



Posted: Friday, July 21, 2017

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

The Trinidad City Council will hold the Second Regular Monthly meeting on

WEDNESDAY, JULY 26, 2017 at 6:00 PM

In the Trinidad Town Hall, 409 Trinity Street, Trinidad, CA

5:30PM CLOSED SESSION

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ADJOURN TO CLOSED SESSION**
 1. *Personnel review for City Manager Pursuant to Government Code Section 54957*
- IV. **RECONVENE TO OPEN SESSION & CLOSED SESSION REPORT**
- V. **APPROVAL OF AGENDA**
- VI. **APPROVAL OF MINUTES – May 10, 2017 cc, June 01, 2017 scc, & June 28, cc2**
- VII. **ITEMS FROM THE FLOOR**

(Three (3) minute limit per Speaker unless Council approves request for extended time.)
- VIII. **CONSENT AGENDA**
 1. Staff Activities Report for July 2017
 2. Law Enforcement Report for June 2017
 3. Resolution 2017-10: Establishing a Fiscal Reserve Policy for the City of Trinidad
 4. Liability Claims for Damages from Mike Reinman
 5. Planning Commission Vacancy Notice to replace position left vacant by resignation of Commissioner Laura Scott
 6. Scope of Services with Streamline Planning for Van Wycke Trail Project CEQA and Permitting.
- VI. **DISCUSSION/ACTION AGENDA ITEMS**
 1. Presentation/Discussion regarding Memorial Lighthouse Stabilization
 2. Presentation/Discussion regarding upcoming OPC Stormwater Project Construction
 3. Discussion/Decision regarding Ocean Avenue Encroachments and Right of Way Recovery Project.
- VII. **FUTURE AGENDA ITEMS**
- VIII. **ADJOURNMENT**

APPROVAL OF MINUTES FOR:

MAY 10, 2017, CC
JUNE 01, 2017, SCC
JUNE 28, 2017 CC2

Supporting Documentation follows with: 13 PAGES

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, MAY 10, 2017

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

1. *Conference with legal counsel regarding active litigation. Tsurai Ancestral Society vs. City of Trinidad. Pursuant to California Government Code section 54956.9 (a).*

IV. RECONVENE TO OPEN SESSION – No report given.

V. APPROVAL OF AGENDA

*Motion (Rotwein/West) to approve the agenda as amended, pulling 4 & 6 for discussion. **Passed unanimously.***

VI. APPROVAL OF MINUTES – April 12, 2017 cc, April 26, 2017cc2

*Motion (Ladwig/West) to approve the minutes as amended. **Passed unanimously.***

VII. COUNCIL MEMBER REPORTS

Rotwein: Met with the Hazardous Materials Response Authority, Coast Guard, and attended a meeting with the Trinidad Rancheria as the city's tribal liaison. Announced that she was pleased to report that Maggie Flemming sent an opinion memo to the City stating she did not believe the Mayor committed a Brown Act violation. She also added that she hoped the Council considers adopting best practices policies for governing at a future meeting.

West: HCAOG report, Last Chance Grade status and solutions, Little River Trail progress, and road sharing issues with cyclists.

Baker: Working with Councilmember West on reviewing STR approvals. Also surveyed Ocean Ave. and Ocean Alley, and discussed issues with neighbors. Attended Brown Act training recently with 4 of 5 Council members.

Miller: RCEA is rolling out the Community Choice Energy program this month.

Ladwig: Nothing to report.

VIII. STAFF REPORTS:

City Manager Berman summarized the staff activities report included in the Consent Agenda highlighting various accomplishments and project status for the month; *Lighthouse Memorial site repair work underway – sidewalk removed and erosion control in place. Measure Z funding approved for \$75,000 to cover public safety expenses. Truck abandoned on launcher beach and tow recovery process took place the following morning.*

IX. ITEMS FROM THE FLOOR:

Patti Fleschner – Trinidad

Thanked the City for the Bed Tax contribution payment, and thanked Deputy Luke Mathieson for continued assistance with transient issues at Saunders Park, Museum, & Library. BLM lighthouse on Trinidad Head will be open 10-12 every Saturday in the summer. Thanked the Council for their help protecting the Trinidad Memorial Lighthouse.

Dorothy Cox – Trinidad

Thanked Deputy Mathieson for his immediate assistance with an issue that she witnessed at the overpass recently that involved a man with a fake gun. Can I get an Ocean Avenue encroachment report please? Pull consent 6 for discussion.

Leslie Farrar – Trinidad

We submitted written comments at the 4/26/17 meeting and it is unclear where they are referenced in the minutes. I request consent items 4 and 6 be pulled for discussion.

Alan Grau – Trinidad

Same comment as Leslie Farrar.

Tom Davies – Trinidad

Requested consent items 4 & 6 get pulled for discussion.

X. CONSENT AGENDA

1. Staff Activity Report for April 2017
2. Financial Status Reports for March 2017
3. Proclamation Recognizing May 2017 as Humboldt Bike Month.
4. Approve Letter allowing Strawberry Rock Gallery to Obtain an Alcohol Sale License through ABC.

City Manager Berman explained that owner Suzanne Murphy has applied to the State for an alcohol license so they can serve alcohol inside the gallery at periodic events and receptions. The California Department of Alcohol Beverage Control considers this area to have an "undue concentration" of alcohol licenses, and will not issue the license without the City's consent, stating "the public convenience or necessity would be served by the issuance of this license".

Public comment included:

Tom Davies – Trinidad

A license will open up their opportunity to sell alcohol anytime. We are a town of 300 people constantly pandering to tourism. This is a message the city doesn't need to send anymore. Not in favor of issuing this license.

Residents **Alan Grau, Dorothy Cox, Leslie Farrar, and Kim Tays** agreed with Davies – not in support of issuing the license.

Comments included:

Baker: Public concerns are important, but do we have data on violence and drunkenness in public related to these establishments?

Ladwig: This permit is consistent with other licenses issued in the same shopping center, and I want to be fair to everyone. Had we decided to stop accepting licenses prior to this application being submitted, I'd feel more comfortable declining it. But we haven't. I hear the public comments, but we have to be fair.

Rotwein: I'm being persuaded by public comment, and am also concerned with saturation of licenses and the change in use of the business that's currently there.

Motion (Ladwig/West) to deny Strawberry Rock Gallery the City's support to obtain the ABC Liquor License.

Passed 4-0-1 Miller – Abstain.

5. Adopt Resolution 2017-05 Authorizing Trinidad's Membership in the Humboldt County Solid Waste Task Local Task Force.
6. Adopt Resolution 2017-06 Authorizing Trinidad's Inclusion in the Renewal of the Humboldt County Tourism Business Improvement District (HCTBID).

Councilmembers Ladwig and Rotwein recused themselves from this discussion.

City Manager Berman explained that Local lodging owners voted to create the Humboldt County Tourism Business Improvement District (HCTBID) in 2012, and are now seeking to renew it for ten years. The HCTBID is funded with a 2% tax on short-term lodging. The funding goes to efforts to promote tourism, both at a local and regional level. This 2% tax is separate from, and in addition to, the 10% Transient Occupancy

Tax collected by Trinidad. The 2% HCTBID funds are collected by the City, who then passes them on to the Humboldt Lodging Alliance on a quarterly basis.

In order to renew the HCTBID, a majority of the businesses paying the assessment must petition the City for HCTBID renewal (by amount paid). That majority has been reached in the City, as well as on the larger Countywide scale, indicating that a majority (by amount paid) of lodging owners want to continue the HCTBID.

The County of Humboldt has requested by the inclusion of the City of Trinidad in the HCTBID. The County of Humboldt has requested consent to act as the lead jurisdiction in renewing the HCTBID. Adopting this resolution will give the County of Humboldt authority to include the City of Trinidad in the renewed HCTBID. To renew the HCTBID, the County of Humboldt will follow the renewal proceedings specified by law, including accepting petitions, adopting a resolution declaring its intention to renew the HCTBID, holding a public meeting and public hearing to allow for comments, and adopting a resolution renewing the HCTBID.

There are two new aspects of the HCTBID that benefit Trinidad. First, the City can recover our staff time handling this money through an incidental fee (1% of the HCTBID funds that pass through our office). More importantly, 60% of the funds collected in Trinidad are designated to support local Trinidad Area projects through what is essentially a small grant program.

HLA Executive Director Tony Smithers clarified that Prop 218 does not apply here. This is an assessment, not a tax. He also reintroduced himself and re-summarized Berman's summary of issue at hand. Smithers also clarified that the City can benefit from receiving a large percentage of the tax collected to re-invest in tourism related projects throughout town. Applications from the community will be reviewed by Trinidad's HLA representative for approval.

Public comment included:

Alan Grau – Trinidad

There are too many tourists coming to Trinidad than it can accommodate. Cited various STR complaints, and stated that more tourists will undermine the coastal village character.

Dorothy Cox – Trinidad

Concerned about having one person in control of funding. I'd like to see the report of accomplishments that HLA is taking credit for.

Victoria Sackville-Rosen - Trinidad

I can see many good things that could come out of this, but also see issues with having one person in charge of the grant funding available to the community.

Leslie Farrar – Trinidad

Who is Trinidad's representative? This is unnecessary for Trinidad, it is marketed enough already. I'm confused how to distinguish projects for tourism vs. projects that improve the town.

Tom Davies – Trinidad

If HLA Resolution is accepted by the Council, then they shouldn't make any budget contributions to HCCVB.

Kim Tays – Arcata

10 years is too long. Mike Reinman as representative is a conflict. Can someone else on the board make the decisions?

Council comments included:

West: Why Reinman? Smithers explained that he signed up for the 2-year term.

Baker: I see this as having potential to be useful for the City. I have concerns, however, with any one single person having decision-making power for grant allocations.

Miller: Clarified the Council's role in processing the TBID funds and noted the added funding opportunity this provides for community groups.

Motion (West/Baker) to approve Resolution 2017-06 granting consent to the County of Humboldt to renew the HCTBID, and requested the City Manager keep the Council updated regularly on the program. **Passed unanimously.**

Motion (West/Baker) to approve the consent agenda as amended, pulling # 4 & 6 for discussion. **Passed unanimously.**

XI. DISCUSSION/ACTION AGENDA:

1. Appoint Members to the Trinidad Trails Committee

City Manager Berman explained that the Council has approved a charter and a membership framework for a standing Trails Committee. That Charter is attached and provides for the composition, purpose, and goals of the Trails Committee. The membership framework is:

- (1) City Councilmember (committee chair)
- (1) Planning Commissioner
- (2) General Public representatives*
- (1) Yurok Tribe Representative
- (1) Trinidad Rancheria Representative
- (1) Visitor Services Representative

*The Council indicated that in the event two City residents do not apply for the general public seats, one can be appointed from the Greater Trinidad Area.

