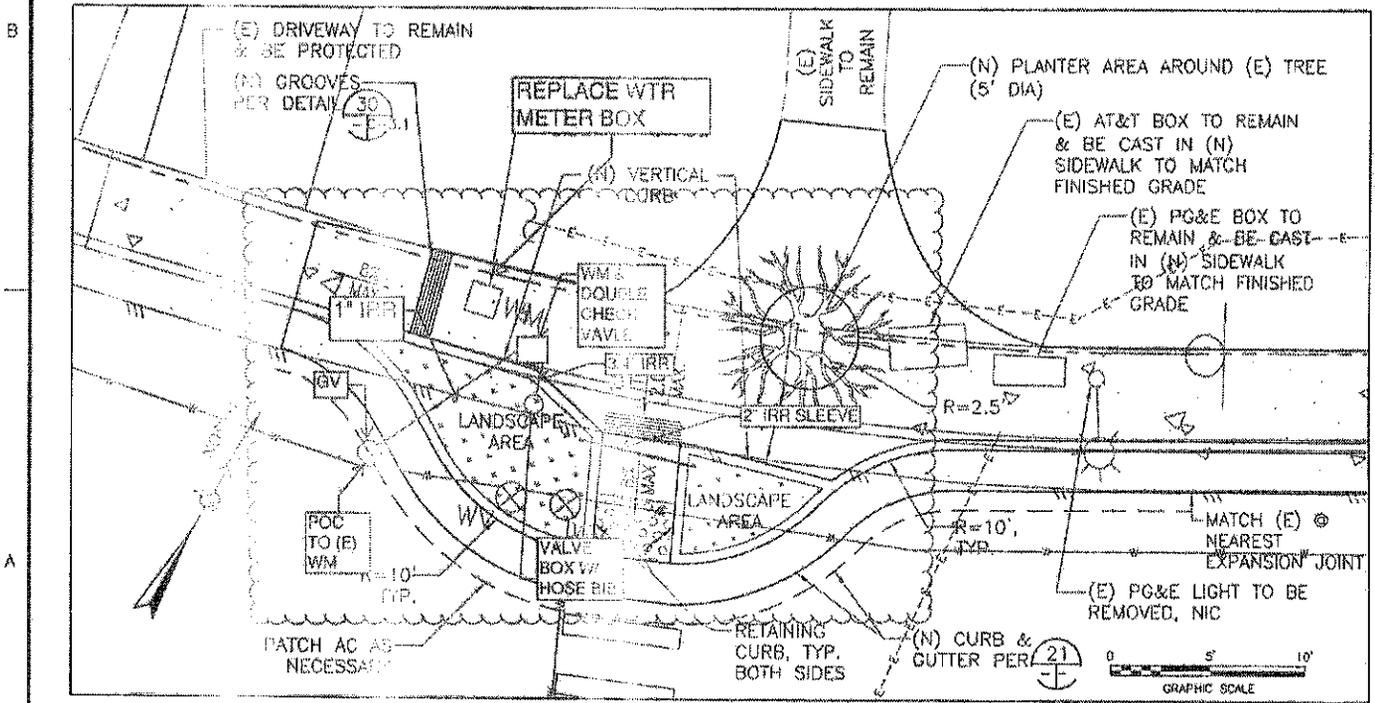
DATE:

6-27-2012

City of Trinidad City Manager

(E) SIGN TO BE REMOVED & POST CUT IN
SEE SHEET D-1.1 FOR MORE INFO

RAISE (E) WATER VALVE BOXES TO
FINISHED GRADE PER DETAIL



C
CURB RAMP DETAIL
MAIN STREET BULBOUT
SCALE: SEE SCALE BAR

FIELD & MOUNTED ON DIRT ROAD

(N) POST, SEE NOTE 4

STA 21+53

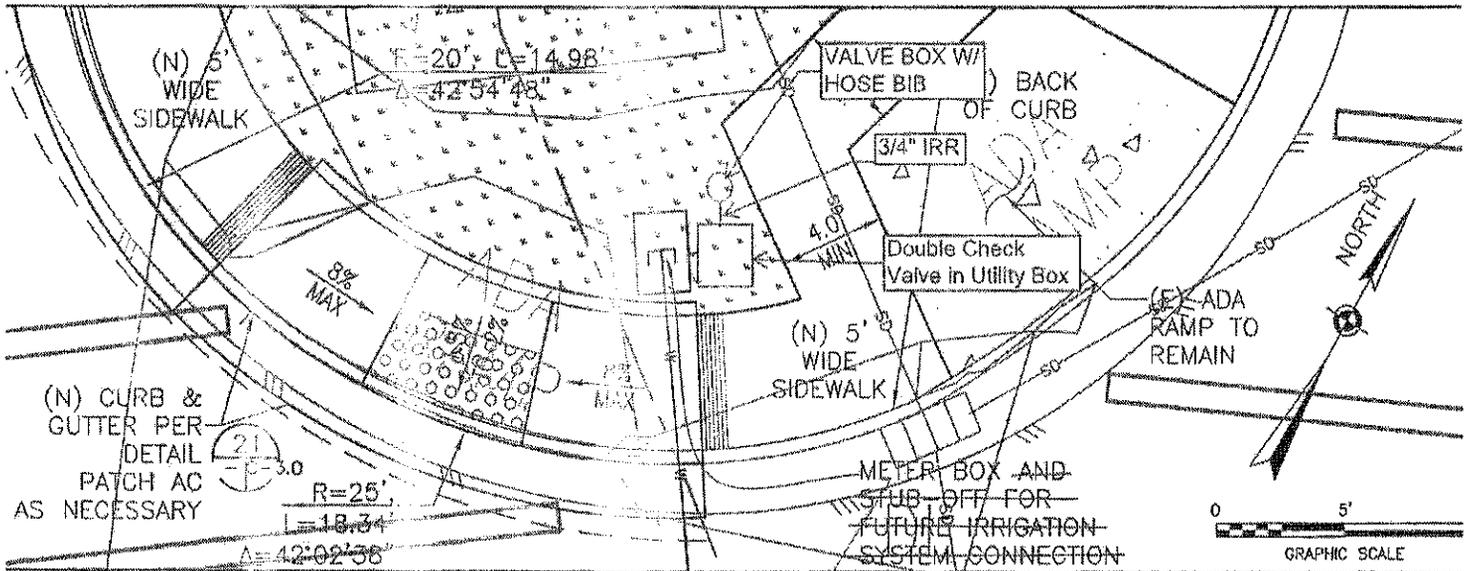
(N) CURB RAMP PER DETAIL



(N) STREET LIGHT, NIC

(E) WARNING SIGN & POST TO BE REMOVED

APPROXIMATE STATE R/W



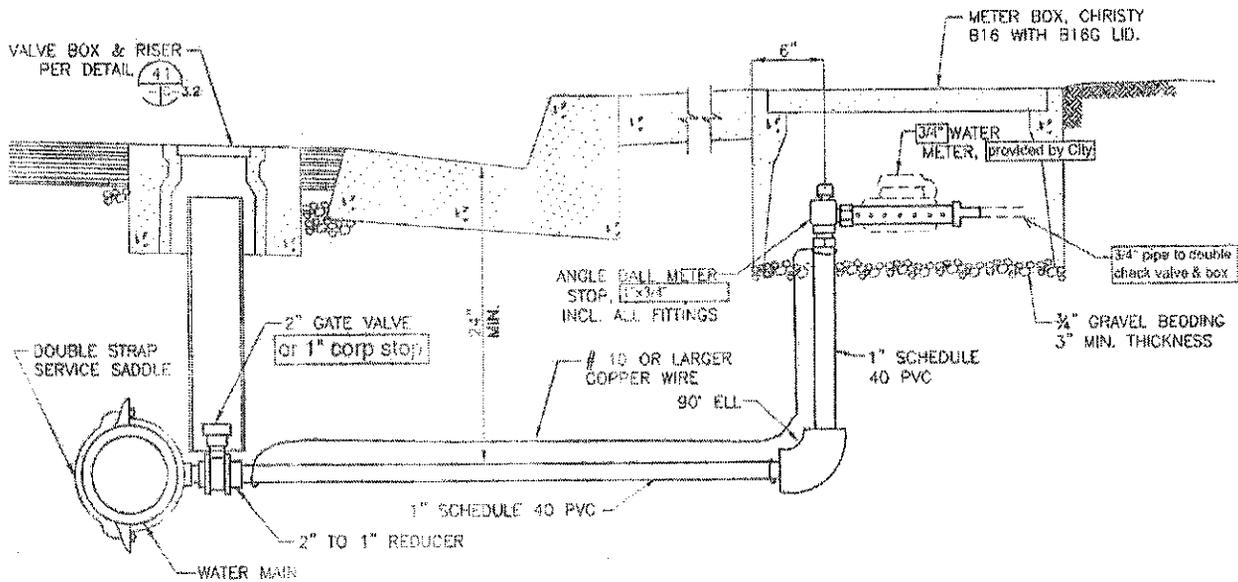
CURB RAMP DETAIL TEAR DROP AREA



SCALE: 1" = 10' SCALE BAR

1/2012 4:52 PM

005 & Beyond\31063 City of Trinidad\01063-05 005 Trinidad Main & Traffic MFS Project\CAD0106308003\dwg\08-C-1.2.dwg



NOTE:

1. CONNECTION TO MAIN TO BE MADE VIA HOT TAP METHOD.
2. CONTRACTOR SHALL COORDINATE ALL WORK WITH THE CITY.

60
TYP C-3.4

WATER SERVICE CONNECTION

SCALE: N.T.S



CHANGE ORDER

Project Trinidad Gateway TE/HR3 Project Owner City of Trinidad
Contractor Ford Logging dba Pacific Earthscape Contract Change Order No. 5
Engineer Josh Wolf, PE Date July 5, 2012

At the request of the Owner, the following changes shall be made to the work being completed to the project:

Main & Scenic Curb Ramp and Drain Inlet Modifications – Contractor to make the following modifications to the work at the south-west corner of Main Street and Scenic Drive to comply with ADA maximum slope requirements for curb ramp:

1. Raise the existing drain inlet grate by sawcutting off the top of the existing structure and salvaging the existing frame and grate, drill and dowel #4 rebar 6" into existing drain inlet wall to secure new concrete to existing, and reset the existing frame and grate to new finished grade.
1. Adjust curb ramp design grades by raising subgrade and resetting concrete forms as directed in the field.
2. Adjust the finished grade of street light pull box.
3. Conform grind existing asphalt concrete (0.15-inches min.) in order to accommodate asphalt concrete patch pave in crosswalk area.
4. Patch pave area around drain inlet and crosswalk across Scenic Drive with hot mix asphalt concrete (approximately 100 sf).
5. Provide asphalt transition from top of new curb ramp to adjacent grade.

Asphalt/concrete demolition and new concrete work will be measured and paid at contract unit prices and are not included in the cost of this change order.

Payment for this item will include full compensation for all work necessary to complete the work described.

