

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, MARCH 13, 2019**

**I. CALL TO ORDER**

Mayor Ladwig called the meeting to order at 6:00pm. Council members in attendance: West, Miller, Ladwig, Davies. Baker was absent. City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

**II. CLOSED SESSION REPORT**

Mayor Ladwig announced the hiring of Eli Naffah as the new City Manager, explained the salary and summarized the contract terms.

**III. PLEDGE OF ALLEGIANCE**

**IV. APPROVAL OF THE AGENDA**

*Motion (Miller/West) to move approve the agenda as submitted. Passed 4-0.*

**V. APPROVAL OF MINUTES – 01-09-19 cc**

*Motion (Davies/Miller) to approve the 02-13-19 cc minutes as written, and to bring back all corrected minutes for approval. Passed 4-0.*

**VI. COUNCILMEMBER REPORTS/COMMITTEE ASSIGNMENTS**

**West:** STR Committee Resolution will be on the April meeting agenda.

**Miller:** CCNM meeting was held and trail signage was discussed. Also reminded the public that the Trinidad Head lighthouse is open on the first Saturday of every month. RCEA meeting discussed how PG&E Bankruptcy is affecting rates and how the CCA program may have to adjust theirs to stabilize the increase.

**Davies:** Trails Committee update. Requested that a resolution be drafted for the committee like the one being prepared for the STR Committee.

**Ladwig:** HTA – A new housing plan in Arcata is requesting bus service.

**VII. STAFF REPORTS**

**City Manager Berman** highlighted staff accomplishments and various project status as noted in the Staff Activities report, including; The City's comment letter to the Coastal Commission regarding the Trinidad Rancheria's fee to trust status (included in the meeting packet). Concerned to hear the application for Measure Z funds was not submitted in time – but that he was working diligently to resolve the issue.

**Davies** requested the Council discuss the policy/procedure for tracking public comments received as part of the public meeting process, and would also like to know how much staff time was spent on the STR permit renewal process.

**VIII. ITEMS FROM THE FLOOR**

*(Three (3) minute limit per Speaker unless Council approves request for extended time.)*

**Jacque Hostler – Trinidad Rancheria**

Chairman Sundberg agreed to move forward with soil borings requested at the Trinidad Harbor property as long as there was a cultural monitor onsite. An email was sent to the Mayor and City Manager requesting a meeting to discuss the details of the project. Haven't heard back yet.

**Jim Cuthbertson – Trinidad**

When we negotiated the Harbor sale in 2000, the Rancheria promised to never put the property into Trust status. Why was the water production study done during one of the heaviest winters? It should be done in the dry season. Outside city residents should not be allowed to serve on City committees.

**Shirley Laos** – Trinidad Rancheria

Parking on Trinity Street in front of the School is becoming a real issue. People are parking illegally in the handicapped zone on a regular basis. Asked the City to help regulate it.

**Dorothy Cox** – Trinidad

Thanked the City Manager for addressing the Measure Z application issue.

**Richard Johnson** – Trinidad Area

The streetlights are not working at the Library and creating very hazardous and dangerous situation.

**Patti Fleschner** – Trinidad

Streetlights are not working at the Museum, gave a brief update on the CCNM meeting, and reminded/thanked the City for charitable contributions to the local organizations as budgeted every year.

**Leslie Farrar** – Trinidad

Suggested the City consider incorporating artist visions into public policy.

## **IX. CONSENT AGENDA**

1. Staff Activity Report February 2019
2. Financial Statements January 2019
3. Law Enforcement Report January 2019
4. Adopt Resolution 2019-05: Committing General Funds to Designated Fiscal Reserve Funds.
5. Adopt Resolution 2019-04: Authorizing Submittal of an Application for an Amendment to the Local Coastal Program to the California Coastal Commission for the Rezoning of 651 Parker Street..

There was no public comment.

Written public comment included a letter from the owners of the Trinidad Eatery Restaurant objecting to the rezone of 651 Parker Street.

*Motion (West/Miller) to approve the consent agenda as submitted. **Passed 4-0.***

## **XI. DISCUSSION/ACTION AGENDA ITEMS**

1. Discussion/Decision regarding Approval of City Manager Contract.  
**Mayor Ladwig** expressed gratitude to all the applicants, City Staff for participating in the process, and for outgoing City Manager Berman's service to the City. He introduced new City Manager Eli Naffah and provided a brief summary of his credentials and contract terms. Naffah will be working an average of 30 hours per week for a salary of \$79,000 and a 6% contribution to the 457 Deferred Compensation program.

Eli Naffah introduced himself and thanked the Council for giving him the opportunity to be of service to the City of Trinidad.