The City invited interested parties to submit a letter of interest. The following 5 letters have been received and are included:

- Jonna Kitchen (applied as Visitor Services – also a City resident)
- Gail Kenny (Resident)
- Zack Brown (Trinidad Rancheria Tribal Council Member)
- Ben Morehead, Executive Director, Trinidad Coastal Land Trust (Visitor Services)
- Jim Cuthbertson (Resident)

*Jim is not a PC member, but would, if willing, serve as liaison between the PC and the Committee.

Public comment included.

Shirley Laos – Trinidad Rancheria

Invited the City to attend a Trails Summit meeting at the Warfinger in Eureka on Saturday June 03.

Motion (Ladwig/Baker) to approve the committee makeup as recommended by Councilmembers Rotwein and West, as follows: Councilmember Rotwein (City), Gail Kenny (public), Jonna Kitchen (public), Zack Brown (Trinidad Rancheria), Ben Morehead (Visitor Services), Jim Cuthbertsen (Planning Commission*)
Passed unanimously.

2. Discussion/Decision Regarding Trinidad Head Cell Tower Lease

City Manager Berman explained that when the City of Trinidad was given ownership of approximately 46 acres on Trinidad Head by the federal government in 1983, the granted property included a cable TV communications facility near the top of the Head. Trinidad Head is in the City's Open Space zoning, and the City's receipt of the property came with condition from the federal government that it be used for public recreation. However because it was already in place upon the City's receipt of the land, the cable facility was considered a legal non-conforming use. That use, with lease rent to the City, continued into the 1990's. In 1997, with the cable company no longer interested in the site, the City of Trinidad entered into a 20-year lease for cellular communication facilities on the site. The cable dish on site was replaced with two poles, with cellular antennae affixed. The end date of that 20-year lease is now approaching.

The Lease Agreement:

The copy of the lease that the City has had on file, which has been referenced repeatedly in past decisions and discussions about this issue, was an unsigned draft dated April 1997. The City has recently obtained a final signed version of the lease from the current lessee (attached). This final lease agreement:

- a) Was signed in August of 1997, with an effective start date of September 1st, 1997, therefore the 20 year lease term ends on Sep 1st 2017;
- b) Provides that the City can terminate the lease by providing notice of its intent to do so within 90 days of the lease termination date, i.e. by June 1st 2017
- c) If notice is not provided by June 1st, the lease is automatically extended for one additional year.
- d) Note that the option to extend the lease by five years, which is present in the draft lease, was removed from the final signed lease. Staff found corresponding May 1997 Council meeting minutes documenting the decision to remove that term from the lease.

Approval of the 1997 lease appears to have been non-controversial at the time. However, when a permit to modify the site was considered in 2006-7, there was vocal opposition including an appeal to the Coastal Commission of the City's permit approval. Coastal Commission staff recommended denial, and the applicant withdrew the project. Since that time, the City has allowed some small modifications to equipment on site, with review by Coastal Commission staff to establish concurrence that these modifications have not required a new Coastal Development Permit.

Carriers and Coverage:

The City's lease is with Verizon. Verizon subleases to two other mobile providers: Sprint and AT&T. City Staff have notified all three carriers of the current lease situation, and asked them to describe the impacts to their coverage if the site was to be removed. The City Council previously (2012) sent a letter to Verizon notifying them that the City may end the lease when it is able.

Verizon has indicated they are prepared to give up the Trinidad Head Site. They have built alternative coverage, including a large tower that recently went up at the rock Quarry above the City. They have not provided any coverage map of the effect of removing the Trinidad Head site.

The other two carriers are very concerned. Sprint says the loss of the Trinidad Head tower would basically eliminate coverage for their customers north of the Little River, as Trinidad Head is their only tower north of McKinleyville. AT&T has provided less detailed information, but also indicated that their coverage and customers would be seriously affected in the greater Trinidad area. Sprint indicated that it would take them 12-18 months to develop an alternative site.

Interest in Continuing Use:

Sprint and AT&T have expressed interest in continuing their existing use under a new agreement and payment arrangement with the City. They have also requested that if the City decides to remove the site completely, the City consider extending the lease for one additional year to provide them time to develop alternative coverage.

The City has also received one preliminary statement of interest from another party who would like to continue the existing use of the site under a new lease from the City. That interest is conditioned on minimal changes to the facility so as not to require a new Coastal Development Permit.

The City currently receives approximately \$25,000 per year in lease payments for the site. Staff expect that number would increase under a new arrangement, but no negotiations have occurred. Staff see continuation of use as feasible only if it can be done with basically no changes to the site.

Key Issues:

Zoning - Removal of the facility would be consistent with the Open Space Zoning. There is no requirement to remove a non-conforming use, and non-conforming uses generally can be altered, repaired, and extended, but cannot be made 'more non-conforming'.

Visual Resources - Removal would improve visual resources somewhat. The cell site is visible, more so from off the Head than from the trails on the Head. But the site is one of several similar structures in view - the power poles and lines climbing the Head, and the radio tower and atmospheric monitoring equipment on federal property adjacent to the cell site, will remain.

Coverage Loss/Public Safety – This location has exceptional line-of-sight coverage for the greater Trinidad area, including on local beaches and at sea. Removal will (per carrier's report) dramatically affect cell phone coverage for Sprint and AT&T customers, whether resident or visitors. This is a public safety as well as a convenience issue.

Revenue - The City has been receiving approximately \$25,000 per year from leasing the site; staff expects that a continuation of existing use would generate at least that much going forward. This is about 5% of our General Fund Revenue (excluding grants).

Permitting Challenges- Continuing use through any new lease arrangement would be controversial. Staff expect any change on site that requires a permit to be appealed to the Coastal Commission, and expects Commission staff to recommend denial. Minor repairs and maintenance of existing structures, including like-for-like replacement of components, typically does not require a new permit, but staff expect any such proposal would be viewed skeptically by Commission Staff.

Public Input –Prior public comments have included arguments both for and against removal. A previous City Council sent a letter to Verizon indicating their intent to remove the towers at this point. The Trinidad Head Study Committee Final Report recommended removal, as have the Yurok Tribe. In recent conversations staff have heard from Volunteer Fire Department staff (speaking as individuals) and local fisherman concerned about loss of coverage

Staff see the following options for Council to consider, with brief pros and cons of each:

- 1) **End the Cell Tower Use this fall.** Notify Verizon and the other carriers that we are terminating the lease with no intent to continue use. Verizon is responsible for removing the equipment, and it should be gone by Sep 1st according to the lease. This decision would need to be made prior to June 1st.

Pros: Removes a non-conforming commercial use from Open Space Zoning. Improves visual resources on Trinidad Head, avoids permit fights.

Cons: Dramatic coverage loss for Sprint and AT&T customers; City foregoes ongoing General Fund Revenue

- 2) **Extend the current lease for one year with intent to terminate in 2018.**

Pros and Cons - as with immediate removal above, except this avoids abrupt coverage loss for AT&T and Sprint, assuming they can find alternative options. Other benefits are delayed one year.

- 3) **Extend the current lease for one year and explore negotiations with parties interested in continuing use**

Pros –Gain more information on possible revenue, no permit challenge to a one-year extension of existing use, No impact on coverage/public safety or City revenue next year. Option of terminating facility still available.

Cons: (if new lease) No change to non-conforming use and visual impacts, permitting challenges.

Public comment included

Brad Twoomey – Trinidad

The City should get out of the money making business on Trinidad Head.

Alan Grau – Trinidad

Cell towers are not appropriate for a California Monument. Do not renew the lease.

Cindy Lindgren – Trinidad Area Resident

Cell companies do not always tell the truth. Renewal may not be worth \$25,000/year.

Kim Tays – Arcata

Read an old memo from Coastal Commission staff member Jim Baskin, stating the cell facility should have never been allowed to be on Trinidad Head. I've spent \$11,000 of my own money protecting Trinidad Head. It needs to be restored to its natural condition.

Shirley Laos – Trinidad

Speaking as a member of the Yurok Tribe, do not renegotiate, but extend one year to allow carriers to find an alternative.

Leslie Farrar – Trinidad

Agreed with Cindy Lindgren and Kim Tays. I support science, but no new leases. Remove everything.

Marieva Russo – Trinidad

Echoed public comments and urged the Council to not renew the lease.

Tom Davies – Trinidad

I support all the public comments made. Do not renew the lease.

Council comments included:

Baker: Concerned about safety issues if the lease was terminated immediately.

West: Interested in finding out if AT&T & Sprint would lose coverage completely or not when the lease is terminated.

Ladwig: I have not heard from a single person asking for the cell towers to stay, and I have no concern for AT&T or Sprint.

Miller: I have been in favor of removing the cell towers, but I also think they should be given 1 year to make the move.

Rotwein: I agree with Miller. A transition period is needed. This also gives us time to prepare for the budget impact.

Motion (Rotwein/Ladwig) to extend the lease for 1 final year with the intent to eliminate the site at expiration date of September 01, 2018. Passed unanimously.

XII. FUTURE AGENDA ITEMS

- Explore liquor licenses issue (Is Trinidad saturated? Or are more licenses ok?)
- Resolution of HSU Marine Lab cypress tree
- Public trails trespassing on private property
- Next meeting scheduled for June 01, 2017, at 10:00am. Special Budget Session.

XIII. ADJOURNMENT

Meeting ended at 9:20pm.

Submitted by:

Approved by:

Gabriel Adams
City Clerk

Dwight Miller
Mayor

MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL
THURSDAY, JUNE 01, 2017

I. CALL TO ORDER

- Mayor Miller called the meeting to order at 10:00am. Council members in attendance: West, Ladwig, Miller, Baker, Rotwein.
- City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION – No closed session.

IV. RECONVENE TO OPEN SESSION – Nothing to report.

V. APPROVAL OF AGENDA

*Motion (Ladwig/West) to approve the agenda as written. **Passed unanimously.***

VI. APPROVAL OF MINUTES – No minutes to approve.

VII. COUNCIL MEMBER REPORTS – No reports given.

VIII. STAFF REPORTS – Deferred to discussion agenda.

IX. ITEMS FROM THE FLOOR:

Dorothy Cox – Trinidad

Asked for status report on Ocean Avenue right-of-way project. Would like a copy of the document Victoria Sackville-Rosen claimed to have been given by the City Manager to allow her hedge to stay during ASBS swale construction. I wasn't aware that the residents had an option to have the swales in their front yards.