Main & Patrick's Point Curb Ramp and Drain Inlet Modifications – Contractor to make the following modifications to the work at the north-east corner of Main Street and Patrick's Point Drive in order to replace non-compliant ADA curb ramp:

1. Raise the existing drain inlet grate by sawcutting off the top of the existing structure including the existing frame and grate, drilling and doweling #4 rebar 6" into existing drain inlet wall to secure new concrete to existing, and providing new galvanized bicycle proof grate (18x9x) per Caltrans Standard Specifications.
2. Adjust curb ramp design grades by raising subgrade and resetting concrete forms as directed in the field.

Asphalt/concrete demolition and new concrete work will be measured and paid at contract unit prices and are not included in the cost of this change order.

Payment for this item will include full compensation for all work necessary to complete the work described.



The following is a description of the extra work to be completed on agreed prices:

Increase in contract items @ agreed prices:

Bid Item No.	Description	Quantity	Units	Unit Cost	Subtotal
N/A	Main & Scenic Curb Ramp and Drain Inlet Modifications	1	LS	3,400.00	3,400.00
N/A	Main & Patrick's Point Curb Ramp and Drain Inlet Modifications	1	LS	2,600.00	2,600.00

The total increase for this change is \$ 6,000.00 .

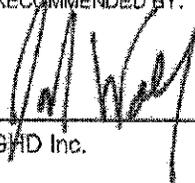
ADJUSTMENT OF CONTRACT SUM		ADJUSTMENT OF CONTRACT TIME (WORKING DAYS)	
Original Contract Sum	\$ 305,850.00	Original Contract Time	35
Prior Adjustments	\$ 32,389.50	Prior Adjustments	6
Contract Sum Prior to this Change	\$ 338,239.50	Contract Time Prior to this Change	41
Adjustment for this Change	\$ 6,000.00	Adjustment for this Change	2
Revised Contract Sum	\$ 344,239.50	Revised Contract Time	43

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE --DESCRIBED CHANGE IN THE WORK.

ENGINEER

RECOMMENDED BY:

DATE:


GHD Inc.

7/5/12

CONTRACTOR
ACCEPTED BY:

DATE:


Ford Logging dba Pacific Earthscape

8-1-12

OWNER

APPROVED BY:

DATE:


Karen Secker
City of Trinidad City Manager

8-1-2012



CHANGE ORDER

Project Trinidad Gateway TE/HR3 Project Owner City of Trinidad
 Contractor Ford Logging dba Pacific Earthscape Contract Change Order No. 6
 Engineer Josh Wolf, PE Date July 5, 2012

At the request of the Owner, the following changes shall be made to the work being completed to the project:

Contractor to make the following modifications to the work at the south-east corner of Main Street & Highway 101 Southbound Onramp:

1. Remove Type G0 Drain Inlet with Inlet Protection from contract work
2. Remove concrete manhole from contract work.
3. Add Type G1 Drain Inlet with Inlet Protection to contract work.
4. Construct cast-in-place storm drain junction box (4'x4'), instead of precast storm drain manhole. Base to be 8" thick, walls to be 6" thick, all with #4 rebar at 12" O.C. each way. Provide manhole frame and grate per project plans. Work includes connecting new junction box to new and existing pipes and structure and relocating air release valve and utility box.

Payment for this item will include full compensation for all work necessary to complete the work described.

Following is a description of work to be removed from contract based on contract unit prices:

Decrease in contract items @ contract unit prices:

<u>Bid Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Subtotal</u>
12	Type G0 Drain Inlet with Inlet Protection	(1)	EA	\$ 6,100.00	(\$ 6,100.00)
13	Storm Drain Manhole	(1)	EA	\$ 6,300.00	(\$ 6,300.00)

Following is a description of extra work to be completed on contract unit prices:

Increase in contract items @ contract unit prices:

<u>Bid Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Subtotal</u>
11	Type G1 Drain Inlet with Inlet Protection	1	EA	\$ 6,100.00	\$ 6,100.00



Following is a description of the extra work to be completed on agreed prices:

Increase in contract items @ agreed prices:

Bid Item No.	Description	Quantity	Units	Unit Cost	Subtotal
	Cast-In-Place Storm Drain Junction Box	1	LS	3,600.00	3,600.00

The total decrease for this change is \$ 2,700.00 .

ADJUSTMENT OF CONTRACT SUM		ADJUSTMENT OF CONTRACT TIME (WORKING DAYS)	
Original Contract Sum	\$ 305,850.00	Original Contract Time	35
Prior Adjustments	\$ 38,389.50	Prior Adjustments	8
Contract Sum Prior to this Change	\$ 344,239.50	Contract Time Prior to this Change	43
Adjustment for this Change	(\$ 2,700.00)	Adjustment for this Change	0
Revised Contract Sum	\$ 341,539.50	Revised Contract Time	43

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE -DESCRIBED CHANGE IN THE WORK.

ENGINEER

RECOMMENDED BY:

DATE:


GHD Inc.

7/9/12

CONTRACTOR

ACCEPTED BY:

DATE:


Ford Logging dba Pacific Earthscape

8-1-12

OWNER

APPROVED BY:

DATE:


City of Trinidad City Manager

8-1-2012



CHANGE ORDER

Project Trinidad Gateway TE/HR3 Project Owner City of Trinidad
 Contractor Ford Logging dba Pacific Earthscape Contract Change Order No. 7
 Engineer Josh Wolf, PE Date July 9, 2012

At the request of the Owner, the following changes shall be made to the work being completed to the project:

Contractor use an A1-8 (8-inch) vertical concrete curb per Caltrans Standard Plans (2010) adjacent to new sidewalks under Highway 101 underpass, between areas of A2-6 concrete curb and gutter, instead of the A1-6 (6-inch) vertical concrete curb shown on the plans.

Payment for this item will include full compensation for all work necessary to complete the work described.

Following is a description of the work to be reduced based on contract unit prices:

Estimate of Decrease in contract items @ unit prices:

Bid Item No.	Description	Quantity	Units	Unit Cost	Subtotal
17	Concrete Curb (Vertical Curb, Sloped Curb & Retaining Curb)	300	LF	\$ 27.50	\$ 8,250.00

Following is a description of the extra work to be completed on agreed prices:

Estimate of Increase in contract items @ agreed prices:

Bid Item No.	Description	Quantity	Units	Unit Cost	Subtotal
N/A	A1-8 Concrete Curbs	300	LF	\$ 32.00	\$ 9,600.00

The total increase for this change is estimated to be \$ 1,350.00. The final amount will be based on actual quantities demolished/constructed.

ADJUSTMENT OF CONTRACT SUM		ADJUSTMENT OF CONTRACT TIME (WORKING DAYS)	
Original Contract Sum	\$ 305,850.00	Original Contract Time	35
Prior Adjustments	\$ 35,689.50	Prior Adjustments	8
Contract Sum Prior to this Change	\$ 341,539.50	Contract Time Prior to this Change	43
Adjustment for this Change	\$ 1,350.00	Adjustment for this Change	0
Revised Contract Sum	\$ 342,889.50	Revised Contract Time	43

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE -DESCRIBED CHANGE IN THE WORK.



ENGINEER

RECOMMENDED BY:

DATE:

[Signature]

GHD Inc.

7/9/12

CONTRACTOR
ACCEPTED BY:

DATE:

[Signature]

Ford Logging dba Pacific Earthscape

8-1-12

OWNER

APPROVED BY:

DATE:

[Signature] 8-1-2012

City of Trinidad City Manager



CHANGE ORDER

Project Trinidad Gateway TE/HR3 Project Owner City of Trinidad
 Contractor Ford Logging dba Pacific Earthscape Contract Change Order No. 8
 Engineer Josh Wolf, PE Date July 26, 2012

At the request of the Owner, the following changes shall be made to the work being completed to the project:

Demolish and remove existing vertical curb, curb and gutter, sidewalk, and driveway segments from View Street to Scenic Drive (In front of Catch Café and Murphy's Market) with a new 4.5 ft sidewalk and curb and gutter.

Demolish and remove 310 SY of existing AC, Curb & Gutter, Vertical Curb, and Driveways, place 300 LF of Curb & Gutter, 966 SF of Sidewalk, and 425 SF of Driveway, adjust 3 EA utility boxes to grade. Note: Adjusting utility boxes to grade and patch paving is considered incidental to applicable Minor Concrete items per the contract documents, and will not be paid separately (except asphalt as noted below between new sidewalk and existing murphy's parking lot).

Remove and Reset existing Bus Stop/Bench and Recycling/Refuge structures in new sidewalk segment that is part of the above quantity including setting new anchor bolts in concrete sidewalk for reinstallation.

Place AC between back of new sidewalk and the existing Murphy's parking lot (355 SF approximate areas).

Following is a description of the extra work to be completed on contract unit prices:

Estimate of Increase in contract items @ contract unit prices:

<u>Bid Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Subtotal</u>
7	Remove Concrete/AC (Curb, Gutter, Sidewalk, Curb Ramp, Driveway, Asphalt)	310	SY	\$ 22.15	\$ 6,866.50
18	Concrete Curb and Gutter	300	LF	\$ 36.50	\$ 10,950.00
19	Minor Concrete - Sidewalks	966	SF	\$ 5.15	\$ 4,974.90
23	Minor Concrete - Driveways	425	SF	\$ 13.20	\$ 5,610.00



Following is a description of the extra work to be completed on agreed prices:

Increase in contract items @ agreed prices:

Bid Item No.	Description	Quantity	Units	Unit Cost	Subtotal
NA	Remove and Reset existing Bus Stop/Bench and Recycling/Refuge Structure, including Anchor bolts	1	LS	\$ 1,000.00	\$ 1,000.00
NA	Asphalt Concrete Conform between new sidewalk and existing parking lot	1	LS	\$ 1,500.00	\$ 1,500.00

The total **increase** for this change is estimated to be **\$ 30,901.40**. The final amount will be based on actual quantities demolished/constructed.

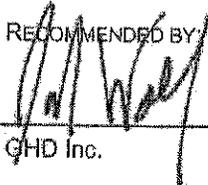
ADJUSTMENT OF CONTRACT SUM		ADJUSTMENT OF CONTRACT TIME (WORKING DAYS)	
Original Contract Sum	\$ 305,850.00	Original Contract Time	35
Prior Adjustments	\$ 37,039.50	Prior Adjustments	8
Contract Sum Prior to this Change	\$ 342,889.50	Contract Time Prior to this Change	43
Adjustment for this Change	\$ 30,901.40	Adjustment for this Change	10
Revised Contract Sum	\$ 373,790.90	Revised Contract Time	53

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE --DESCRIBED CHANGE IN THE WORK.

ENGINEER

RECOMMENDED BY:

DATE:

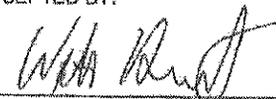

GHD Inc.

7/26/12

CONTRACTOR

ACCEPTED BY:

DATE:


Ford Logging dba Pacific Earthscape

8-1-12

OWNER

APPROVED BY:

DATE:

 8-1-2012
City of Trinidad City Manager



CHANGE ORDER

Project Trinidad Gateway TE/HR3 Project Owner City of Trinidad
 Contractor Ford Logging dba Pacific Earthscape Contract Change Order No. 9
 Engineer Josh Wolf, PE Date July 26, 2012

At the request of the Owner, the following changes shall be made to the work being completed to the project:

Provide two (2) in-street pedestrian crossing signs (R6-1) with fixed base (Pexco or approved equal). Sign shall be 12" x 36" and shall comply with the California MUTCD, current edition. Signs would be installed in front of the Trinidad Elementary School near station 10+20 and station 10+40.