*Motion (Miller/Davies) to confirm the closed session approval of the City Manager Contract as negotiated with Eli Naffah. **Passed 4-0.***

2. Discussion/Decision regarding approval of a new Master Agreement for Engineering Services with GHD.  
City Manager Berman explained that as authorized by the City Council on October 10, 2018, the City Manager negotiated a contract for City Engineering Services with GHD Inc. for Council review and approval. The City is following the Caltrans consultant selection process to ensure the City is authorized to receive reimbursement for GHD services on Caltrans projects. The City submitted the A&E Consultant Contract Reviewers Checklist for acceptance by the Division of Local Assistance (DLA). Staff recommends Council awarding the contract and authorizing the Mayor to execute the GHD Master Agreement.

The City advertised a Request for Qualifications (RFQ) on August 22 & 29, 2018 in the Mad River Union. GHD and LACO submitted qualification packages at City Hall by the deadline on September 11, 2018. A bottom-up independent cost estimate was developed for the City Engineer Master Agreement based on actual costs in previous years. Costs were estimated for the Van Wycke Trail project and Trinidad Downtown Pedestrian Connectivity Project based on the budgets developed for the respective projects and other similar projects. The

consultant selection committee reviewed and ranked the submitted Statements of Qualifications (SOQs) and checked references, then recommended that the City Manager negotiate a contract for City Engineering Services with GHD, Inc. for Council review and approval.

The City Manager began contract negotiations in a meeting with Steve Allen on Tuesday October 30<sup>th</sup>, 2018 and subsequently through email and phone correspondence. Rates for GHD's Project Managers and Discipline Leads are being discounted by approximately 30% (up to 33%). Annual increases are capped at 3% per year. The Scope for the City Engineer includes general engineering services for public works, the water department and review of applicant planning, building or other permits. The draft Master Agreement was reviewed and revised by PARSAC and the City Attorney and the draft been returned to GHD for approval of the revisions. Following execution of the GHD Contract, staff will thank the other consulting engineer firm for submitting qualifications for this competition, notify them that the City has awarded to GHD, and return the unopened cost information submitted.

Council comments included:

**Davies:** Who was the on the selection committee? City Manager Berman explained that there were to applications received, and that he and Becky Price-Hall reviewed both applications.

There was no public comment.

*Motion (West/Davies)* Award the contract for City Engineering Services to GHD Inc. and authorize the Mayor to execute the contract. **Passed 4-0.**

3. Discussion/Decision regarding approval of a Scope of Services with GHD for the Downtown Pedestrian Improvement Project.

City Manager Berman explained that on December 13, 2017, the City Council adopted Resolution 2017-19 committing \$30,000 in funds to match the \$550,000 in STIP funds for the Project. The Project is intended to remove accessibility barriers and extend new ADA compliant pedestrian routes along portions of Patrick's Point Drive, Scenic Drive, and Trinity Street. The project also includes isolated roadway pavement rehabilitation.

Many of the existing sidewalks and curb ramps within the project area create a barrier to pedestrian mobility and are non-compliant with current accessibility codes and standards. There are also several existing off-street parking areas along Trinity Street that are too short to accommodate standard vehicle lengths which often results in sidewalks being partially or entirely blocked, rendering the route inaccessible for pedestrians. In addition, portions of Trinity Street are showing signs of distress, which if left unaddressed, would continue to deteriorate and ultimately require the entire roadway to be reconstructed.

GHD Engineer Patrick Sullivan made a brief presentation outlining the current plans and schedule for this project. Staff is recommending the Council authorize Scope of Services with GHD, Inc. for the project, not to exceed \$ 163,000.00. The cost for the services will be reimbursed by Caltrans STIP funding.

Public comment included:

**Jim Cuthbertson** – Trinidad

Unsatisfied with the recent paving of Hector Street.

**Leslie Farrar** – Trinidad

Will this project address the non-compliant parking at the Eatery Restaurant along Trinity Street?

**Beverly Zeman** – Trinidad Area

Scenic Drive needs maintenance as it has very hazardous pavement conditions.

**Jim Baker** – Trinidad

Pavement on Main and Trinity needs attention. Why was that not included in this project proposal? A pavement management priority rank has been created, and areas targeted for maintenance are based on a 2017 survey.

**Jacque Hostler** - Trinidad Rancheria

The most severe parts of Scenic Drive are outside the City limits, and the Rancheria and County Roads Department are addressing them.

There were no Council comments.

*Motion (Miller/West) to receive presentation, discuss, and authorize City Manager to sign a scope of services with GHD, Inc. for the Downtown Trinidad Pedestrian and Connectivity Improvement Project. **Passed 4-0.***

***Ladwig** recommended West work with City Manager Berman to develop a draft resolution for consideration at the March meeting.*

4. Discussion/Presentation by Trinidad Rancheria Regarding the Hotel Project.

Rancheria consultant David Tyson presented a slideshow that included the following information;

- **Project Overview:** Hyatt Place (3-star plus), 100 room, 5 story building, suites, pool, fitness center, 5<sup>th</sup> Floor Community area, Architecture/Aesthetic Changes made, building dimensions and viewsheds.
- **Water Consumption:** Environmental Assessment assumed 18,000gpd based on industry standards. Current reassessment based on an experienced hotel operator suggests 3,000-5,000gpd. Removal of onsite laundry facility will further reduce water consumption and disposal.
- **Traffic Impacts:** Referenced the previous freeway interchange analysis, and explained the results of a recent February 2019 study. Consultant concludes little-to-no impact on current traffic network or patterns.
- **Wastewater:** Leachfields have been studied and will require minor improvements to current system.
- **Slope Stability:** Geotech engineer is working through several design techniques that will be utilized.