Victoria Sackville-Rosen – Trinidad

I would appreciate allowing the dust to settle on Ocean Avenue with regards to the recent property sale at 407 Ocean before making any dramatic changes to the street.

X. CONSENT AGENDA

1. Proclamation in recognition of former Trinidad Councilmember, Mayor and Resident Chi-Wei Lin.
Mayor Miller announced Lin's passing, and read aloud a list of accomplishments in recognition of his many years of service and contributions to the City of Trinidad. The Council observed a moment of silence in his honor.

XI. DISCUSSION/ACTION AGENDA:

1. Discussion/Presentation of the 2018 Budget

City Manager Berman explained that his goal is to have the budget approved at the June 28 regular meeting, and presented a brief overview of the city's current budget status, cash reserves, and possible project options for the upcoming year.

Various highlights/proposals for the budget included:

- Increase records clerk hours to full time.
- Increase rate of pay for TPW/Water Department Staff members DeSmet and Rosenblatt.
- 2% Salary Increase for all other employees.
- Increase grant administrator time allocated to OWTS program.
- Increase Building Inspector time allocated to STR Ordinance Inspections and Enforcement

Council comments included:

Baker: Are we using what we have efficiently? I think we should know this before hiring more help.

Rotwein: Presented a list of needs priorities, questions, concerns:

- We need a capital improvement plan.
- Cost projections for Septic Program

- Not in favor of increasing Staff time. We need to improve efficiency and reward long-standing employees that have been topped out for years.
- Prioritize ADA compliance issues. Do we have a spending plan?
- We way overspent the Engineer's budget. How can we prevent this in the future?
- Continuing education/training for current staff. I support investing in staff to improve performance.
- For any future expenditure proposed, there must be a spending plan to map out where it will come from in the budget.

Miller: Highlight short vs. long-term expenses (bulge expenses). Solar on Town Hall roof. Exercise equipment or fitness facility somewhere in Trinidad.

Public comment included:

Dorothy Cox – Trinidad

I had a life-long career in education, and had to fight for every penny. With all the issues Trinidad is facing, staff should not be getting raises this year.

Kathleen Lake – Trinidad

I appreciate Rotwein's request for more details. We need a fee analysis. No raises should be given. The \$400,000 grant match is not a good use of city funds. The General Plan update should be a priority.

Further discussion ensued about various budget components, but no decisions were made.

Next meeting will be held on June 28th, 2017, at 6:00pm.

XII. ADJOURNMENT

Meeting ended at 12:10pm.

Submitted by:

Approved by:

Gabriel Adams
City Clerk

Dwight Miller
Mayor

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JUNE 28, 2017

I. CALL TO ORDER

Mayor Miller called the meeting to order at 6:00 PM. Council members in attendance: West, Ladwig, Miller, Baker, Rotwein. City Staff in attendance: City Manager Berman, Records Clerk Cuthbertson.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

Miller: Propose budget be discussed, but decision delayed until all agenda items are discussed.
Motion (Rotwein/Baker) to approve the agenda as revised. Passed unanimously.

IV. ITEMS FROM THE FLOOR:

Dorothy Cox: The Fish Festival must have been a success because it took her 20 minutes to travel from her driveway to the freeway.

V. CONSENT AGENDA

1. Resolution 2017-07 recognizing the first Trinidad Art & Music Festival In Trinidad, August 26-27, 2017.
2. Resolution 2017-08: LCP Update Grant Resolution of Submittal.
3. Sheriff Activity Report for May 2017.

Motion (Rotwein/Baker) to approve the consent agenda as revised. Passed unanimously.

VI. DISCUSSION/ACTION AGENDA:

1. Discussion/Decision FY2017-18 Budget and Resolution 2017-09 Adopting FY 2017-2018 Budget.
City Manager Berman presented an overview of the proposed budget. Cash assets \$2.3 M. Current Public Works budget shows an overage of \$22K largely due to this winter's Lighthouse slide. Grant reimbursement and FEMA storm grants may reduce overage. Proposed General Fund Reserve transfers are Firehouse expenditures, Ocean Avenue encroachment, Stormwater loan reports. General Fund expenses are divided into four categories: Administration, Police, Fire and Public Works.

Berman also explained that the 2017-18 General Fund (GF) Revenue is estimated at \$626,000. He proposed a 2% COLA salary adjustment across the board that will cost approximately \$6,000. A one dollar raise for two public works plant operators represents a \$5,000 increase. Ryan has been upgraded to a "T3" operator, and Paul to "T2" operator. Health insurance will increase 10% in January 2018. Personnel costs budgeted at \$273,000.

The City donates 12% (almost \$17K) from TOT revenue to three local non-profits: Chamber of Commerce, Library and Museum. The Land Trust has requested to receive a donation in kind.

Rotwein: What causes the difference between budget and actual? We need to look at the causes of fluxuations. The decrease in sales tax is partially related to the fishing industry. Commercial and recreational fishing has declined. Regarding personnel increases; the majority of staff are at top of scale. The rate scale needs to be addressed; matrix needs to be redone. Salary increases should be based on merit and longevity rewarded. COLA increases are a bad idea. If an employee does a good job and receives a positive performance review, they should expect a merit raise. The two most important budget issues are safety and fiscal responsibility. Recommend council not approve budget if it includes COLA.

Miller agreed that the step increase matrix should be redone. City Manager will look into this issue.

Baker: The budget should not be tied in with COLA each year. Salary increases should be examined every year. Requested information on contract employees; are contacts renegotiated annually? Budgeting should look two to three years out.

City Manager: GHD and Planner charge at a fixed hourly rate. The city attorney and building inspector serve at will with small adjustments made over time.

No decision was made. Item continued to the last item on the agenda...

2. Discussion/Decision regarding Contract Renewal with Humboldt County Sheriff Contract

City Manager Berman explained that the Sheriff's contract is basically the same as last year. Requesting the Council's authorization to allow he and the Mayor to finalize contract, and adjust the deputy's schedule for specific events. Deputy Luke Mathieson has been very proactive. Having him called out on temporary assignments is an on-going problem, and during off-hours it continues to be an issue knowing if on-call deputies respond to Trinidad and how many hours they spend patrolling.

Public comment included:

Jim Cuthbertson - Trinidad

Sheriff's office assigns our deputy to other areas. He should be committed to the Trinidad area.

Patty Fleschner - Trinidad

The museum is so grateful to Luke for moving the transients out of the museum, library and park area.

Dorothy Cox - Trinidad

Who decides which days the deputy works? They should be trained and encouraged to enforce city codes.

Council comments included:

Rotwein: The council needs to talk with Lt. Miller regarding accountability and how they intend to enforce local ordinances. The city's attorney should review the new contract before it goes into effect.

West: I think we should invite Lt. Miller to attend a public meeting to discuss all our law enforcement issues.

Ladwig: An "accountability" clause should be added to the contract.

Motion (Baker/Ladwig) to approve Sheriff's new contract with the addition of an "accountability" clause.

Passed unanimously

3. Ocean Avenue Encroachments and Right of Way Recovery Project Bid Process and Award.

City Manager Berman explained that the 407 Ocean property curb inhibits right-of-way and should be removed to provide a parking area. 364 Ocean hosts an escalonia bush at least 20' high by 10'-15' wide which was planted years ago in the city right of way. It should be removed to facilitate traffic and add parking. Staff suggests we accept the low bid from GRS and pay the \$9K out of the Reserve Fund.

Public Comment included.

Victoria Sackville-Rosen - Trinidad

She is willing to cut back the hedge, but the hedge buffers her home a VDU and from neighbors and noise. She needs more time. She will cut back, but leave top for aesthetics.

Dorothy Cox - Trinidad

The hedge is a safety issue. We need the full width of the street to protect pedestrians, especially school children.

Council Comments included.

West: Concerned about using City money on private property. Is it fair to require a new owner (who didn't create the problem) to pay for repairs? (Vs) Is the original owner who planted the hedge in the City right of way responsible for correcting the problem? It is a narrow, well-traveled street, but we need more information before making a decision

Rotwein: We need to be consistent. Property owners need to be formally noticed (in writing) when there is any issue with their property.

City Manager will confer with city attorney regarding legality of charging new owners for previous infractions and long-time owners who caused current problem.

Baker: Proposed a line be painted in the center line of street to see if two RVs can safely pass. A traffic engineer should be consulted to determine how much space is needed from center line.

Ladwig: Does not feel comfortable using city funds to correct issues on private property.

Miller: This is a case of community values vs narrow street.

Rotwein: The street needs to be safe and parking is needed. The City has an ordinance re how tall shrubs and fences can be. As I see it, the City has three choices; 1) property owners take care of problem at their expense, 2) the owner and the City share the expense, or 3) funds come out of occupancy tax revenues, not general fund reserves.

Baker: The City must be consistent in terms of who pays. We can't allow rhodies to be saved on one side of the street. It is more cost effective to stage jobs; hiring a contractor to do all the work at one time. Victoria should be allowed time to speak to Dan and all council members before a decision is reached.

City Manager: The delay should not be an issue with the contractor, but there is pressure from residents to fix the problem before tourist season.

Motion (Baker/Rotwein) to table issue until next meeting after reviewing the traffic engineer's report.

Passed unanimously.

4. Discussion/Decision: Firehouse Expansion Bid Process and Award

City Manager Berman explained that the annual expenses budgeted for FY 2017-18 for the Fire Department is \$13,000, as well as a transfer of \$75K from Reserve fund for expansion. The expansion to the rear of the building is needed to allow the large pumper truck room to exit and enter the building without the threat of damaging the building. This project was approved for funding many years ago, but it has finally cleared the planning stages and is ready for construction, pending approval of the award to one of the 2 contractors that bid on the project.

Tom Marquette, Fire Chief: The "new" 1979 engine doesn't fit and future engines are larger. A 13' addition is needed, but the existing building will not be touched.

There was no public comment.

Council comments included:

Rotwein: This is a simple straight forward project with no need for engineering oversight (normally 10%)

Motion (Rotwein/Baker) to move \$75K from Reserve fund to build firehouse expansion. Passed unanimously.