Following is a description of the extra work to be completed on agreed unit prices:

Increase in contract items @ agreed unit prices:

<u>Bid Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Cost</u>	<u>Subtotal</u>
NA	In-Street Pedestrian Crossing Sign (R1-6)	2	EA	\$ 400.00	\$ 800.00

The total increase for this change is \$ 800.00 .

<u>ADJUSTMENT OF CONTRACT SUM</u>		<u>ADJUSTMENT OF CONTRACT TIME (WORKING DAYS)</u>	
Original Contract Sum	\$ 305,850.00	Original Contract Time	35
Prior Adjustments	\$ 67,940.90	Prior Adjustments	18
Contract Sum Prior to this Change	\$ 373,790.90	Contract Time Prior to this Change	53
Adjustment for this Change	\$ 800.00	Adjustment for this Change	0
Revised Contract Sum	\$ 374,590.90	Revised Contract Time	53

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE -DESCRIBED CHANGE IN THE WORK.



ENGINEER

RECOMMENDED BY:

[Handwritten Signature]

GHD Inc.

DATE:

7/26/12

CONTRACTOR

ACCEPTED BY:

[Handwritten Signature]

Ford Logging dba Pacific Earthscape

DATE:

8-1-12

OWNER

APPROVED BY:

[Handwritten Signature]

City of Trinidad City Manager

DATE:

8-1-2012



AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 25 PAGES

2. Discussion/Decision regarding Resolution 2012-10; Approving OWTS Program Fees and Initial Implementation.

DISCUSSION AGENDA

Date: August 8, 2012

Item: OWTS Management Program Fees & Initial Implementation

Fees

Background: The City's Onsite Wastewater Treatment System (OWTS) Ordinance (2010-03) includes a provision for establishing fees to offset the costs of administering the management program. The program has been set up to minimize the amount of oversight required, but some staff time will be needed in order to implement the program, particularly at the beginning. Tasks will include sending out letters informing property owners of the need to get their systems inspected, reviewing initial performance inspections, setting maintenance schedules, issuing operating permits and tracking compliance.

Language from the ordinance:

Section 13.12.080 – Permit Fees / Program Financing

The City Council, in a manner prescribed by law, may by resolution establish and alter fees, deposits and / or charges for receiving applications, holding hearings thereon, reviewing plans and specifications, reviewing inspection reports, monitoring OWTS and water quality and issuing permits, and for performing any other service for maintaining and administering the OWTS Management Program established pursuant to this ordinance. Said fees shall be sufficient to offset the cost of implementing the Trinidad OWTS Program, including monitoring. Operating Permit(s) shall not be valid unless such fees have been paid.

Language from the corresponding Guidelines section (note that the Guidelines have not been updated to reflect the most recent recoding of the ordinance):

Section 1:08 – Permit Fees / Program Financing

The City Council shall establish a fee schedule to be assessed each owner of an OWTS / holder of an operating permit. Said fee shall be based on the total number of OWTS in the OWTS Management Program and the administrative and technical costs associated with providing the services described in the OWTS Ordinance. Fees will be paid when permit applications are received for issuance, transfer or renewal. Any funds collected or raised for purposes of implementing the OWTS Management Program shall be for the exclusive use of said program implementation and operation and shall be maintained in an account separate from the City's general fund. Fees may be updated by the City Council from time to time. Please also see OWTS Ordinance §1:08.

(Draft) Fee / Deposit Schedule:

- *Project referral to Health Officer: \$20*
- *Construction / Repair Permits: DEH Rates*

- *Standard Operating Permit: \$100*
- *Nonstandard Operating Permit: \$150*
- *Renewal of Operating Permit: \$50*
- *Administrative fees:*
 - *Permit Transfer: \$25*

The draft fee schedule also mentions deposits. Many of the City's permit fees are considered a deposit because the true cost of processing is the application what the applicant will be responsible for, and the initial fee is just a deposit. This is because permits for individual projects can vary widely in the staff time required and resultant costs. However, in this case, a set fee is probably more appropriate. Though there will be some variation in the time it takes to review each OWTS inspection report, it should not vary significantly. Also, a higher fee is proposed for nonstandard systems, which include older substandard systems as well as newer systems that use advanced technology. The following includes an explanation of each fee.

- Project referral to Health Officer: This fee is intended to help offset costs to the Humboldt County Division of Environmental Health (DEH) for their role in implementing the City's OWTS program. DEH has been involved in the development of the program from the beginning, and are supportive of the program and prepared for their role. The fee will be collected for planning and building permit applications that require referral and review by DEH. Currently DEH performs this role as the City's Health Officer without compensation. The fee would also be required if an inspection report needed to be reviewed by DEH for a recommendation on the maintenance schedule.
- Construction / Repair Permits: This will not change. Currently City residents apply and pay fees to DEH for installations and repairs of OWTS. These fees are set by DEH.
- Standard Operating Permit: This is the fee that will be charged for standard gravity-fed systems that meet current standards. It is unknown what percentage of Trinidad systems will fall into this category, but it could be reasonably assumed that it will be somewhere around two thirds. There are approximately 200 systems in the City, and this fee will result in approximately \$13,000 in revenue to offset the costs of administering and implementing the program. Operating permits for standard systems will likely be for an average period of about three to four years.
- Nonstandard Operating Permit: This is the fee that will be charged for nonstandard systems. This includes systems that do not meet current criteria or those that utilize alternative technology. Several of these newer alternative systems are already be part of the County's nonstandard system program that requires periodic inspections. These systems require additional oversight compared to standard systems, and will be overseen with cooperation between the County and the City. If one third of the OWTS in the City are nonstandard, this would result in an additional \$10,000 for the OWTS program over the next couple of years with an average permit term of 2 years.
- Renewal of Operating Permit: This would be the fee paid by OWTS owners to renew their operating permits with submittal of proof of maintenance and / or inspection. This would

result in a continual income of approximately \$5,000 per year depending on how the renewal schedules are staggered.

- Administrative fees:
 - Permit Transfer: This fee represents what a new property owner would pay to transfer an existing operating permit into their name. The reason for the fee is that the new owner will be required to fill out a homeowner questionnaire, and their maintenance schedule will be reassessed based on the new conditions.

Since writing the above referenced guidelines, I would recommend that the Council consider a few other fees as well. These would include the following:

- Commercial / Vacation rental operating permit (\$150): These types of systems will require additional oversight compared to the standard residential systems. Therefore, I propose that they have a higher fee, which would be the same as for a nonstandard system. However, I have not proposed a higher renewal fee for nonstandard, commercial or vacation rental properties, because the terms of those operating permits will be shorter, so they will have to pay the renewal fees more often.
- New system operating permit (\$50): Brand new systems will meet all the current criteria and should be performing at optimal levels as long as they are installed correctly. That means that these systems should require less review and oversight than existing systems. Therefore, I am proposing a reduced fee for these operating permits.
- Change in maintenance schedule request (\$75): The Ordinance and Guidelines allow a property owner to petition the City to change their maintenance schedules / terms of their operating permit. This would take some time for City staff to review, and so should reasonably have a fee associated with it.
- Building Permit referral fee (\$30): This fee would cover the cost of the OWTS Administrator to review building permits for compliance with the OWTS Program.

Finally, I would also propose that some of the original fees, set out in Section 1:08 of the Guidelines in 2008, be modified to better reflect current rates and costs. Therefore, the entire fee schedule I recommend would be as follows:

- *Building Permit Referral: \$30*
- *Project Referral to Health Officer: \$50*
- *Construction / Repair Permits: Current DEH Rates*
- *Standard Operating Permit: \$100*
- *Nonstandard Operating Permit: \$150*
- *Commercial / Vacation Dwelling Unit Operating Permit: \$150*
- *New System Operating Permit: \$50*
- *Renewal of Operating Permit: \$75*
- *Change in Maintenance Schedule Request: \$75*
- *Permit Transfer: \$30*

The Guidelines should be updated to include these new fees. Also, when the Guidelines were adopted, they did not include the revised section numbers that are now codified in the ordinance. So part of the Council's action should also be to adopt the revised guidelines. Those are the only changes proposed at this time.

These fee amounts are certainly adjustable. It is difficult to tell how much it will cost to implement this program, since it is somewhat unique. The fees may be adjusted in the future to better reflect actual expenses. It should be kept in mind that septic maintenance is substantially cheaper than paying for a sewer system. Even without considering the up front costs of building a sewer, OWTS maintenance and permit fees under Trinidad's program still costs half as much on an annual basis as the average local sewer fee.

Implementation

This program has been on the backburner for a while, but it was originally community driven and developed by a community committee. There are several reasons this program is necessary, one of the main ones being for Trinidad to control its own destiny. The Ocean Plan prohibits septic discharge to the Trinidad Head ASBS and the new Statewide septic regulations will affect areas in Trinidad and subject them to the new State requirements if Trinidad does not have its own regulations.

The next step in implementing this program after the fees are adopted is to send out some informational materials to property owners in the City to remind them and / or inform them about this program. These materials will include the attached educational brochure. It will also include a short letter that explains some of the history of the program and why it is important. Property owners will be referred to the City's website for more detailed information if they want to know more. These materials will also inform property owners to expect a more formal letter within the months to come that provides instructions and a time limit for obtaining an operating permit. We would send such notices in groups, by neighborhood, so that not everyone is on the same schedule. I would anticipate sending out the information packet within two months, and start sending out notices for operating permits within a month or two of that packet. Therefore, the first round of applications should come towards the end of summer. The initial operating permit application process would be completed within a year.

Proposed Action: (1) Consider adopting Resolution 2012-## establishing an OWTS Management Program fee schedule; (2) Consider adopting revised OWTS Guidelines to reflect current numbering system of the OWTS Ordinance and new fee schedule; (3) Consider authorizing staff to proceed in sending out information packet to property owners to begin implementing the Program.

Attachments: (1) Resolution 2012-##; (2) Revised OWTS Guidelines; (3) Property owner letter; (4) Trinidad OWTS Management Program brochure; (5) Cost break-down.



City of Trinidad

Date

Property Owner
P.O. Box ##
Trinidad, CA 95570

Dear Property Owner,

As you may be aware, the City of Trinidad has adopted an Onsite Wastewater Treatment System (OWTS) Management Program in the form of an ordinance and guidelines. An OWTS is basically a fancy name for a septic system. This regulatory program has been in place for a couple of years, and the City is now ready to implement it. These new regulations require all property owners to obtain an operating permit for their OWTS that requires each system to be periodically inspected and appropriately maintained. You may be thinking that you do not need another layer of government oversight, but there are many good reasons for this program. This program was developed over several years with significant community input and support. In fact, the demand for the regulations came from the community itself. There is a brochure and cost break-down included with this mailing that will help explain why Trinidad has enacted this program and what it will mean to you.

Due to various factors, there has been a fair amount of time that has passed since these regulations were adopted and now that they are being implemented. Therefore, this letter serves as a friendly reminder about these important regulations and how they will affect you. Within the next several months you will be receiving a more formal letter requiring that you submit documentation and application for an operating permit within a certain time frame. The City will be staggering the timing so that not all the applications are submitted at once. Therefore, the City will notify property owners on a neighborhood by neighborhood basis, approximately 50 properties at a time. The City will start with the neighborhoods with the most septic limitations first, including older systems and smaller lots.