Public comments included:

**Jim Cuthbertson** – Trinidad

What happens when we run out of water? Was there a production study done this summer when the flow was low? We should connect to Humboldt Bay Municipal Water System.

**Jason Self** – Trinidad Area

Thanked the Rancheria for design adjustments. Researched toilet flush average consumption and calculated that at maximum occupancy the hotel will use more water than their current calculated amounts.

**Richard Clompus** – Trinidad

Appreciate the design adjustments. Concerned for safety of people driving on Scenic Drive.

**Carol Mone** – Trinidad Area

The recent traffic study was done in January when it rained for days on end and there were very few people here.

**Tyson** explained that other Caltrans studies were utilized for analyzing traffic for that particular survey.

**Jim Vandergriff** – Trinidad Area

Better design than the first rendition. Main concern is the environmental consequence of this structure. Focus on solar and ways to eliminate carbon emissions.

**Barbara Kadelick** – Trinidad Area

Before you move ahead, study the creek flow between August and November, and also consider connecting to Humboldt Bay Municipal Water.

**Alan Grau** – Trinidad

This design is unacceptable. They replaced one disgusting design with a new one. The viewshed slide was useless, and the water analysis is unbelievable.

**Bryce Kenny** – Trinidad

New information should be amended and incorporated into the Environmental Assessment. This is not a high-rise community. We would never approve something like this in our jurisdiction. The purpose of the hotel is to increase the Rancheria's competitive marketshare. We shouldn't be asked to compromise our values to help the Rancheria increase it's revenue.

**Don Allan** – Trinidad Area

"This pig will need more lipstick." Water assumptions are not valid. This is part of a larger development strategy. Consider the lighting impacts and possible landslide issues.

**Dave Hankin** – Trinidad Area

There is considerable opposition to this project. I encourage everyone to stand next to a 5 story building on the HSU campus to get an idea of the massive scale we're talking about. The BIA gives the Coastal Commission 60 days to make their consistency ruling. We ask the City to support the Coastal Commission's request for an extension, and ask for a revised environmental assessment.

**Richard Johnson** – Trinidad Area

(Read from a prepared statement submitted to the City Clerk) There are very important issues that need to be addressed, and it's important to recognize this is part of a larger plan that will change living in this area forever. We have talked about water use. You still lack the information needed to determine whether the City can supply this new development. You have a great responsibility to continue working with the Rancheria, the Coastal Commission, the residents of Trinidad, and you're the gatekeepers of the town. Please protect it.

**Leslie Farrar** – Trinidad

I would like to hear more about the septic system and slope stability. The impacts are being minimized tonight.

**Ellen Golla** – Trinidad Area

Our water system is small and I have great concerns for fire safety. Echoed Dave Hankin's comments.

**Carl Ferguson** – Trinidad Area

25 year resident. This will overtake our landscape and destroy our area. It is sad that this is being pushed on us and we don't want to see it happen.

**Larry Glass** – North Coast Environmental Protection Center

Demand from the BIA Full Disclosure. Use your positions of power to do so.

**Kathleen Lake** – Trinidad

What will this hotel look like at night?

Council comments included:

**Miller:** We should incorporate our comments into a letter to the BIA very soon.

**Ladwig:** Summarized public comments and suggested the City ask the BIA to consider honoring the Coastal Commission's request to delay the hearing and hold it locally, and advocate for an updated environmental assessment so all the information is made available to the public. The Rancheria should also make a formal request for water service and provide accurate consumption estimates. The City is looking into Water Plant production capabilities as well as how much processing the watershed can support.

**Davies:** If the City is sending a letter to the BIA, we may need to have a second meeting in March with this letter as a sole agenda item. **City Manager Berman** offered to work with the Mayor to draft a letter that expresses all the issues discussed tonight.

**City Engineer Patrick Sullivan** explained that flow tests began in the fall and we're waiting on the remaining data to be collected by the computer system. If we get that data tomorrow, then it will be feasible to have the results we need within 1 week. The City hasn't asked GHD to analyze the "watershed" capacity. **City Manager Berman** succinctly defined 3 main points of discussion that the City must consider: 1) Water System Ability, 2) Watershed Capacity, and 3) Political Policies.

Presentation item only. No decision was made.

**X. FUTURE AGENDA ITEMS – No items were presented.**

**ADJOURNMENT: 8:50pm**

**Submitted by:**

**Approved by:**

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**Gabriel Adams**  
Trinidad City Clerk

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**Steve Ladwig**  
Mayor