5. Discussion/Decision regarding Trinidad Storm Water Management Improvement Project Financing

City Manager Berman explained that the City must come up with 10% in matching funds to qualify to receive the grant funds, and is pursuing a USDA loan for the match funding. The loan application, however, requires engineering and environmental reports to be completed as part of the application that will cost the city approximately \$56,000 to complete. There is potential for the loan becoming a grant, but staff is anxious to start the engineering reports because there will be no loan or grant without them being complete.

Public Comments included:

Shirley Laos – Trinidad Rancheria

Your project will affect the Rancheria property, so we should be kept in the loop.

Council comments included:

Miller: We need to define and adopt a reserve policy to show the amounts allocated to projects and funds so the USDA doesn't think the City is sitting on an excessive reserve.

Rotwein: Table this issue until our next meeting and after the Reserve policy is addressed.

Motion (Ladwig/West) to approve \$56K to come out of Reserve to pay for engineering and environmental reports with the understanding that every effort will be made to recover the costs. Passed unanimously.

Continued Discussion/Decision FY 2018 Budget & Resolution 2017-09: Adopting FY 2018 Budget

City Manager Berman explained that at a future meeting the Council needs to determine how much money to keep in the Reserve fund. Cemetery should be okay for eight years. The Water Fund should have a net surplus this year of \$18K which will roll over to the Reserve fund. Grant projects are funded for \$700K. Staff seeks approval and adoption of the 2017-18 budget

Public Comment included:

Dorothy Cox – Trinidad

It is premature to approve COLA before knowing what the income will be. The budget should be looking ahead three years.

Jim Cuthbertson – Trinidad

The City should pay merit increases based on performance.

Council comments included:

Rotwein: The first budget meeting was not productive. It left council with more questions than answers. This is a poorly structured budget. Better budget assumptions are required. Budget approval should be tabled until the July meeting.

Baker: What do we expect of a new, revised budget?

Ladwig: A revised budget should include a new personnel salary matrix and a 2 to 3 year projection overall.

Miller: Can we approve the budget, then work on specifics?

City Manager Berman explained that the Council could go forward with the budget as-is with the exception of no additional funds for personnel.

Motion (Rotwein/West) to table budget approval to a future meeting. Passed 4-1. (No-Miller)

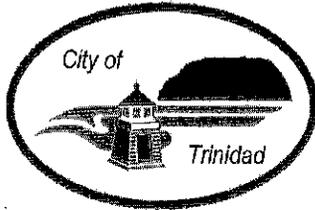
Meeting adjourned at 9:20 PM



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

1. Staff Activities Report for July 2017



*Dwight Miller, Mayor
Dan Berman, City Manager*

STAFF ACTIVITIES REPORT

July 2017

City Administration:

Law Enforcement Services.

Deputy Mathieson's June Report is attached separately.

Measure Z funds for the 2017 fiscal year have been received, and Staff's application for Measure Z funds for 2018 has been approved for funding by the Board of Supervisors in the amount of \$75,000. Staff are working with the Sheriff's Office and County to finalize the new contract as approved by the Council. The Sheriff's Office expects that a dedicated half time deputy will be available starting in October 2017. The new contract with the Sheriff's Office is in final form awaiting all signatures, and a more detailed daily log system is now in place for both Deputy Mathieson and all extra shift officers.

2017-18 Budget Process

The 2018 Budget was approved July 18th Council meeting.

Fiscal Reserves Policy

A Fiscal Reserves Policy was discussed at the July 18th Council meeting and a revised version is included in the Consent Agenda for the meeting on July 26th.

Trinidad Rancheria EA for the Harbor Property

This comment period is closed. The City and multiple other agencies and individuals submitted comment letters and are awaiting responses.

STR Ordinance

The City's STR Ordinance was certified by the Coastal Commission in June and is now in effect. Existing permits are in effect through September, and Staff are preparing guidance and new application materials.

Tsurai Study Area Settlement and Land Transfer.

The Coastal Conservancy's approval is required for the land transfer to go forward. There are four party discussions underway to try and meet their requests for that approval. The draft settlement (as conditionally approved by Council in December 2016) has not been signed by either TAS or the City. Since approving that settlement, the City and TAS received notice from the Coastal Conservancy that in keeping with an earlier legal settlement, specific conditions beyond those in the draft settlement are required.

Auditor recommendations for non-interest bearing cash accounts.

Staff have moved some funds to LAIF, and are working with the County Treasurer to move a significant portion of our checking account balance to the County's investment pool. Other options were explored with Tri-Counties bank, but did not exceed the County investment pool returns.

Planning

General Plan/LCP Update- Planning Commission has continued to hold extra meetings to review General Plan Elements/Chapters. Although the Planning Commission is still somewhat behind the ambitious schedule presented in the February memo, they have now reviewed the entire draft. Now staff needs to update the older elements with current information and the Planning Commission's input prior to it going back to them. Staff also needs to work with the Tribes to get their input on the entire general plan and to finalize the draft Cultural Element. In the meantime, the City has not been assigned a new local Coastal Commission staff contact to work with on the LCP update/grant. We need to get Coastal Commission staff input soon, and so City staff have been trying to get that moving.

View Restoration Permit process for Van Wycke St.

The applicants are working on obtaining a more detailed arborist report and pruning plan. However, the property on which the vegetation is located is for sale. Staff is hopeful that the applicants can start negotiations with the new owner that would lead to a mutually agreeable vegetation management plan and reduce or eliminate the need for further City involvement. The arborist was very busy in the Spring, which, along with the sale, has slowed down the process.

CalFire Water Line Extension

There were no requests for Tribal Consultation on this General Plan / LCP amendment. The amendment is needed in order to allow extension of City water to the Fire Station parcel, which is outside the City's approved Water Service Area. The amendment was scheduled to be heard by the Planning Commission on July 19, but there was not a quorum. If approved by the Commission, it will then go to the City Council for approval in August. The County is concurrently processing a similar amendment. Both amendments will go to the Coastal Commission for certification. Since Coastal Commission staff have been involved in drafting the LCP amendments, that is not expected to be a difficult process. Once the LCP amendments are certified, CAL FIRE can apply to the City (and County) for the CDP and other necessary permits for the physical construction of the water line.

WATER SYSTEM

Install Streamflow Monitoring on Luffenholtz Creek (Water Fund)

This is under way, with flow monitoring being conducted through the summer to calibrate the automated monitor.

Resolving Title at Water Plant The Water Plant was built on the old County road right of way, and that has never been cleaned up. The County has indicated they are open to helping us resolve this.

Asset Management System –New Asset Management software is configured and installed at the Water Plant, and is already populated with data about many key components and maintenance of the Water Plant. Water Plant staff has completed remote training on use of the asset management system, the mobile work orders to be used in the field, and the water quality compliance reporting module. The program is up and running and staff is now using this for the maintenance scheduling and recordkeeping. The next step will be using the water quality module to complete the next round of water quality reporting for the State and the annual Consumer Confidence Report.

Capital Improvement Program (CIP) –The Asset Management Software will help staff develop long range plans for future replacement of critical assets and to prioritize our long term maintenance and replacement efforts.

Water Filter Replacements – (Water Fund) – This emergency action is complete. The three main polishing filter trains at the Water Plant are all new (two are brand new, one is two years old) and working well.

Hazard mitigation – With the cooperation of Cal-Fire and staff hazardous ivy has been removed and vegetation fuel reduction has been performed on the majority of city property at the water plant.

Water accountability – Through various means, such as, aged meter replacement, identifying and addressing leaks, accounting for plant process water, and metering previously un-metered services staff continues to audit true water loss. Recently staff have identified and fixed several leaks in the distribution system. Staff have also identified numerous leaks on the property owners side and coordinated with the appropriate party to facilitate the necessary repairs.

Operator certification – Recently staff members through California Dept. of Public Health examinations have achieved higher levels of certification in both water treatment and distribution system operation.

Water Treatment Plant SCADA System - Quarterly water treatment plant and distribution system alarming and notifications systems have been tested, verified and improved. All system alarms are functioning optimally. By doing so staff is continually optimizing the operation of the water system.

Water Distribution System - Two pressure reducing valves which are critical components that regulate water system pressures in the lower part of town have been rebuilt and are functioning properly.

PUBLIC WORKS

Memorial Light House and Edwards St Slide The initial site response is complete, including removal of the concrete ramp and old fencing, and pulling back the parking lot. Four boreholes have been drilled to establish depth to bedrock and soil profiles. Two of them have monitoring devices installed to measure ground movement at depth. This work is all included in our application for Disaster Relief Funding. PARSAC grant funding of \$20,000 has been successfully applied for to support these efforts. Staff are working with FEMA/OES and are hopeful that this project will qualify, which would mean state and federal funding would cover ~90% of costs to restore and stabilize the site. An updated assessment of the risk and potential solution will be coming to Council at the July 26th meeting.

Town Hall Improvements. Scott Baker is assisting the city with prioritizing the remaining ADA improvements, including parking and the water fountain. Zero Waste Humboldt is applying for a grant to install a water bottle filling station, likely also in Town Hall.

Trails Committee. The Trails Committee has been formed and begun meeting.

Storm Damage Repairs –The storm drains off Scenic Drive just past the entrance to the Saunder's shopping complex that became disconnected in this winter's storms have been repaired. This was done as emergency work due to the threat to Scenic Drive. This is one of the projects for which staff have applied for Disaster Relief funding.

OWTS Permits Staff and the City Planner met in April to review the OWTS process and develop a workplan for getting OWTS permits done for the whole City. Staff are looking at how to spread the workload for this project across more people so it is not all on the City Planner. The City Planner is working on a step-by-step guide and compiling all the information needed to allow other staff to complete at least parts of the OWTS permits.

Firehouse Expansion – was funded by Council from City Reserves and is underway.

GRANTS –

Van Wycke Trail – (Grant Funded) – Request for Scope Change approved by Caltrans. Caltrans requires the CEQA document to be completed as the next step in the process. A scope of work for City Planner Trever Parker to complete this is on the Consent Agenda for the July 26th meeting, and will be funded by the grant.

Clean Beaches Initiative OWTS Repair/Replacement Grant – The first round of repairs have been permitted and are being put out to bid as weather allows. Another round of outreach is underway to invite OWTS owners in the priority areas of Parker,

Luffenholtz and Joland Creeks to get their systems inspected and, if their system needs repairs, to apply to the Clean Beaches OWTS program for funding assistance.

ASBS Storm Water Management Improvement Project – The State Water Resources Control Board awarded the City approximately \$4 million in Prop 1 grant funds through the Storm Water Grant Program. is in the process of applying for additional grant and/or loan funding to meet the approximately \$450,000 grant match requirements.