So please keep an eye out for future correspondence from the City regarding your septic system. Don't worry if you have recently had your system pumped or inspected, that will likely count toward meeting the City's requirements for an operating permit. Though there will be some added expense for homeowners, proper septic maintenance is cheaper than sewer fees. Please read through the attached materials carefully. Additional information can be found on the 'documents library' section of the City's website. <http://www.trinidad.ca.gov/>

Sincerely,

Trever Parker, City Planner

What's this going to cost me?!

Cost Breakdown / Initial Expenditures:

Septic Maintenance

- Inspection: \$250
- Pumping: \$400-\$600
- Excavation: \$50/hr
- Risers / Filters: \$0-\$200
- Operating Permit: \$100

Septic Repair

- \$5,000-\$20,000
(or more)

Local Sewer Fees

- (average per month)
- \$47.65

Typical total cost over the first three-year operating permit period

Septic Maintenance

- \$750-\$1200

Septic Repair

- NA

Local Sewer Fees

- \$1,750

Typical annual cost

Septic Maintenance

- \$240-\$310

Septic Repair

- NA

Local Sewer Fees

- \$583

Why is Trinidad concerned about septic systems?

Public Health and Safety: Untreated wastewater poses significant health risks. Domestic wastewater contains bacteria, viruses and nutrients that cause dysentery, hepatitis, typhoid fever and "blue baby" syndrome.

Water Quality and Environmental Health: Nutrients in wastewater pollute aquatic ecosystems and upset the natural balance of the environment. Trinidad is surrounded by sensitive natural resources that must be protected.

Community Welfare: Polluted water can affect recreational opportunities, the ecosystem, and tourism around Trinidad. Property values could decline and hurt the economic base of the community.

Why should you be concerned about septic systems?

Money: Maintenance is much cheaper than repair or replacement of failed systems, which can cost upwards of \$20,000. Typical septic maintenance is also half the cost of local sewer fees over an average three year period.

Money: Failed septic system decline individual property values and can result in development restrictions or block real estate transactions. Environmental degradation can result in lowered property values around the community.

Health: Faulty septic systems may discharge untreated waste into your yard, your neighbor's yard or nearby waters where you, children & others are vulnerable to pollution.

Contact Numbers

Streamline Planning Consultants

Contact: Trever Parker (City Planner, OWTS Administrator)
707-822-5785

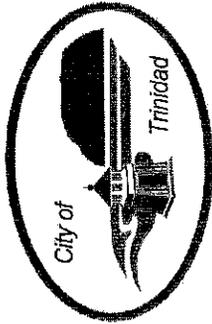
County Environmental Health Division

707-445-6215

Trinidad City Clerk

707-677-0223 phone
707-677-3759 fax

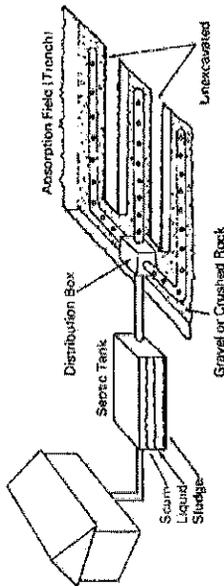
cityclerk@trinidad.ca.gov - email



Onsite Wastewater

Treatment System

Management Program



This pamphlet is designed for Trinidad residents regarding Trinidad's Onsite Wastewater Treatment System (OWTS) Management Program and septic care.

Prepared by:

www.streamlineplanning.net
Streamline
Planning Consultants
1062 G St. Suite I TEL: (707) 822-5785
ARCATA, CA 95521 FAX: (707) 822-5786

For Further Information

Public education materials and updates may be found under the 'downloadable documents' section of the City's website:

trinidad.ca.gov

Septic Systems in Trinidad

A septic system is an onsite wastewater treatment system (OWTS) that uses the soil to treat wastewater. A standard septic system has two main parts: a holding tank (septic tank) and an absorption field (leachfield). Household wastewater from toilets, sinks, showers, washing machines, etc. enters the septic tank. Heavier solids settle out and scum rises to the surface (see figure on front of pamphlet). The water between the scum and solid layer ultimately enters the leachfield and trickles down into the soil where biological filtration occurs. The solids however must be periodically pumped out.

The City of Trinidad and the surrounding areas use OWTS as the only means of wastewater disposal. Due to Trinidad's small size and distance from neighboring communities, development of a centralized wastewater treatment facility is infeasible due to excessive costs. OWTS in Trinidad are highly dense with a significant number of old and unpermitted systems that do not meet current standards. This puts the Trinidad area at risk of water quality and public health impacts.

Current water quality testing is indicating that there is septic pollution in our local creeks and groundwater. Further, Trinidad State Beach is listed as "impaired" for bacteria pursuant to the Clean Water Act, as a result of the periodic beach closures.

Trinidad OWTS Management Program

The Trinidad OWTS Management Program resulted from community concerns and public input; it is appropriate for high development densities and nearby sensitive resources such as Trinidad's coastal streams and the Trinidad Kelp Beds (State Area of Special Biological Significance). It is also consistent with the new statewide septic regulations.

Management Program Operating Permits (How will this process work?)

1. Everyone will have to get their system inspected by a qualified service provider (check with City Hall for a list of local, certified inspectors).
2. An Inspection Report (in a form approved by the City) shall be submitted to the City. The report will include a performance rating as to how your system is functioning (e.g. Good, Satisfactory, Poor, Fail).
3. Fill out an OWTS User / Owner Questionnaire and submit to the City as an application for an Operating Permit. This form will ask things about the type and amount of use of the OWTS, such as how many people in residence, whether you use a garbage disposal, etc.
4. City staff will determine the maintenance schedule and terms of your operating permit and will issue it within 30 days. The schedules will be developed based on the Inspection Report and OWTS Owner / User Questionnaire. The City then tracks maintenance.
5. A standard operating permit for an average system will be 3 years, but may range from 1-5 years depending on system conditions.

Will I Have to Upgrade My System?

Except for risers and filters, most systems that are functioning normally-even if not up to code-will generally remain "as is" until something triggers a required upgrade. Upgrades may be triggered by property sales or development permits. Higher risk systems will be inspected and maintained on a more frequent basis in order to prevent failure or other problems rather than requiring immediate upgrades.

Taking Care of Your Septic System

- Do** have your tank inspected and pumped every three years
- Do** practice water conservation. Repair drips and leaks. Use water-saving showers, toilets and faucets. Spread out loads of laundry.
- Do** use your property and septic system consistent with how it was designed. Septic systems are designed based on the number of living units and bedrooms in each unit. This assumes a certain number of people and water usage. The more strain you put on your system, the more likely it is to cause you and our community problems.
- Do** install risers and effluent filters.
- Do** know where your system is located and how it works, and doesn't work.
- Do** inform renters about the proper care and function of a septic system.
- Don't** drive or park or build over any part of your system.
- Don't** plant shrubs or trees over your system. Roots may clog and damage your lines or leach field.
- Don't** use your toilet as a trash can or for food disposal
- Don't** dispose of cooking oil, fats and grease in your septic system.
- Don't** use garbage disposals. The large particles put a significant additional strain on your system.
- Don't** pour hazardous household chemicals or medicine down the drain.
- Don't** use commercial septic system additives. At best they are harmless and a waste of money; at worst they hurt your system. They are not an alternative to regular maintenance, which is cheaper in the long run.
- Don't** make or allow any repairs to your system without the proper permits from the Health Department.



RESOLUTION 2012-10

A RESOLUTION OF THE TRINIDAD CITY COUNCIL ADOPTING FEES AND CHARGES FOR THE OWTS MANAGEMENT PROGRAM

WHEREAS, the Trinidad City Council is authorized under the provisions of Ordinance No. 2010-03 to adopt fees associated with implementation and administration of the Trinidad OWTS Management Program by resolution of the Trinidad City Council; and

WHEREAS, the Trinidad City Council has adopted an OWTS Management Program to ensure OWTS in the City are maintained and functioning properly to protect public health, water quality, property values and the local economy, and to ensure compliance with regulatory requirements for discharges to the Trinidad Head ASBS and the new statewide septic standards; and

WHEREAS, the City Council has considered and adopted the OWTS Management Program with substantial community support and input; and

WHEREAS, the City of Trinidad needs to adopt fees to meet staff expenditures for administration and oversight of the OWTS Management Program; and

WHEREAS, the proposed rate increases will provide approximately \$20,000 of additional revenues for the first three years and approximately \$5,000 annually thereafter; and

WHEREAS, the City Council has held an agendaized public hearing on the adoption of these fees at their regularly scheduled meeting of August 8, 2012; and

WHEREAS, the City Council desires to approve the proposed schedule of fees.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Trinidad does hereby adopt the following fee structure to be established for the designated services:

- *Building Permit Referral: \$30*
- *Project Referral to Health Officer: \$50*
- *Construction / Repair Permits: Current DEH Rates*
- *Standard Operating Permit: \$100*
- *Nonstandard Operating Permit: \$150*
- *Commercial / Vacation Dwelling Unit Operating Permit: \$150*
- *New System Operating Permit: \$50*
- *Renewal of Operating Permit: \$75*
- *Change in Maintenance Schedule Request: \$75*
- *Permit Transfer: \$30*

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Gabriel Adams
Trinidad City Clerk

Kathy Bhardwaj
Mayor

Appendix B
TRINIDAD OWTS ORDINANCE GUIDELINES

GENERAL PROVISIONS

Section 13.12.010 – Purpose

Trinidad is a unique town, surrounded by significant coastal resources important to the town, the surrounding community and the State. Trinidad Bay is a State designated Area of Special Biological Significance and a CA Critical Coastal Area. Trinidad is blessed with a healthy sport and commercial fishing fleet and is surrounded by State Parks, public beaches, Tribal lands and working forest lands. Trinidad has a rich and diverse historic fabric, with the Tsurai Village site as one of the most well documented, culturally significant areas in the State. Although small, the City has very dense development and small lots for a rural community on septic systems, and a large influx of visitors throughout the year. This is compounded by the fact that more than half the Onsite Wastewater Treatment Systems (OWTS) in town are old or of unknown status. This puts the environment in and around Trinidad at substantial risk of pollution from failed and inadequate OWTS. The City has an obligation to protect its citizens and the environment, now and in the future, to the maximum extent practicable and set a higher standard for OWTS than may be necessary in other places. Therefore, this program was developed to meet that goal. The specific objectives of this program are to ensure the proper maintenance and operation of OWTS within the City, as well as to require appropriate upgrades of substandard systems.

The purpose of these Guidelines is to supplement the OWTS Ordinance to aid in the interpretation and implementation of the Trinidad OWTS Program. The following sections numbers refer to those in the OWTS Ordinance. Please also see OWTS Ordinance §13.12.010.

Section 13.12.020 – Jurisdiction

These Guidelines shall apply to all territory subject to the Trinidad OWTS Ordinance. Please also see OWTS Ordinance §13.12.020.

Section 13.12.030 – Authority

These Guidelines are authorized by the Trinidad OWTS Ordinance and adopted by Resolution of the City Council. These Guidelines (per §13.12.120 of the OWTS Ordinance) may be amended by staff after Planning Commission approval. Please also see OWTS Ordinance §13.12.030.

Section 13.12.040 – Liability

It is up to each property owner to maintain, operate, manage, repair or modify their OWTS to keep it in good working order and comply with applicable laws and regulations. The City's OWTS Management Program is intended to assist, but not replace a property owner's responsibility to their OWTS. Please also see OWTS Ordinance §13.12.040.

Section 13.12.050 – Construction / Interpretation

The Ordinance provides the legal framework for the OWTS Program, and these Guidelines are intended to supplement the Trinidad OWTS Ordinance and provide more detail for specific policies and procedures. If a conflict arises between these Guidelines and the OTWS Ordinance, then the Ordinance shall take precedence. These Guidelines contain a corresponding section for each of the Ordinance sections, even when there is no additional guidance provided. Please review the corresponding ordinance section before making a full interpretation of each Guideline section. Please also see OWTS Ordinance §13.12.050.

Section 13.12.060 – Adequate Sewage Disposal Required

No additional guidance at this time. Please see OWTS Ordinance §13.12.060.

Section 13.12.070 – Permits Required

No additional guidance at this time. Please see OWTS Ordinance §13.12.070.

Section 13.12.080 – Permit Fees / Program Financing

The City Council shall establish a fee schedule to be assessed each owner of an OWTS / holder of an operating permit. Said fee shall be based on the total number of OWTS in the OWTS Management Program and the administrative and technical costs associated with providing the services described in the OWTS Ordinance. Fees will be paid when permit applications are received for issuance, transfer or renewal. Any funds collected or raised for purposes of implementing the OWTS Management Program shall be for the exclusive use of said program implementation and operation and shall be maintained in an account separate from the City's general fund. Fees may be updated by the City Council from time to time. Please also see OWTS Ordinance §13.12.080.

Current Fee Schedule:

- Building Permit Referral: \$30
- Project Referral to Health Officer: \$50
- Construction / Repair Permits: Current DEH Rates
- Standard Operating Permit: \$100
- Nonstandard Operating Permit: \$150
- Commercial / Vacatation Dwelling Unit Operating Permit: \$150
- New System Operating Permit: \$50
- Renewal of Operating Permit: \$75
- Change in Maintenance Schedule Request: \$75
- Permit Transfer: \$30

Section 13.12.090 – Health Officer

Initially the Health Officer will be the Humboldt County Division of Environmental Health until such time as the City Council designates an alternative to fill this role. (see Mun. Code §8.04.010, p. 90) The duties of the Health Officer are to protect public health and safety consistent with authorities and responsibilities under Title VI, Division 1 and 2 of the Humboldt County Code.

Specific duties shall include, but not necessarily be limited to:

1. Reviewing applications and issuing repair and construction permits;
2. Conducting conformance / final inspections in conjunction with a construction / repair permit;
3. Developing / updating the Trinidad / Humboldt County Sewage Disposal Regulation in conformance with State Law and the North Coast Basin Plan;
4. Allowing for exceptions to specific provision where allowed in the OWTS Ordinance and where appropriate to ensure that public and environmental health and safety are fully protected;
5. Reviewing referrals for development projects to ensure the OWTS in conformance with City regulations;
6. Determining when upgrades, repairs or replacements are required in conjunction with the OWTS Administrator;
7. Allowing the use of, and determining criteria for the use of Nonstandard systems;
8. Providing advice and guidance to the OWTS Administrator in the implementation of the Trinidad OWTS Program; and
9. Taking enforcement actions necessary to protect public health and safety and the environment.

Please also see OWTS Ordinance §13.12.090.

Section 13.12.100 – Program Administration / OWTS Administrator

Initially the OWTS Administrator will be the City Planner until such time the City Council designates an alternative to fulfill this role. The duties of the OWTS Administrator are to administer, implement and enforce as necessary the Trinidad OWTS Ordinance and these Guidelines. Specific duties shall include, but not necessarily be limited to:

1. Receiving applications for and issuing operating permits and transfers;
2. Keeping the Trinidad OWTS Program up-to-date by suggesting amendments and revisions to the OWTS Ordinance and these Guidelines as necessary for action by the Planning Commission;
3. Reviewing inspection forms and schedules for compliance with the Trinidad OWTS Program;
4. In conjunction with the Qualified Service Provider and Health Officer, determine when actions, such as pumping, repair or upgrades, are required to protect human health and the environment, consistent with the OWTS Ordinance;
5. Oversee the water quality monitoring program according to the OWTS Ordinance;
6. Educating the community about the importance of OWTS maintenance and the requirements of the Trinidad OWTS Program; and
7. Enforcing the provisions of the Trinidad OWTS Ordinance and these Guidelines.

Please also see OWTS Ordinance §13.12.100.

Section 13.12.110 – Sewage Disposal Regulations

Any regulations issued by the Health Officer shall:

1. Be consistent with the intent and purpose of this ordinance;
2. Be consistent with the North Coast Basin Plan, or otherwise approved by the North Coast Regional Water Quality Control Board.
3. Recognize the most current technical information relevant to the provisions of this Chapter;
4. Provide for exceptions where a strict application of this chapter or regulations issued by the Health Officer would inflict a substantial personal hardship upon the occupants of the building or place in question and where appropriate to preserve public safety and water quality;
5. Be designed to minimize or eliminate public nuisances or the potential thereof;
6. Recognize that any single sewage disposal system is in reality a subunit of a larger disposal system comprised of numerous subunits.

Regulations issued under this section shall be available to the public for viewing or download on the City’s website and / or will also be available for viewing in City Hall; copies will be provided for a per-page copy charge. Please also see OWTS Ordinance §13.12.110.

Section 13.12.120 – OWTS Guidelines

No additional guidance at this time. Please see OWTS Ordinance §13.12.120.

SPECIFIC PROVISIONS

Section 13.12.130 – Leachfield Protection During Construction

The leachfield area shall be staked and flagged to keep equipment off the area. Alternatively, a written description of techniques/timing to be utilized to protect the system will be required from the builder. If the existing system area is impacted by construction activities, an immediate Stop-Work Order will be placed on the project. The owner or builder will be required to file a mitigation report for approval by the OWTS Administrator and Health Officer prior to permitting additional work to occur. A Copy of the report is to go to the building official and into the project file.

This provision shall be made a condition of approval for all relevant construction projects. Please also see OWTS Ordinance §13.12.130.

Section 13.12.140 – Reserve Area Required

For an application for a discretionary permit in which the footprint or intensity of use of any building is proposed to be expanded (e.g. adding a bedroom), the Health Officer shall evaluate the expansion for impacts on the existing septic system. If a portion of the potential reserve area will be covered by the building expansion, a permit for a reserve area shall be required to ensure that there is still enough room remaining on the lot to accommodate one. Please see OWTS Ordinance §13.12.140.

Exceptions in extreme circumstances where a reserve area can not be located may be granted by the Health Officer at his or her discretion. For example, exceptions to percentage and setbacks may be granted in such cases as if the lot is too small to accommodate a 100% reserve area. The City may alter the terms of, or deny, a discretionary permit based on limitations in locating a reserve area. Please also see OWTS Ordinance §136.12.150.

Section 13.12.150 – Effluent Filters/Risers

No additional guidance at this time. Please see OWTS Ordinance §13.12.150.

Section 13.12.160 – Roof Drainage away from OWTS

Roof drainage should be directed away from OWTS components, particularly the leachfield area. Downspouts should be directed to paved driveways or infiltration areas away from leachfields on or adjacent to the property. Please also see OWTS Ordinance §13.12.160.

Section 13.12.170 – Landscaping

No additional guidance at this time. Please see OWTS Ordinance §13.12.170.

Section 13.12.180 – Deed Restrictions

The City has a pre-approved form that should be used. Please also see OWTS Ordinance §13.12.180.

Section 13.12.190 – Subdivisions

OWTS design approval (e.g. Sewage Disposal Permit) from the Health Officer is required before perfecting any subdivision or lot line adjustment that creates a new building site and for any existing development on an existing or remainder parcel. Please also see OWTS Ordinance §13.12.190.

CONSTRUCTION / REPAIR PERMITS

Section 13.12.200 – Sewage Disposal Permits General

No additional guidance at this time. Please see OWTS Ordinance §13.12.200.

Section 13.12.210 – Sewage Disposal Permits Application Process

- A. Application for construction / repair permits shall be through City Hall. The City Clerk shall forward the application materials to the OWTS Administrator who shall review it for compliance with the City's OWTS Program. The OWTS Administrator shall forward the application materials to the Health Officer if they are in compliance with the Program.
- B. The following information shall be provided to the City as part of an application to construct, repair or upgrade any OWTS. The Health Officer may wave any of these requirements or ask for additional information as he / she deems appropriate.

1. Name, address and contact information of the applicant and the owner of the property on which the building or place to be served by the OWTS is located and their agents, if any;
 2. Location of the property and the assessor's parcel number
 3. A scale map of the lot showing appropriate landmarks such as large trees, creeks or shorelines, existing and proposed structures, steep / unstable slopes, roads, surveyor's land marks, lot dimensions, drainage direction, existing and proposed easements or road or utility purposes, existing, proposed and abandoned OWTS;
 4. Gross lot area, net lot area and average cross slope of the lot
 5. All intended uses of the property
 6. The number of dwelling units and rooms usable as sleeping quarters. If a nonresidential use is proposed, an estimate of the quantity of sewage flow and the method of estimating the flow shall be provided;
 7. The level of the groundwater table during and at the end of the rainy season;
 8. Plans and specifications for the proposed OWTS, showing to scale, the location of the proposed system to all structures, wells and water courses, property lines, reserve areas and other information the Health Officer deems necessary;
 9. Soil characteristics
 10. Other information which the Health Officer may deem to be necessary to the making of an informed decision and professional decision on the application.
 11. Either Planning Commission approval of the proposed development, or a statement from the City Planner that the proposed development is consistent with, and approvable under, the City's Local Coastal Program.
- C. Planning Commission or Building Inspector approval of the proposed development, as required, shall be received prior to construction of any portion of the OWTS.
- D. The Health Officer may require that analysis of the soil characteristics or of the percolative capacity of the soil be performed or that additional relevant data be gathered and analyzed.
- E. The Health Officer may specify the time of year during which water table determinations are to be made.
- F. Any tests, data gathering or analysis which the Health Officer may require as part of the application process shall be performed at the expense of the applicant.
- G. Any tests, data gathering or analysis which the Health Officer may require as part of the application process may be required to be performed under the supervision of the Health Officer or be performed by individuals certified by the Health Officer or the City of Trinidad to carry out such testing, data gathering or analysis.
- H. Any tests, data gathering or analysis which the Health Officer may require as part of the application process shall be performed in accordance with the Trinidad Sewage Disposal Regulations.

Please also see OWTS Ordinance §13.12.210.

Section 13.12.220 – Licensing Requirements

See the definition of qualified professional for the detailed licensing requirements. The City should establish and maintain a current list of known qualified professionals requesting to be on the list and meeting the minimum qualifications. This list shall be made available at City Hall. Please also see OWTS Ordinance §13.12.220.