Ocean Protection Council funded Citywide LID Planning and Construction Project
An update on this project will be presented at the July 26th meeting.

BUILDING DEPARTMENT

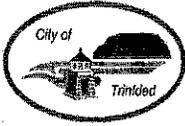
Complaints regarding the former Church at the base of Westhaven Dr. continue to be received and a letter requiring an inspection and updates from the property owner has been sent out. An inspection was conducted on May 5th and the Building Inspector is requiring all items identified to be addressed.

Alley widths and parking issues were reviewed with the Building Inspector, staff, and Council members. Staff are soliciting Calfire input, and considering how to ensure the alleys remain clear for emergency vehicles.

A final warning letter requiring action regarding unpermitted work (a carport) on Berry Rd. was issued.

Routine review of plans and specs for construction in town is ongoing.

The Building Inspector is assisting in oversight of the Fire House Expansion.



CONSENT AGENDA ITEM 2

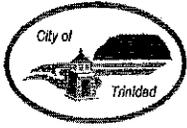
SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

2. Law Enforcement Report for June 2017

**ACTIVITY REPORT
TRINIDAD
BY Luke Mathieson**

06/01/2014-06/30/2014

- Numerous citizen contacts.
- Regular patrol and at Hidden Creek. Continuing to address the problems within the park.
- Conducted numerous vehicle investigations.
- Responded to multiple noise complaints at Ocean Grove. Working with Code Enforcement to resolve the issue
- Worked with casino regarding ongoing issues and locating/arresting wanted persons.
- Conducted regular patrols for subject(s) sleeping at night in Trinidad park and behind the Trinidad Post Office
- Addressed numerous pan handlers. Provided them information for resources.
- Conducted multiple traffic enforcement stops for minor traffic violations.
- Conducted a vehicle investigation at Scenic Drive at Langford, suspects identified in a earlier theft case, methamphetamine located, two released with citations
- Mental Health Evaluation to assist CHP, one subject transported to Eureka for evaluation
- Petty theft from Murphy's Market, suspect identified and warrant issued
- Responded to the report of a disturbance on Kingdom Road, contacted a intoxicated male who attempted to strike me over the head with a glass bottle. Subject placed under arrest for felony assault on a peace officer
- Assault and Battery at the Lighthouse Grill, suspect identified, investigation on going
- Investigated check fraud and defrauding a innkeeper at Big Lagoon Campground
- Arrested an intoxicated male at Chevron, same day arrested an additional intoxicated male in front of Murphy's Market.
- Investigated a petty theft at Cher-Ae Heights Casino, report taken
- Responded to multiple alarm calls, all were false



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

3. Resolution 2017-10: Establishing a Fiscal Reserve Policy for the City of Trinidad

CONSENT AGENDA ITEM

Date: July 26, 2017

Item: Consideration of adopting Resolution 2017-10 establishing a Fiscal Reserve Policy for the City of Trinidad

Summary and Recommendation:

The proposed Reserve Policy will help formalize the City's approach towards establishing and utilizing Reserve funds. The policy sets a target of maintaining combined General Fund Reserves of 150% of the annual GF operating budget for emergencies and budget stabilization. It also creates a framework for Capital Asset and Special Project Reserves. The details of those Capital Asset Reserves will be developed in conjunction with the completion of a Capital Improvement Plan this year. This proposed Policy will be adopted by Resolution, and as such can be revised at the Council's discretion going forward.

Staff recommends the Council:

Adopt Resolution 2017-10 establishing a Fiscal Reserves Policy for the City of Trinidad, and direct staff to work with our Auditor and Accountant to implement this Policy.

Background: Reserves are a critical part of how cities plan for and respond to fiscal challenges, infrastructure replacement, and cash flow management. Fiscal challenges can include natural disasters, other unexpected costs or reductions in revenue, and economic downturns. Reserves also provide a framework to plan and save for the maintenance and replacement of the City's infrastructure and capital assets. Collectively, reserves provide the City with time and flexibility to respond to financial challenges without disrupting the provision of essential City services.

The City currently has significant 'undesignated' General Fund and Water Fund balances. The City has some established Reserve Funds, but has not formally designated most of our available fund balances to those Funds. The proposed Reserves Policy will help formalize the City's approach towards establishing, funding, and utilizing reserves.

Appropriate Reserve Fund Targets

An important part of the Reserves Policy involves setting the appropriate Fund target levels. General guidance for California Cities, and surveys of City Reserve Policies suggest that an overall General Fund Reserve of 20% of annual operating budget is considered a healthy reserve. Cities vary widely, and some CA cities have designated General Fund Reserve targets of up to 100% of annual GF operating budgets.

The attached Resolution reflects the Council's direction after discussion at the July 18th 2017 Council meeting for a primary General Fund Reserves target of 150% of the annual General Fund operating budget (75% for Emergency Reserves and 75% for Budget Stabilization Reserves). This target is based on the following reasoning:

Risks relative to our size:

A 20% reserve target results in a large absolute number for most Cities – many millions or tens of millions of dollars. But Trinidad is so small that 20% of our annual GF budget is only \$120,000. A single landslide, lawsuit, or unexpected infrastructure expense could easily exceed that value. The City has approached insolvency over legal costs in the past, and currently faces a landslide threatening Edwards St. and the Memorial Lighthouse with potential costs of many hundreds of thousands of dollars.

Dependence on variable revenue linked to larger economy:

The two largest General Fund revenue sources for Trinidad are Sales tax and TOT. Together they have comprised two thirds of General Fund revenue in recent years. Both sources are closely linked to larger current economic conditions, and could decline significantly in a serious economic downturn. The non-renewal of the Cell Tower lease and the potential loss of property tax, TOT, and sales tax from the Trinidad Harbor Area are current examples of upcoming impacts to City revenues.

Capital Assets and Special Projects

In addition to reserves intended to weather financial crises, this Policy establishes a framework for designating General Fund Capital Asset and Special Project Reserves to plan and save for the replacement and repair of City infrastructure. A Capital Improvement Plan will be developed this year and will play a significant role in developing more detailed Capital Reserve plans for both our Water Fund and General Fund.

Flexibility

The proposed Reserve Policy includes regular review by the Council, and can be revised or amended by Resolution at the Council's discretion.

Fiscal Impact

There is no direct expense related to this Policy. The impact on the City's financial statements would be as follows (based on the approved FY 2018 GF operating budget of \$612,000):

| | |
|--|-------------|
| Undesignated GF balance as of the last audit report: | \$1,276,000 |
| Emergency Reserve Fund Target: | \$459,000 |
| Budget Stabilization Reserve Target: | \$459,000 |
| Capital Asset and Special Project Reserves (minimum) | \$306,000 |
| Remaining Undesignated balance: | \$52,000 |

The proposed Policy proposes assigning any remaining undesignated general fund reserve balance to the Capital Asset and Special Project Reserves This would result in final Reserve Fund balances as follows:

| | |
|--|-------------------------------------|
| Emergency Reserve Fund: | \$459,000 (at target) |
| Budget Stabilization Reserve Target: | \$459,000 (at target) |
| Capital Asset and Special Project Reserves | \$358,000 (306K target+52K surplus) |

Staff will return to Council with a more detailed breakdown of the Capital Asset and Special Project Reserves as the Capital Improvement Plan is completed.

Staff recommends the Council:

Adopt Resolution 2017-10 establishing a Fiscal Reserves Policy for the City of Trinidad, and direct staff to work with our Auditor and Accountant to implement this Policy.

Attachments:

Proposed Resolution 2017-10 establishing the City of Trinidad Fiscal Reserves Policy



RESOLUTION 2017-10

A RESOLUTION OF THE TRINIDAD CITY COUNCIL
ESTABLISHING A FISCAL RESERVE POLICY

WHEREAS, the Trinidad City Council is responsible for the fiscal management of the City; and

WHEREAS, changes in the economy, natural disasters, litigation, and the necessity of maintaining and replacing valuable City assets and infrastructures can create both expected and unexpected impacts to the City's finances; and

WHEREAS, setting aside adequate financial reserves to address emergencies, unexpected expenses, and the replacement of capital assets is an important component of prudent fiscal management; and

WHEREAS, the City Council directed the City Manager to prepare a Fiscal Reserve Policy for consideration; and

WHEREAS, research indicates that cities commonly set aside reserves ranging from 10% to 100% of annual General Fund expenses as reserves, in addition to Capital Reserves designed to fund the replacement of City infrastructure and other capital assets; and

WHEREAS, the small size of Trinidad requires reserves to be set at a larger percentage of the annual budget in order to generate reserves adequate to address emergencies, budget stabilization, special project, and capital replacement needs; and

WHEREAS, the purpose of this Fiscal Reserve Policy is to direct the establishment, maintenance, and use of Reserve Funds for the fiscal health of the City of Trinidad

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Trinidad does hereby adopt the City of Trinidad Fiscal Reserve Policy attached hereto and summarized below:

An Emergency Reserve Fund shall be established with a funding target set at 75% of the current year GF operating expenditures.

A Budget Stabilization Reserve Fund shall be established with a funding target set at 75% of the current year GF operating expenditures.

The General Fund Capital and Special Project Reserves target shall be set at a minimum of 50% of the current year GF operating expenditures, with specific targets for individual projects or assets to be adjusted in accordance with the current Council approved Capital Improvement Plan.

The Water Fund Reserve target shall be set at a minimum of 50% of the current year Water Fund operating expenditures, and will be managed in coordination with the City's current Capital Improvement Plan to provide for the long term maintenance and replacement of the Water Plant and Water Distribution System.

PASSED, APPROVED AND ADOPTED this 26th day of July, 2018 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
ATTEST:

Gabriel Adams
Trinidad City Clerk

Dwight Miller
Mayor

Attachment A to City of Trinidad Resolution 2017-10

CITY OF TRINIDAD

FISCAL RESERVES POLICY

POLICY PURPOSE:

The purpose of this Policy is to protect the long term fiscal health of the City of Trinidad by establishing designated reserve funds, setting target levels for those funds, and providing clear guidance on their use and maintenance.

BACKGROUND:

Reserves are a critical part of how cities plan for and respond to fiscal challenges, infrastructure replacement, and cash flow management. Fiscal challenges can include natural disasters, other unexpected costs or reductions in revenue, and economic downturns. Reserves also provide a framework to plan and save for the maintenance and replacement of the City's infrastructure and capital assets. Reserves are critical to managing cash flow. Collectively, reserves provide the City with time and flexibility to respond to financial challenges without disrupting the provision of essential City services.

Reserves fall into two general categories: Restricted and Designated. Restricted reserves are already committed to a specific purpose due to financial, accounting, or legal restrictions, and are not available for other use. Designated reserves are established by Council policy for an intended purpose and are available for use per Council direction according to that policy.

Our annual audit follows the Governmental Accounting Standards Board (GASB) Statement 54 Fund Reporting and Governmental Fund Type Definitions, which require that all fund balances be classified on the governmental funds balance sheet as follows:

Restricted Reserves:

- Non-spendable: - amounts that cannot be spent because they are either (a) legally or contractually required to be maintained intact or (b) not in spendable form such as long-term notes receivable.
- Restricted: -amounts that can be spent only for the specific purposes stipulated by constitution, external resource providers, or through enabling legislation.

Designated Reserves:

- Committed - amounts that can be used only for the specific purposes determined by a formal action of the City Council, to establish, modify or rescind a fund balance commitment.
- Assigned - amounts that are constrained by the government's intent to be used for specific purposes but do not meet the criteria to be classified as restricted or committed, as determined by a formal action or policy of the City Council or its appointed official.
- Unassigned - the residual classification for the government's general fund and includes all spendable amounts not contained in the other classifications.

GUIDING PRINCIPLES:

Following sound financial practices and adhering to the Government Finance Officers' of American (GFOA) recommendations, the City's designated reserves include reserves for known and unknown contingencies, which take into consideration the:

- Diversity of revenue base
- Cyclical nature of revenue
- Changes in community priorities
- Frequency of budget surpluses/deficits
- Cash flow management practices
- Nature of financial risks to the City
- Budget size relative to potential risks.

POLICY:

Reserve Funds

The City will set aside funds into designated reserves to address unforeseen emergencies or disasters, significant changes in the economic environment, and key infrastructure and capital projects.

General Fund designated reserves shall include an Emergency Reserve Fund, Budget Stabilization Reserve Fund, and Capital and Special Projects Reserve Funds.

Enterprise Reserve Funds shall include the Water Utility Reserve Fund and the Cemetery Reserve Fund.

Key General Fund Designated Reserves

Emergency Reserve. Funds reserved under this category shall be used to mitigate costs associated with unforeseen emergencies or fiscal crises, including natural disasters or catastrophic events. Other uses of this fund could include significant one-time expenses due to litigation, or legal or insurance settlements.

In the case of a natural disaster or other emergency that requires the immediate expenditure of City resources beyond those provided for in the annual budget, the City Manager or designee shall have authority to approve Emergency Reserve appropriations. The City Manager or designee shall notify the Council immediately upon such use, and then present to the City Council within two weeks of such action a budget amendment confirming the nature of the emergency and authorizing the appropriation of reserve funds.

Budget Stabilization Reserve. Funds reserved under this category shall be used to mitigate, should they occur, annual budget revenue shortfalls (actual revenues less than projected revenues) due to changes in the economic environment and/or one-time expenditures that will result in future efficiencies and/or budgetary savings. Examples of "economic triggers" and one-time uses include, but are not limited to:

- Significant decrease in property, sales, or transient occupancy tax, or other economically sensitive revenues;
- Loss of businesses considered to be significant sales tax generators;
- Reductions in revenue due to actions by the state/federal government;
- Workflow/technical system improvements to reduce ongoing, personnel costs and enhance customer service;
- One-time maintenance of service levels due to significant economic/budget constraints; and
- One-time transitional costs associated with organizational restructuring to secure long-term personnel cost savings.

Capital and Special Projects Reserve. Funds reserved under this category are designated for key infrastructure and capital/special projects as identified in the current City Capital Improvement Plan. The City Council shall designate funds towards specific capital and special projects in relation to their priority, expected cost, and date of replacement. These shall include a Fire Department Equipment Reserve, a Town Hall Reserve, a Streets and Roads Reserve, an ADA compliance Reserve, and other Reserves as designated by the Council.

Reserve Target Levels

The target level for the Emergency Reserve and the Budget Stabilization Reserve shall be based on a percentage of the current year General Fund annual operating expenditures (minus one-time expenditures).

- The Emergency Reserve target shall be set at 75% of the current year GF operating expenditures.
- The Budget Stabilization Reserve target shall be set at 75% of the current year GF operating expenditures.
- The General Fund Capital and Special Project Reserves target shall be set at a minimum of 50% of the current year GF operating expenditures, with specific targets for individual projects or assets to be adjusted in accordance with the current Council approved Capital Improvement Plan.
- The Water Fund Reserve target shall be set at a minimum of 50% of the current year Water Fund operating expenditures, and will be managed in coordination with the City's current Capital Improvement Plan to provide for the long term maintenance and replacement of the Water Plant and Water Distribution System.

The targets for Capital and Special Project Reserves, and Water Fund reserves, shall depend on the specific priority, expected cost, and date of replacement or implementation of the individual projects and assets. Individual targets shall reflect the depreciated value of city assets so that the reserve can fund their replacement when needed. For special projects, the target shall be set so that the reserve fund equals the project cost at the planned implementation date. This Reserve, and specific targets, shall be managed in coordination with the City's current Capital Improvement Plan.

Reserve Utilization and Revisions to this Policy

The General Fund Reserve Policy and the status of Reserve Funds shall be reviewed at least biannually by the City Council as part of the adoption of the annual audit, and the annual operating budget review and adoption process.

Appropriations of Reserve Funds shall require formal Council authorization, either through the adopted annual budget or through separate approval, with the limited exception of the Emergency Reserve Fund described above.

Replenishment of Unreserved Fund Balance

When any reserve fund falls below its target thresholds, the City Council will develop a 1 to 5 year reserve replenishment plan to meet the minimum thresholds. The Capital Improvement Plan shall guide appropriate individual targets for the Capital Assets Reserve Funds.

Excess Fund Balance

After the close of each fiscal year, the City reports on the audited year-end budgetary results and fund balances. The acceptance of the final audit shall include a report on and discussion of current Designated Reserve funding levels. Where all Emergency and Budget Stabilization Reserve targets are met, the General Fund balance exceeding the level required by the policy shall be allocated to the Capital and Special Projects Reserve Funds.

Surplus Water Funds at the close of each fiscal year shall be designated to the Water Fund Reserve.



CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

- 4 Liability Claims for Damages from Mike Reinman

LAW OFFICES OF

ANDREW STUNICH

2701 HARRISON AVENUE, SUITE 1
EUREKA, CALIFORNIA 95501

Telephone: Eureka: (707) 442-2927

Fax: (707) 443-2747

E-mail address: ajs@perlmansstunichlaw.com

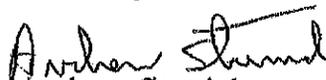
ANDREW J. STUNICH

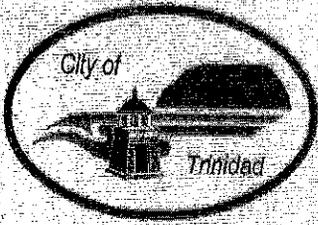
To: Trinidad City Counsel and City Manager
From: Andrew Stunich

Re: Claims submitted by email from Mike Reinman. The first claim is for alleged propane loss when the City required him to move his tank. The second claim is for a second septic inspection that the City required prior to his home sale at 407 Ocean Ave.

I recommend that both claims be denied. Liability seems speculative at worst and in all likelihood there is no liability.

Cordially,


Andrew Stunich



CITY OF TRINIDAD

Post Office Box 390 • 409 Trinity Street
Trinidad, California 95570
Ph: 707.677.0223 • Fax: 707.677.3759

RETURN COMPLETED CLAIM FORMS TO THE CITY CLERK'S OFFICE

**CLAIM FOR MONEY OR DAMAGES AGAINST
THE CITY OF TRINIDAD**

This claim must be presented, as prescribed by Parts 3 and 4 of Division 3.6, Title I of the Government Code of the State of California, by the claimant or by a person acting on his/her behalf and shall show:

The name and mailing address of the claimant:

Michael Rabinson
89 S. 15th St
Arcata, CA 95521

Telephone:

(707) 496-8746

The mailing address to which the person presenting the claim desires notices to be sent:

Same

The date, place and circumstances of the occurrence or transaction which gave rise to the claim asserted (use additional paper, if needed):

On early July of 2016 we were informed by the city that we were required to inspect the septic system of 407 Ocean Ave or our STR permit would not be renewed. We did this immediately at a cost of \$275 with Staked Septic and turned in that paper work to the city. However, in early March of 2017 we were told again by the city that we had to get another inspection because it was needed in the winter, not the summer. The city apologized for the mistake in the summer.

A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of the presentation of the claim:

\$275 for the cost of the inspection in July of 2006

The name(s) of the public employee(s) causing the injury, damage, loss, if known:

Mrs. Cuptherson

State the amount claimed if it totals less than ten thousand dollars as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of the amount claim.

INCLUDE RECEIPTS AND/OR OTHER PROOF OF REPAIR OR REPLACEMENT. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case (CCP Section 85).

\$275

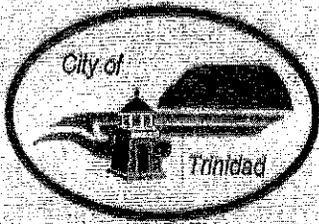
The claim shall be signed by the claimant or by some person on his/her behalf. A claim relating to a cause for action for death or injury to the person or to personal property or growing crops shall be presented not later than six (6) calendar months (or 182 days) after the accrual of the cause of action, whichever is longer. Claims relating to any other causes of action shall be presented not later than one (1) year after accrual of the cause of action.

6/8/17

Date

Claimant or Representative

NOTE: This form of claim is for your convenience only; any other type of form may be used if desired, so long as it satisfies the requirement of the Government Code. The use of this form is not intended in any way to advise you of your legal rights or to interpret the law. If you are in doubt regarding your legal rights or the interpretation of any law, we suggest that you seek legal counsel of your choice. Issuance of this form does not constitute an acknowledgement of the validity of, or the obligation to pay, any claim against the City of Trinidad or its employees.