Section 13.12.230 – Design and Construction Standards

No additional guidance at this time. Please see OWTS Ordinance §13.12.230.

Section 13.12.240 – Conformance and Final Inspections

The number of inspections required shall be determined by the Health Officer and shall be based on the complexity of the design and site conditions. A survey of the parcel may be required to verify that the construction work is located in accordance with approved plans. Please also see OWTS Ordinance §13.12.240.

PERFORMANCE INSPECTIONS

Section 13.12.250 – Initial Performance Inspections for Existing Systems

The purpose of this inspection is to assess the condition of the OWTS and provide the City with the technical and background information needed to determine the maintenance and renewal requirements for each system within the City limits, and/or the need for system upgrade or replacement. Maintenance requirements shall be set forth by the OWTS Administrator and will be based upon the inspection results according to the Guidelines and / or upon the recommendation of the Qualified Service Provider. Please also see OWTS Ordinance §13.12.250.

Section 13.12.260 – Initial Inspection Schedule

The OWTS Administrator may specifically notify property owners of the requirements of this ordinance to encourage early inspections in areas such as environmentally sensitive habitat areas, areas with old and/or unpermitted OWTS, areas with a history of failure, high seasonal use or frequent pumping. Voluntary inspections completed, using City approved forms, between July 2005 and the time this ordinance is adopted shall count towards meeting the initial inspection requirement once the inspection form and household survey have been submitted to the City. Please also see OWTS Ordinance §13.12.260.

Section 13.12.270 – Initial Inspection Forms and Database Development

The completed forms shall contain sufficient information upon which to base the maintenance schedule and any upgrade requirements for the OWTS. They shall also include information as to when each OWTS has been inspected and pumped and indicate when it should be inspected or pumped again. Please also see OWTS Ordinance §13.12.270.

Section 13.12.280 – Performance Inspections

The purpose of a periodic performance inspection as provided herein shall be to determine how well the OWTS is functioning in terms of treating effluent and protecting public health and the environment. A performance inspection must establish if the average daily wastewater volume generated at a particular site exceeds the design capacity of the OWTS. To determine if an OWTS is acceptable for a particular application, the following information must be obtained: (1)

Septic Tank Volume; (2) Leachfield Length; (3) Leachfield Depth; (4) Average Daily Water Use; (5) Percent Silt and Clay present in the 5 ft. horizon beneath the bottom of the leachfield trenches; and (6) Seasonal High Groundwater Level.

Additional factors that may be evaluated include, but are not limited to, the design capacity of the system, the nature and quantity of flow of wastewater entering the system, the condition and effectiveness of the system components and the quality and quantity of the wastewater discharge. Written results of performance inspections shall be provided to the property owner and provided to the City as part of an Operating Permit application or renewal; records shall be kept on file with the City. Please also see OWTS Ordinance §13.12.280.

Section 13.12.290 – OWTS & Water Quality Monitoring Program

The monitoring program shall include sampling of ocean, surface water, groundwater (monitoring wells) and coastal seeps around town and shall be funded, at least in part, by the operating permit fees. Please also see OWTS Ordinance §13.12.290.

Section 13.12.300 – Performance Standards

Performance Ratings

The size (dimension) for an adequate OWTS can be approximated using soil condition information obtained and water use records. The “ideal” system size calculated for a particular site should be compared to the actually OWTS in use. This comparison will help assess the soils capacity to treat wastewater. Factors listed in §13.12.280 of these Guidelines must be evaluated in conjunction with determining the “ideal” system capacity to categorically rate OWTS performance and establish a corresponding maintenance / monitoring schedule.

Performance Rating shall be determined by assigning a numerical score to each of the various OWTS factors evaluated and totaling the score. The more critical factors shall be “weighted” to obtain an accurate assessment of the overall system performance. For example, Critical Factors may have a numerical score associated with conditions: GOOD = 10; SATISFACTORY = 6; POOR = 2. Factors not deemed critical may have a lesser value assigned such as: GOOD = 5; SATISFACTORY = 3; POOR = 1. An example is provided below.

OWTS PERFORMANCE RATING				
CRITICAL FACTORS	GOOD 10	SATSF 6	POOR 2	NOTES
SEPTIC TANK SIZE		6		1000gal tank-undersized for 3 bdrm
SEPTIC TANK CONDITION		6		root intrusion at inlet-seal deteriorating
LEACHFIELD DEPTH			2	exceeds 6 ft.
LEACHFIELD ABSORPTION AREA		6		

LEACHFIELD INCOMPATIBLE USES		6		small concrete slab at corner of leachfield area
OTHER FACTORS	5	3	1	
SEPTIC TANK RISER	5			
DIST BOX ACCESSIBLE		3		beneath 10 inches of ground
SURFACE DRAINAGE OK			1	landscaping concentrates rain onto leachfield area

Performance Categories

Performance inspections shall categorize each OWTS according to its performance rating based on the OWTS Inspection Report and the Qualified Inspector’s professional experience.

Performance categories shall be as follows: GOOD; SATISFACTORY; POOR; and FAILURE.

In general, ‘Good’ means the system is functioning as designed or better. ‘Satisfactory’ means that although the system is functioning under current conditions, there may be issues that need to be addressed to ensure the system does not cause pollution in the future. ‘Poor’ means that the system is functioning below its design and generally requires additional actions to ensure that the system continues to adequately treat wastewater to protect human health and the environment.

Failed systems are not functioning and require immediate actions to alleviate the problems cause the failure. Guidelines as to what these terms mean for inspection schedules and required modifications are provided below. Also see further guidance in Articles 6 and 7.

- For systems operating at a level of GOOD, the standard calculation (§13.12.380) for the inspection schedule shall be used. Generally modifications are not required except for certain nonconforming systems at the time of development or property transfer.
- For systems functioning at a SATISFACTORY level, an abbreviated inspection schedule shall be required, and OWTS use and water use shall also be monitored as with a Satisfactory system. Upgrades and / or repairs shall be required at the time of property transfer or building alteration to bring it to a minimum of Satisfactory functionality.
- A POOR system shall be inspected and pumped on a more frequent basis than would normally be required, along with monitoring OWTS use and water use. Poorly functioning systems may be required to implement immediate repairs or upgrades in order to prevent failure. Repairs and / or upgrades to bring the system to a minimum of satisfactory functioning shall be required at the time of property transfer or building alteration.
- FAILURE systems shall require immediate action or abatement in accordance with Article 8 of the Trinidad OWTS Ordinance.

Please also see OWTS Ordinance §13.12.300.

Section 13.12.310 – Accessibility for Inspections

Existing septic tanks that are located under structures, including decks, parking areas and driveways, shall be allowed to remain as long as they are reasonably accessible. Leachfields are not allowed under impervious surfaces, and existing fields that are situated as such must show

that both the field and structure were legally established and that such situation does not interfere with the functional capacity of the system. Please also see OWTS Ordinance §13.12.310.

OPERATING PERMITS

Section 13.12.320 – Operating Permits General

No additional guidance at this time. Please see OWTS Ordinance §13.12.320.

Section 13.12.330 – Operating Permit Application Process

The OWTS Owner / User Questionnaire and Inspection Report Form completed as part of the initial and / or performance inspections for existing systems shall constitute an application for an OWTS Operating Permit. For new systems, the OWTS Owner / User Questionnaire, along with the final construction inspection shall constitute an application for an Operating Permit, which shall be issued prior to the use and operation of the system. If a residence is not occupied by the owner, the tenant(s) should fill out the OWTS Owner / User Questionnaire even though the owner applies for the Operating Permit. Please see OWTS Ordinance §13.12.330.

Section 13.12.340 – Operating Permit Transfer

As part of the application, the new owner will be required to fill out an OWTS Owner / User Questionnaire. The OWTS Administrator and / or Health Officer shall review the Questionnaire for any differences from the previous owner, and may alter the maintenance schedule / requirements based on these differences. The new operating permit, along with information about caring for and maintaining an OWTS and Trinidad's OWTS Program shall be sent to the new owner.

Unless otherwise required by the OWTS Administrator or Health Officer, a performance inspection is not required in order to transfer an operating permit. The transferred operating permit shall have the same expiration date as the original, but the maintenance requirements may be changed based on the stated planned use of the property. The new property owner or commercial occupant may choose to apply for a new operating permit with a new performance inspection at their discretion.

A temporary operating permit, with special conditions or limitations on use, for a specified, limited amount of time, shall be issued in cases where upgrades or repairs are required at the time of property transfer according to the OWTS Ordinance (§13.12.450) until such time as any required work is completed. Please also see OWTS Ordinance §13.12.340.

Section 13.12.350 – Operating Permit Conditions

The level of management / maintenance required by conditions of the Operating Permit will be established by the OWTS Administrator in conjunction with the Qualified Service Provider and Health Officer based on the type of system, the level of performance and potential risk to the public health and safety and the environment by the system. Such risks shall be evaluated based on the performance Inspection Report and OWTS Owner / User Questionnaire consistent with

these Guidelines. Owners of systems with a less than SATISFACTORY Performance Rating may be required to enter into an agreement with the City regulating the use of the OWTS, such as restricting water use, laundry patterns or the use of a garbage disposal. As an alternative, an owner may elect to modify their system so that it performs better, thereby eliminating the need for extra conditions. Please also see OWTS Ordinance §13.12.650.

Section 13.12.360 – Permit Renewal

No additional guidance at this time. Please see OWTS Ordinance §13.12.360.

MAINTENANCE

Section 13.12.370 – Maintenance Requirements

No additional guidance at this time. Please see OWTS Ordinance §13.12.370.

Section 13.12.380 – Maintenance Schedule

Although every system is individual, and will be assessed as such for maintenance requirements, the following general guidance for maintenance schedules is provided:

Three years should be the average schedule for most standard systems with the following credits and debits (in months). All systems should start with 36 months, then add and subtract all the applicable credits and debits according to the table below. See below for an example.

Item	Credit	Item	Debit
Front loading washer	5	Water Conditioner	10
4 or fewer loads per week	5	Garbage Disposal	10
Conservative water use	5	Washing Machine	5
No one home for 10+ hours per day	5	Home Occupation	5-10
Low flow toilets	5	4+ overnight guests several times / year	5
Low-flow shower heads	5	Regularly 3+ loads of laundry in a day	10
Oversized tank or Leachfield	5	Undersized Tank / Leachfield	5-10
One person or less per bedroom	5-10	More than 2 people per bedroom	5-10
Use less than 100 gpd per bedroom	5	Water use in excess of 150 gpd per bedroom	10
Performance Rating of Good	5-10	Performance Rating of Poor	5-10
Pretreatment System	5-10	Nonstandard System	0-10
		Nonconforming System	10
		Alternative System	0-10

Example: A system (36 months) with an GOOD Performance Rating (+/- 0 months) with a garbage disposal (-10 months) and washing machine (-10 months) and a tank that is undersized for the size of the house (-5 months), but which has low-flow shower heads (+5 months), low-flow toilets (+5 months) and only one person per bedroom living in the residence (+5 months) would have a maintenance schedule requiring pumping every 26 months. Please also see OWTS Ordinance §13.12.380.