CITY OF TRINIDAD

Post Office Box 390 • 409 Trinity Street
Trinidad, California 95570
Ph: 707.677.0223 • Fax: 707.677.3759

RETURN COMPLETED CLAIM FORMS TO THE CITY CLERK'S OFFICE

**CLAIM FOR MONEY OR DAMAGES AGAINST
THE CITY OF TRINIDAD**

This claim must be presented, as prescribed by Parts 3 and 4 of Division 3.6, Title I of the Government Code of the State of California, by the claimant or by a person acting on his/her behalf and shall show:

The name and mailing address of the claimant:

Mike Reiman
896 15th St
Arcata, CA 95521

Telephone:

(707) 496-8746

The mailing address to which the person presenting the claim desires notices to be sent:

Same

The date, place and circumstances of the occurrence or transaction which gave rise to the claim asserted (use additional paper, if needed):

The city required us to replace an older, larger propane tank even though it had said that the tank location was grandfathered in. As a result of being notified that it was okay, we continued to have it filled. However, on March 17, 2017 we were told that it needed to be replaced by March 31, 2017. In doing that we lost the value of the propane in the tank that was 60 gallons at a cost of \$3.99/gallon for a total of \$239.40. This was for 407 Ocean Ave, in the back.

A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of the presentation of the claim:

\$239.40 for propane forfeited

The name(s) of the public employee(s) causing the injury, damage, loss, if known:

John Roberts

State the amount claimed if it totals less than ten thousand dollars as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of the amount claim. **INCLUDE RECEIPTS AND/OR OTHER PROOF OF REPAIR OR REPLACEMENT.** If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case (CCP Section 85).

\$239.40 for propane forfeited

The claim shall be signed by the claimant or by some person on his/her behalf. A claim relating to a cause for action for death or injury to the person or to personal property or growing crops shall be presented not later than six (6) calendar months (or 182 days) after the accrual of the cause of action, whichever is longer. Claims relating to any other causes of action shall be presented not later than one (1) year after accrual of the cause of action.

8-8-2017
Date

Michael Rainman
Claimant or Representative

NOTE: This form of claim is for your convenience only; any other type of form may be used if desired, so long as it satisfies the requirement of the Government Code. The use of this form is not intended in any way to advise you of your legal rights or to interpret the law. If you are in doubt regarding your legal rights or the interpretation of any law, we suggest that you seek legal counsel of your choice. Issuance of this form does not constitute an acknowledgement of the validity of, or the obligation to pay, any claim against the City of Trinidad or its employees.



CONSENT AGENDA ITEM 5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

5. Planning Commission Vacancy Notice to replace position left vacant by resignation of Commissioner Laura Scott

DISCUSSION AGENDA ITEM

Wednesday, July 26, 2017

Item: Discussion/Decision Regarding Planning Commissioner Appointment.

Background: The recent resignation of Commissioner Laura Scott has left the Commission with one vacant position for a term through December 2018.

The current commissioners are:

| | | |
|-----------------|------------------------|----------------------------|
| John Hedrick | resident | Term expires December 2020 |
| Natasha Braziel | Trinidad Area Resident | Term expires December 2020 |
| Diane Stockness | resident | Term expires December 2018 |
| Richard Johnson | Trinidad area resident | Term expires December 2018 |

Trinidad Municipal allows the Planning Commission to include up to (2) Commissioners that live outside the city limits, but at this time those two seats are taken. This will require a replacement Commissioner to reside inside the city limits.

Staff intends to post the attached vacancy notice immediately to begin the search process to find a replacement.

Proposed action: Authorize Staff to post the vacancy notice for the term left vacant through 2018 by Commissioner Scott's resignation.

Attachments:

- Laura Scott's letter of resignation

Trinidad City Clerk

From: Laura Scott <trinidadpcscott@gmail.com>
Sent: Thursday, July 13, 2017 12:48 PM
To: City of Trinidad; citymanager@trinidad.ca.gov; Dwight Miller; Trever Parker
Cc: diane.stockness@gmail.com; Richard Johnson; Natasha Braziel; fuzzybutt999@gmail.com
Subject: Laura Scott Resignation

To Whom It May Concern:

This is to formally notify you that I am ending my appointment with the City of Trinidad's Planning Commission, effective immediately.

I appreciate the opportunities I've had while with the Commission, and thank you for the support that has been provided during my tenure here.

Best Regards,

Laura N. Scott

98 Berry Road
Unit B
Trinidad, CA 95570

(916) 505-7034

- Laura N. Scott =

CITY OF TRINIDAD
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

Dwight Miller, Mayor
Gabriel Adams, City Clerk



Wednesday, July 26, 2017

PUBLIC ANNOUNCEMENT OF VACANCY ON THE
TRINIDAD PLANNING COMMISSION

THE CITY OF TRINIDAD IS CURRENTLY SEEKING INDIVIDUALS TO FILL
(1) VACANCY ON THE TRINIDAD PLANNING COMMISSION.

TERM: **Through DECEMBER 2018**

SEND A LETTER OF INTEREST, INCLUDING QUALIFICATIONS, TO THE
CITY CLERK AT:

CITY OF TRINIDAD
P.O. BOX 390
TRINIDAD, CA 95570

OR YOU MAY DELIVER THE LETTER IN PERSON TO:

TRINIDAD CITY HALL
409 TRINITY STREET
TRINIDAD, CA

OR YOU MAY EMAIL IT TO:

CITYCLERK@TRINIDAD.CA.GOV

**THE DEADLINE FOR FILING IS 2:00 PM, FRIDAY, AUGUST 18, 2017, OR
UNTIL POSITIONS ARE FILLED.**

**QUALIFIED APPLICANTS MUST LIVE WITHIN THE CITY LIMITS OR
GREATER TRINIDAD AREA.**

FOR ADDITIONAL INFORMATION OR QUESTIONS, PLEASE CALL 677-0223.

Gabriel Adams - Trinidad City Clerk



CONSENT AGENDA ITEM 6

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

6. Scope of Services with Streamline Planning for Van Wycke Trail Project CEQA and Permitting.

CONSENT AGENDA ITEM

Date: July 26th 2017

Item: STREAMLINE PLANNING CONSULTANT SCOPE OF SERVICES FOR CEQA AND PERMITTING FOR THE VAN WYCKE TRAIL GRANT PROJECT.

Background: The City has been awarded and the Council has approved execution of a grant agreement with Caltrans for the Van Wycke Trail Project. The next step required by Caltrans is the completion of a CEQA (California Environmental Quality Act) document describing the potential environmental impacts and how they will be minimized and mitigated. Once that is complete the City can access additional funds from the grant to move into final designs, Coastal Development Permit, and finally construction.

Trinidad's City Planner (Streamline Planning) has developed the attached scope of services in coordination with City Engineer GHD for the CEQA and permitting aspects of the project.

Agreement for Services with Streamline Planning for up to \$23,500 is attached. The cost for the contracted services will be reimbursed through the Grant.

Staff Recommendation:

- 1) Authorize City Manager to sign the scope of services with Streamline Planning.

Attachments:

Streamline Planning Scope of Services for the Van Wycke Trail Grant Project.

**Agreement for Services between City of Trinidad
and Streamline Planning Consultants, A Division of SHN Consulting Engineers & Geologists, Inc.**

For

Assistance with the Trinidad Van Wycke Bicycle and Connectivity Project

INTRODUCTION

This agreement, dated July 20, 2017 is between the City of Trinidad (City) and Streamline Planning Consultants, a division of SHN Consulting Engineers & Geologists (SPC) to provide assistance with the Van Wycke Bicycle and Pedestrian Connectivity Project (Project) being funded by a CalTrans Active Transportation Program Grant Agreement No. 01-01-008R. This agreement for services is based on a prime agreement between the City of Trinidad and Streamline Planning Consultants dated May 12, 2015, as may be revised. All provisions of the prime agreement apply to this agreement unless noted otherwise in this agreement.

TERMS AND CONDITIONS

In addition to the terms and conditions outlined herein, the terms and conditions of this agreement shall be in accord with and encompass those terms and conditions set forth in the CalTrans Grant Agreement No. 01-01-008R, attached hereto as Exhibit A.

SCOPE & DELIVERABLES

The scope of service is limited to the Project Approval and Environmental Document (PA&ED) task of the grant. This task includes CEQA compliance and obtaining a Coastal Development Permit and any other required permit approvals. This agreement is for the CEQA compliance portion only. The permitting will occur at a later date under a separate agreement.

SPC is the City's contract planner and has staff experienced with CEQA and permitting. The following narrative details responsibilities for each task.

CEQA Compliance

Complete required special studies, including a Cultural Resources Survey and Biological Survey. Prepare an initial study that evaluates the potential impacts of the project. Develop mitigation measures as necessary to reduce potentially significant impacts. Complete document preparation, circulation, public review and form filing(s) as needed. It is anticipated that the final document will be a Mitigated Negative Declaration, but could be a Categorical Exemption if it is determined that no potentially significant impacts would occur from the project. Specific work will include:

Cultural Resources Survey (subcontracted):

Due to known nearby cultural resources, there is a high likelihood that additional cultural resources could exist within the project area. This task includes a surface reconnaissance for cultural resources within the Area of Potential Effect (APE). A qualified subconsultant will be contracted for the work. Any recommendations from the report will be included in the final project design and as conditions of approval.

Biological / Botanical Survey:

The coastal scrub habitat that occurs on the bluff can provide habitat for rare species, particularly plants. It is too late in the blooming season to conduct a detailed botanical survey. However, a reconnaissance will be

completed that will determine the likelihood of any rare species occurring there. If there is a high likelihood of a particular species occurring, a follow-up survey may be needed during the appropriate blooming season. However, that could be included as mitigation in the CEQA document, so it would not hold up the process, but would prevent the use of a Categorical Exclusion.

Initial Study:

This involves providing a setting and answering the questions in the CEQA Initial Study Checklist for all 18 resource categories. This will also include conducting Tribal Consultation in accordance with AB 52 and CEQA regulations. Some of the analysis will have to be somewhat general, because the final design specifications can not be completed under the grant until CEQA is done. This may mean that more mitigation is required to ensure there are no significant impacts.

The results of the Initial Study will determine what the final CEQA document will be. If the initial study shows that there are no potentially significant impacts, and no exceptions apply such as unusual circumstances, historic resources or sensitive species, then a Categorical Exemption may be appropriate. The costs from this point will depend on what the final document is.

A Mitigated Negative Declaration (MND) may be needed, which would add somewhat to the costs in the form of preparation of the MND and a Mitigation Monitoring and Reporting Program (MMRP). In addition, a 30-day circulation period for public review and comment is required for an MND along with adoption by the Planning Commission at a public hearing. Finally, there is a Dept. of Fish and Wildlife filing fee of \$2,210.25 for an MND.