Section 13.12.390 – Changes in Inspection or Maintenance Schedule

No additional guidance at this time. Please see OWTS Ordinance §13.12.390.

NONSTANDARD SYSTEMS / SPECIAL CIRCUMSTANCES / UPGRADES REPAIRS REQUIRED

Section 13.12.400 – Transfer of Property

Upgrades shall be required at the discretion of the Health Officer in accordance with the following guidance. Generally, nonconforming systems shall be upgraded to meet current criteria at the time of property transfer. Systems operating at a less than SATISFACTORY Performance Rating will have to be repaired / upgraded to bring it up to a minimum of a GOOD Performance Rating. Systems functioning at a SATISFACTORY rating will be individually assessed. The following disclosure form must be used for property transactions in the City of Trinidad. Please also see OWTS Ordinance §13.12.400.

LOCAL OPTION

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE CITY OF *TRINIDAD*, COUNTY OF *HUMBOLDT*, STATE OF CALIFORNIA, DESCRIBED AS _____. THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE-DESCRIBED PROPERTY IN COMPLIANCE WITH ORDINANCE NO. _____ OF THE *TRINIDAD* CITY OR COUNTY CODE AS OF _____, 20____. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

I

SELLER'S INFORMATION

The Seller discloses the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER(S) AS REQUIRED BY THE CITY OR COUNTY OF *TRINIDAD* AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

1. This property is subject to the requirements of the City's Onsite Wastewater Treatment System (OWTS) Management Program, including the OWTS Ordinance, Program Guidelines and Sewage Disposal Regulations. This program may require upgrades or alterations of an existing OWTS (or septic system) at the time of property transfer in some circumstances.

Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by the Seller.

Seller _____ Date _____

Section 13.12.410 – Building Alterations / Development

Upgrades shall be required at the discretion of the Health Officer in accordance with the following guidance. The Health Officer may grant exception or require stricter standards in order to protect public health and safety.

1. Nonconforming systems and any system with a Performance Rating of POOR
 - a. No building permits shall be issued for properties utilizing the listed systems except for maintenance and repair of existing structures unless the nonconformance is minor as defined in §13.12.420. In addition, the system shall be inspected to ensure that it is not failing. If it is, then corrective measures shall be required.
 - b. If such maintenance or repairs total a value of more than 10% of the assessed property value then modifications should be required to improve system capacity and function.
 - c. If maintenance and repairs total 25% or more of the total value of the property, then an upgrade to current standards should be required.
2. Alternative and Standard Systems with a Performance Rating of SATISFACTORY
 - a. For additions / alterations that will increase the building footprint, but will not increase the flow, there should be a 100% Reserve Area already in existence, or one should be required in accordance with current standards. Systems with a performance rating of SATISFACTORY shall be inspected to ensure that they are still functioning at that level or better.
 - b. For additions / alterations that add another bedroom, increase the intensity of the use, or otherwise increase the flows to the existing system, or which total 25% or more of the total property value, then upgrades to meet current standards and / or to accommodate the increased flows should be required.
3. Alternative and Standard Systems with a Performance Rating better than SATISFACTORY
 - a. For upgrades that do not increase the footprint of the building, add a bedroom, increase flows or increase the intensity of the use, no upgrades should be required.
 - b. For additions / alterations that will increase the building footprint, but will not increase the flow, there should be a 100% Reserve Area already in existence, or one should be required in accordance with current standards.
 - c. For additions / alterations that add another bedroom, increase the intensity of the use, or otherwise increase the flows to the existing system, then upgrades to accommodate the increased flows should be required according to current standards.

Please also see OWTS Ordinance §13.12.410.

Section 13.12.420 – Nonstandard OWTS

Nonstandard systems are those that require additional attention compared to a standard, gravity-fed OWTS. Advanced treatment units / systems are not meant to be discouraged, but do require notice of special maintenance requirements. Certain nonstandard systems require more attention than others, particularly certain nonconforming systems such as pit systems. Such system will require more inspections and maintenance, and modifications upgrades should be more easily triggered. Systems with only minor nonconformance that does not affect the functionality of the system, such as lack of 100% reserve area, or not meeting setbacks should generally be regulated as standard systems. Please also see OWTS Ordinance §13.12.420.

Section 13.12.430 – Notice of Nonstandard System

Required information to be included on the Notice of Nonstandard System

1. Description of the system characteristics such as size and location and limitations which cause the system to be a nonstandard system, such as: inadequate disposal area, inadequate separation to seasonal groundwater, lack of expansion area, use of an alternative technology, special maintenance requirements, requirement of sewage haulaway, or other condition not in compliance with requirements for a standard system as specified in the Trinidad OWTS Program.
2. Statement of the operating requirements to ensure proper performance of the Nonstandard System, such as: use of water conservation measures, monitoring of effluent levels, pumping of a grease trap, shutting off of the disposal device when groundwater rises to a specified level, pump and alarm maintenance, maintenance of a contract for tank pumping, etc.
3. Specification of any restriction on system use or property use, such as limitations on amount of wastewater generated or water consumed, restrictions on building additions, etc.
4. Notification that a maintenance contract with a qualified service provider for the system inspections and maintenance shall be required, as necessitated by the increased likelihood that a Nonstandard System might fail.
5. Statement that the Notice of Nonstandard System may be modified or expunged if the system is upgraded.

Please also see OWTS Ordinance §13.12.560.

Section 13.12.440 – Accessory Dwelling Units

In tracking water use to monitor systems connected to nonconforming accessory dwelling units, OWTS size and design is based on several assumptions. These include that households average two persons per bedroom and each person uses an average of 75 gallons of water per day. Therefore, water use will be limited based on these assumptions for which the system was designed. Water use will not be allowed to exceed an average of 150 gallons per day per bedroom over a month long period. Allowances for seasonal landscaping irrigation will be included in the calculation. If water used exceeds the allowed average, the owner may be required to enter into an agreement with the City regulating the use of the OWTS, such as restricting water use, laundry patterns or the use of a garbage disposal. Water use may be monitored on a daily basis (water usage should be restricted to a maximum of 150% of the design capacity in any one day (225 gallons per bedroom in a 24 hour period)) or monitoring wells may be installed to ensure proper performance of the system. Please also see OWTS Ordinance §13.12.560.

Section 13.12.450 – Modifications / Repairs Required

1. Inadequate system components:
 - a. Tank: Undersized tanks and tanks with single compartments will require shorter maintenance / inspection schedules as outlined in §13.12.380. Undersized tanks may be required to be replaced if the system is functioning at a less than SATISFACTORY

- performance rating, and / or if the property is being transferred (§13.12.400) or if development is proposed (§13.12.410)
- b. Leachfield:
 - i. Size: Systems with undersized leachfields will require shorter maintenance / inspection schedules as outlined in §13.12.380. Undersized leachfields may be required to be replaced if the system is functioning at a less than SATISFACTORY performance rating, and / or if the property is being transferred (§13.12.400) or if development is proposed (§13.12.410)
 - ii. Placement / setbacks: Generally, alterations to leachfields that do not conform to current location requirements will not require alteration unless a building alteration (§13.12.410) is proposed that would affect the existing leachfield or reserve area.
 - c. Other components: Based on individual site assessment and may include access (risers), effluent filters and / or tank baffles.
2. Different land use from which the system was designed:
 - a. Illegal Land Use: If the land use was converted illegally, then Nuisance Abatement proceedings should commence. As part of any application to permit the existing illegal land use, a septic system upgrade to current standards for that use should be required.
 - b. Nonconforming Land Use: Systems serving nonconforming land uses for which they were not designed shall be regulated as nonconforming systems.
 3. Less than Satisfactory rating after an inspection:
 - a. SATISFACTORY: No immediate upgrades should be required, but a shortened maintenance / inspection schedule should be instituted. Upgrades should be required in the case of property transfer or development according to §13.12.400 and §13.12.410.
 - b. POOR: A shortened maintenance / inspection schedule should be instituted and any upgrades deemed necessary by the Health Officer and / or OWTS Administrator to sure that the system does not fail shall be required.
 - c. FAILURE: Immediate action shall be take according to §13.12.490 to reduce flows to the system. In addition, a repair permit shall be submitted to the Health Officer within 5 days.
 4. Property Transfer – see §13.12.400:
 5. Building Alterations – see §13.12.410:
 6. Multiple violations of Operating Permit Conditions
 - a. Standard Systems: No additional guidance at this time at this time.
 - b. Nonstandard Systems: No additional guidance at this time at this time.
- Please also see OWTS Ordinance §13.12.560.

ENFORCEMENT

Section 13.12.460 –Public Nuisance Declared

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.470 – Investigative Powers

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.480 – Violations

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.490 – System Failure

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.500 – Order to Reduce or Discontinue Use

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.510 – Immediate Need to Pump

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.520 – Stop Work Orders

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.530 – Construction/ Repair Permit Revocation/Suspension

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.540 – Operating Permit Revocation

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.550 – Appeal Process

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.

Section 13.12.560 – Severability

No additional guidance at this time. Please see OWTS Ordinance §13.12.560.



AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

3. Discussion/Decision regarding Ordinance 2012-03; Proposing an Extension of the ¾% Sales Tax Increase to be implemented pending voter approval at the November 06, 2012 Election.

AGENDA ITEM

Date: August 08, 2012

Item: Ordinance 2012-03; Proposing an Extension of the ¾% Sales Tax Increase to be implemented pending voter approval at the November 06, 2012 Election.

Background Info: The Ordinance proposed is required by the State Board of Equalization before they can proceed implementing the extension of the ¾% Sales Tax Increase, pending voter approval of the measure in November.

If the measure is approved, the Ordinance will give the BOE authorization to proceed with the extension process. If the measure fails, the Ordinance will become void.

Staff Recommendation: *Approve and adopt Ordinance 2012-03; Authorizing the State Board of Equalization to Extend the ¾% Sales Tax Pending Voter Approval at the November 06, 2012 Election.*

Attachments: Draft Ordinance 2012-03.

TRINIDAD CITY HALL
P.O. BOX 390
409 Trinity Street
Trinidad, CA 95670
(707) 677-0223

KATHY BHARDWAJ, MAYOR
GABRIEL ADAMS, CITY CLERK



ORDINANCE NO. 2012-03

AN ORDINANCE OF THE CITY OF TRINIDAD EXTENDING THE ¾% TRANSACTIONS AND USE TAX FOR GENERAL PURPOSES TO CONTINUE TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

WHEREAS, pursuant to California Revenue and Taxation Code Sections 7285.9 and 7290, the City of Trinidad (the "City") has the authority to levy a Transactions and Use Tax for general purposes;

WHEREAS, a majority of the voters of the City approved a three-quarter percent (¾% or .75) Transactions and Use Tax at an election held on Tuesday, November 04, 2008;

WHEREAS, the City's Transactions and Use Tax Ordinance is found in Chapter 3.08 of the City's Municipal Code;

WHEREAS, City of Trinidad Ordinance 2008-01, Section 16 sets forth a "Termination Date" of March 31, 2013, at which time Ordinance 2008-01 will be repealed unless an extension or re-authorization is approved by the voters of the City at an election called for that purpose; and

WHEREAS, an extension or re-authorization of the City's Transactions and Use Tax will be submitted to the voters to extend the "Termination Date" of Ordinance 2008-01 to March 31, 2017.

NOW, THEREFORE, the City Council of the City of Trinidad does hereby ordain as follows:

Section 1. Amendment. The definition of "Termination Date" in Section 16 of the City of Trinidad Ordinance 2008-01 of the City's Municipal Code is hereby amended to read as follows:

15.19.020 Definitions

(c) "Termination date" initially means March 31, 2017, and as of that date this Ordinance is repealed unless an extension or re-authorization of this Article is approved by the voters of the City at an election called for that purpose.

Section 2. Approval by the Voters. This Ordinance shall be submitted to the voters at an election to be held on Tuesday, November 06, 2012. Upon approval by a majority of the voters of the City voting on this Ordinance, the Transactions and Use Tax set forth in Ordinance 2008-01 of the City's Municipal Code shall be re-authorized and extended through and including March 31, 2017.

PASSED AND ADOPTED this 08th day of August, by a two-thirds vote of the City Council, by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Attest:

Gabriel Adams
Trinidad City Clerk

Kathy Bhardwaj
Mayor



AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

4. Discussion/Decision regarding Employee Vacation Policy Change.

DISCUSSION/ACTION AGENDA

Date: August 8, 2012

Item: Employee Vacation Leave Policy

Background:

Section 7B of the City's Employee Policies and Procedures Manual provides for full time employees to earn 3.69 hours of vacation per pay period, or 12 vacation days per year. Unlike most other public entities (including the County of Humboldt and its six other incorporated entities), there is no increase in this accumulation factor to recognize years of service. Revisions to this specific policy as well as other vacation policies are proposed as follows:

Vacation Accrual Rate- Increase accumulation to recognize years of service

<u>Years of Service</u>	<u>Recommended Accrual Rate</u>
0 – 5	3.692 hours per pay period (12 days/year)
6 - 10	4.615 hours per pay period (15 days/year)
11 +	6.154 hours per pay period (20 days/year)

To encourage the use of vacation, a cap equivalent to two years of accumulated vacation is recommended. The current policy references a vacation cap but the definition is unclear.

Part-time employees

Regular, part time employees working at least 20 hours per week should receive prorated vacation benefits. The city currently has one such employee, and pro rated benefits are provided for under separate agreement. This will incorporate the current practice into the personnel policies and manual and avoid the need for separate agreement.

Other changes

Revisions to require prior authorization by an employee's immediate supervisor and deleting the reference to parent/guardian conferences are additionally recommended.

Proposed Action:

Replace Section 7.B. of the City's Employee Policies and Procedures Manual as described herein.

Attachments:

Current Section 7.B. of the City's Employee Policies and Procedures Manual

Proposed Replacement Section 7.B.

Vacation Earning Policies of Other Local Entities

CURRENT POLICY

7.B VACATION LEAVE

All vacations must be scheduled in advance when practical and approved by the City Manager. Vacations shall be taken at such a time as not to place an undue burden on the department or division. When personal emergencies arise, vacation leave may be granted over the phone, but followed up by the written request. All City employees are encouraged in the interest of their own health and well-being to utilize, rather than to accumulate, vacation time.

Vacation time may be used for parent/guardian conferences at school. Management must grant such leave up to 40 hours per year per dependent child if so requested by the employee.

When a fixed holiday falls within a vacation period, the holiday time shall not be charged against an employee's earned vacation benefits. All employees must be employed by the City for at least 180 days (six months) before vacation time can be utilized. Vacation Leave accrual is based on 26 pay periods, using the stated monthly benefit. Once an employee reaches his/her applicable vacation cap, he/she will not accrue additional vacation time unless, in the sole discretion of the City Manager, an employee was unable to take vacation through no fault of their own.

1. Employees shall receive vacation benefits as follows:
 - a. Full time employees shall earn 3.69 hours of vacation time per pay period of service (12 vacation days per year), accruing from the date of hire.
 - b. Temporary or Part-Time Employees are normally not eligible for paid vacation leave, but may take leave without pay as approved by their supervisors.
2. Employees who have accumulated vacation and whose employment is terminated with the City, shall receive payment for all unused and accumulated vacation.
 1. Minimum Use: During each calendar year, each full-time employee shall use at least 40 hours of Vacation Leave. All employees shall generally make a request for said leave to the City Manager in sufficient time to plan work schedules. Consequently, the City Manager is responsible for planning work schedules to allow each employee to take that leave each calendar year and each employee is responsible for using it. Failure to use the minimum required hours of such leave shall result in City Manager review of the circumstances surrounding such failure. The City Manager may allow carry-over if conditions warrant, and the City Council may, upon the recommendation fo the City Manager, authorize payment in lieu of vacation time at the employee's calculated hourly pay rate.

PROPOSED POLICY

7.B VACATION LEAVE

All vacations must be scheduled in advance when practical and approved by the employee's immediate supervisor. Vacations shall be taken at such a time as not to place an undue burden on the department or division. All City employees are encouraged in the interest of their own health and well-being to utilize, rather than to accumulate, vacation time.

When a fixed holiday falls within a vacation period, the holiday time shall not be charged against an employee's earned vacation benefits. All employees must be employed by the City for at least 180 days (six months) before vacation time can be utilized. Vacation Leave accrual is based on 26 pay periods, using the stated monthly benefit.

Employees shall receive vacation benefits as follows:

1. Full time employees with up to and including 5 years of continuous service shall earn 3.692 hours of vacation time per pay period of service (12 vacation days per year).
2. Full time employees with from 6 to 10 years of continuous service shall earn 4.615 hours of vacation time per pay period (15 vacation days per year).
3. Full time employees with 11 plus years of continuous service shall earn 6.154 hours of vacation time per pay period of service (20 vacation days per year).
4. Regular, part time employees working at least 20 hours per week shall receive prorated vacation accumulation benefits. Part time employees working less than 20 hours per week are not eligible and shall not accrue vacation.

Employees cannot accumulate more unused vacation than the equivalent of that which has been earned during the preceding 24 month period.

Employees who have accumulated vacation and whose employment is terminated with the City shall receive payment for all unused and accumulated vacation.

Vacation Earning Policies

Arcata:

Annual accrual rate:	8 hrs/month for 1-3 years of service
	10 hrs/month for 4-6 years of service
	12 hrs/month for 7-11 years of service
	14 hrs/month for 12-15 years of service
	16 hrs/month for 16-19 years of service
	18 hrs/month for 20-23 years of service

Vacation time may be accumulated up to a maximum amount equal to an employee's allowable vacation credits for two (2) years.

Accrued vacation leave is compensable in a lump sum upon termination of employment.

Blue Lake:

Employees cannot transfer to the next fiscal year, more vacation leave than the amount earned during the preceding 24 month period. The unused vacation leave that exceeds the amount earned during the preceding 24 month period will be lost.

0 – 5 yrs continuous employment	2 weeks
6 – 10 yrs continuous employment	3 weeks
11 – 15 yrs continuous employment	4 weeks
16 + yrs continuous employment	4 weeks + longevity pay

To qualify as "continuous employment", an employee must work a minimum of 1,040 paid hours in a fiscal year. Full time = 40 hrs/wk Part time, under 20 hrs/wk = no vacation

Eureka:

<u>Years of Service</u>	<u>Vacation Accrual Rate</u>
1 st thru 2 nd	12 working days/year
3 rd thru 4 th	13 working days/year
5 th thru 6 th	14 working days/year
7 th thru 8 th	16 working days/year
9 th thru 10 th	17 working days/year
11 thru 12 th	18 working days/year
13 th thru 14 th	19 working days/year
15 th thru 16 th	20 working days/year
17 th thru 18 th	21 working days/year
19 th and over	22 working days/year

Employees are unable to take vacation during their probation period. However, vacation credits for the probationary period will be granted upon completion of the six month probationary period.

Applicable accumulated leaves will be paid off in cash at the time of termination/retirement. No accrued leaves beyond sick leave may be taken off by an employee who has notified the City of their intention to terminate/retire from City employment.

Ferndale:

Fiscal year July 1 – June 30

19 hours or less do not receive vacation credit

<u>Yrs of Continuous Employment</u>	<u>Vacation Benefits Earned by Hours Scheduled to work/week</u>
0 – 5	40 hrs/wk = .03846 hrs/hr worked (80 hrs/yr) 30-39 hrs/wk = .03846 hrs/hrs worked 20-29 hrs/wk = .03846 hrs/hrs worked
6-10	40 hrs/wk = .05769 hrs /hrs worked 30-39 hrs/wk = .05769 hrs/hrs worked 20-29 hrs/wk = .05769 hrs /hrs worked
11 +	40 hrs/wk = .07692 hrs/hrs worked 30-39 hrs/wk = 07692 hrs/hrs worked 20-29 hrs/wk = .07692 hrs/hrs worked

Fortuna:

All regular, full-time employees may take annual vacation with pay as follows:

<u>Full years of service</u>	<u>Vacation hours earned</u>
1-6	80 hrs annually
7-11	120 hrs annually
12 +	160 hrs annually

Employees must work 1 year before being eligible to take vacation. Employees who terminate may receive vacation leave or a lump sum for all accrued vacation credit.

Vacations shall be taken in minimum increments of one hour.

Holidays occurring during vacation are not counted as days of vacation. Vacation credit accrues while on vacation or sick leave, but not during unpaid leaves of absence (except military leave).

Vacation may be accrued up to a maximum amount equal to twice employee's annual allowable vacation credits.

No employee who has left the employ of the City can return and be credited with prior years of service in order to accrue vacation at a higher rate. Part-time employees are not eligible for accrued vacation.

Humboldt County:

After completion of 3 continuous years of full-time service, each employee shall be allowed, for each calendar month of service, the hourly equivalent of ¼ of an established work week of credit for vacation pay.

The following assumes continuous employment, without absences of more than ½ of any month on leave of absence without pay:

<u>Yrs of Service</u>	<u>Vacation Days Earned per Yr</u>
1-3	12
4-10	15
11-15	20
16-20	25
21 +	30

Employees cannot accumulate more unused vacation than the equivalent of that which has been earned during the preceding 24 month period.

Rio Dell:

No accrued vacation time may be used prior to completion of probation. Vacation must be taken in minimum increments of four hours.

<u>Tenure Greater than or equal to:</u>	<u>Less than:</u>	<u>Vacation hrs/yr</u>	<u>Vacation hrs/ pay period</u>
Date of hire	6 full yrs	80	3.077
day 1 of 6 full yrs	11 full yrs	120	4.615
11 full yrs	16 full yrs	160	6.154
16 full yrs	17 full yrs	168	6.462
17 full yrs	18 full yrs	176	6.769
18 full yrs	19 full yrs	184	7.077
19 full yrs	20 full yrs	192	7.385
20+ full yrs		200	7.692

Terminated employees may receive vacation pay in a lump sum, not to exceed the one year accrual limit up to a maximum of 120 hours.

Trinidad:

Full time employees earn 3/69 hours vacation time per pay period of service, accruing from the date of hire (12 vacation days per year).

Temporary or part-time employees are normally not eligible for paid vacation leave unless approved by the city manager in special circumstances.

Terminated employees receive payment for all unused, accumulated vacation.

Full-time employees must use at least 40 hours of vacation each calendar year.