COMPENSATION

SPC will complete this scope of work on a not to exceed basis in accordance with the approved grant budget. Work will be completed and billed calendar quarterly on an hourly basis by task. The budget estimate is broken down as follows:

| Description | Schedule | Budget |
|---|--------------------------|-----------------------|
| Cultural Resources Survey | August – September 2017 | \$3,000-\$3,500 |
| Biological / Botanical Survey | August – September 2017 | \$2,500-\$3,000 |
| Initial Study Preparation | August – November 2017 | \$10,000 - \$12,000 |
| Preparation of MND and MMRP (if needed) | November – December 2017 | \$1,000 |
| Public Comment and Review | November – December 2017 | \$2,000 |
| DFW Filing Fee (if needed) | December 2017 | \$2,216.25 |
| Total: | | Up to \$23,500 |

AGREED

 Daniel Berman
 Trinidad City Manager

Date

 Robert Brown
 Streamline Planning

Date

Please include the following project reference on all invoices: ATP Van Wycke Trail Permitting



DISCUSSION AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 28 PAGES

1. Presentation/Discussion regarding Memorial Lighthouse Stabilization

DISCUSSION/ACTION AGENDA ITEM

Wednesday, July 26th, 2017

Item: SHN Slide Assessment Report

Background: SHN Consulting Engineers and Geologists have completed an assessment of the landslide and the risks it poses to both Edwards St. and the Memorial Lighthouse. Their report is attached and they will be making a presentation at the meeting and will be available to answer questions.

Staff are not proposing any Council action now. The next steps planned by staff are sharing this report with FEMA and Cal OES to see if they concur with the report and will provide financial assistance to implement the recommendations. Staff anticipate returning to Council with recommendations based on the response of FEMA and Cal OES. Staff are also sharing and discussing this report with the Tsurai Management Team, the Trinidad Civic Club, and other partners to help inform future decisions.

Staff recommendation

Receive report and discuss with SHN.

Attachments:

July 20th SHN Slide Assessment Report



Reference: 017052.100

July 20, 2017

Dan Berman, City Manager
City of Trinidad
P.O. Box 390
Trinidad, CA 95570

**Subject: Landslide Mitigation Assessment, Trinidad Memorial Lighthouse and
Edwards Street, Trinidad, California**

Executive Summary

In light of the observed ground displacements over the previous two wet seasons, we are of the opinion that failure to stabilize at least a portion of the head of the landslide complex or move the lighthouse prior to the onset of the coming winter could result in the structure and foundation being comprised. Addressing the portion of the landslide with the potential to affect Edwards Street directly is less critical at this time, but should be considered in the coming years if the landslide continues to grow in the upslope direction.

The purpose of this initial phase of the investigation is to provide conceptual slope stabilization alternatives to protect Edwards Street and/or the lighthouse from the most threatening portion of the landslide complex. Stabilization of the entire landslide complex is not part of this project. Portions of the landslide that are located below any proposed soil reinforcement or retaining system will likely continue to move downslope after the slope repair is constructed.

An understanding of the local geology, failure mechanism, and landslide geometry is paramount for assessing the likely effectiveness of various slope stability mitigation measures. Stakeholders should be aware that the ground surface upslope of the existing landslide headscarp is likely to experience future displacement that will most certainly damage the lighthouse and, potentially, the roadway if no action is taken in the immediate to near future.

Based on the site conditions, the likelihood for continued landslide movement in the coming years, and the limitations of the various repair options described in the following document, we recommend that the lighthouse be relocated. With regard to Edwards Street, there is currently a buffer between the head of the slide and the edge of the roadway such that there is a lesser immediate risk factor as compared to the lighthouse. However, we expect the head of the landslide to continue encroaching toward Edwards Street within the next few years. We, therefore, recommend that the City of Trinidad strongly consider the construction of a retaining wall system to preserve the full traveled roadway width of Edwards Street, a main transportation artery in the town of Trinidad.

Introduction

This document presents SHN Engineers & Geologists' assessment of recent landslide activity along Edwards Street and adjacent to the Trinidad Memorial Lighthouse. This report provides conceptual slope repair/stabilization alternatives and recommendations regarding future actions. The main objective of this report is to provide the City of Trinidad and Trinidad Civic Club with an understanding of site conditions in order to inform their decision making process with regard to protecting Edwards Street and the lighthouse.

This investigation is the result of recent landsliding at the site, which has experienced a significant pulse of renewed movement over the past two rainy seasons. During the past winter season, landsliding at the site was responsible for the formation of fresh scarps and fissures in close proximity to the existing Lighthouse memorial and the parking area along the southern edge of Edwards Street just west of the lighthouse. The sliding resulted in significant damage to sidewalks and other hardscaped areas surrounding the lighthouse, and encroached on the southwest corner of the lighthouse foundation pad. The general site location is as shown on Figure 1. A depiction of the existing site conditions, including the limits of the landslide complex in relation to site features, is provided in Figure 2. The bluff profile included in Figure 2 shows our interpretation of the multiple failure surfaces actively deforming the project site.

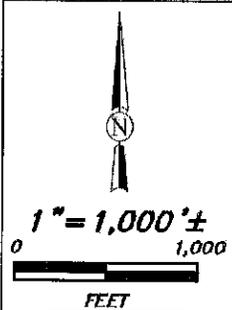
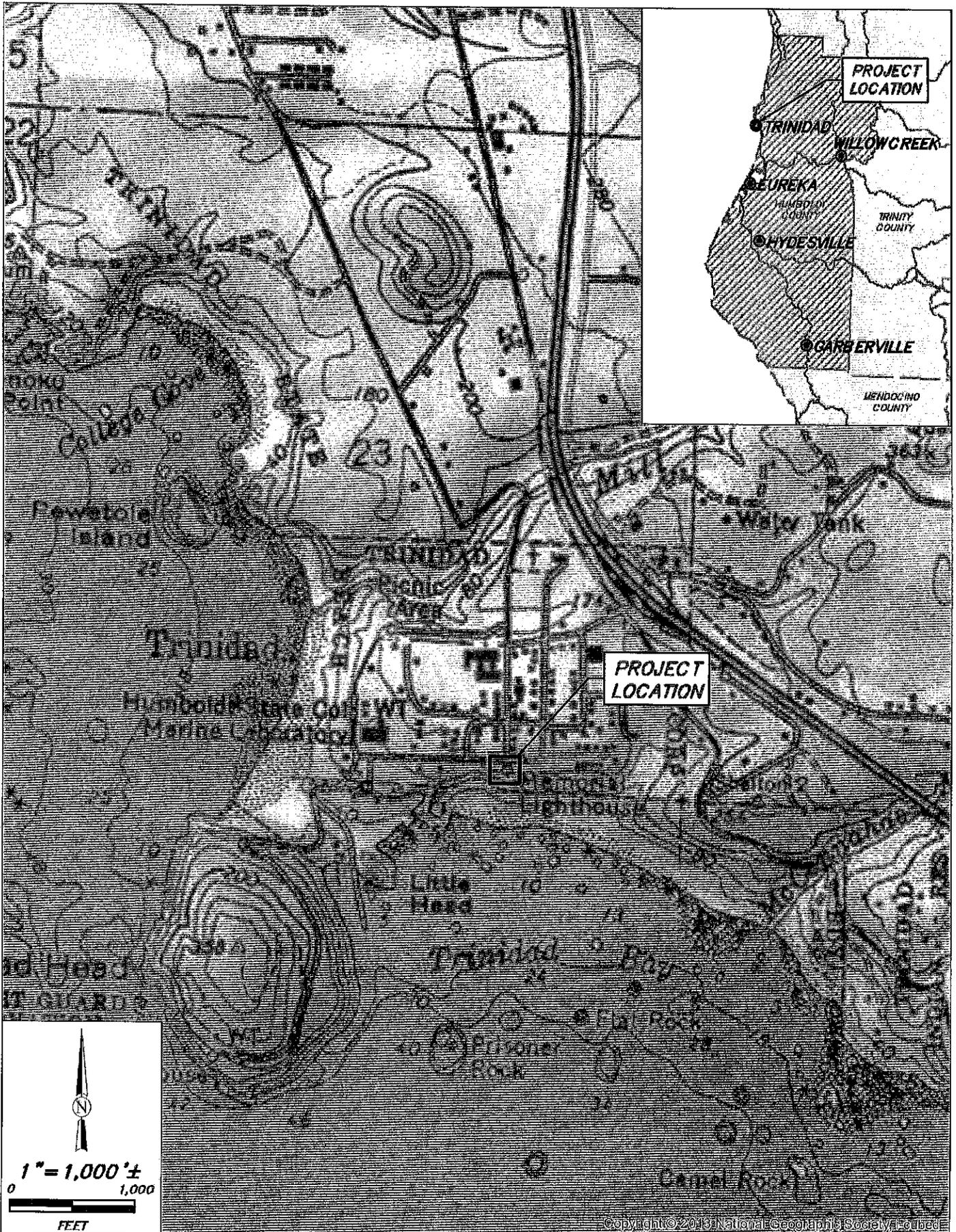
Work performed by SHN as part of this investigation includes field and aerial photographic mapping, conducting a subsurface drilling investigation, constructing and monitoring slope inclinometers, and quantitative slope stability modeling.

Slope stabilization alternatives presented in this report run the spectrum from soil reinforcement, including driven spiral soil nails and drilled soil nails, to a large-scale retaining system consisting of a soldier pile wall with tiebacks. Other pile walls (such as, cantilevered soldier piles and a tangent piled wall) were considered, but dismissed based on their high cost versus likely effectiveness. Current site conditions will pose challenges to the constructability for whatever stabilization method is chosen. These include the limited available space for staging and working areas, limited accessibility to the steep bluff face, the regulatory and permitting environment, and the historical and cultural sensitivity of the site.

Field Investigation and Monitoring Program

On May 3 and 4, 2017, four geotechnical borings, denoted as TML-1 through TML-4, were drilled at the locations shown on Figure 3. The borings were drilled to assess soil conditions, determine the depth to bedrock and the slide plane, and to make a direct measurement of the groundwater elevation at the time of drilling. The borings were drilled and sampled to depths of up to 51 feet below the existing ground surface (BGS) by Taber Drilling of West Sacramento, California. Borings were advanced using both a truck-mounted and limited-access track-mounted drilling rig outfitted with 6½-inch diameter hollow stem augers and 4-inch diameter solid flight augers.

\\naurea\projects\017052-Grinnell\GIS\PROJ_MXD\Figure1_ProjectLocationMap.mxd User Name: bsundberg

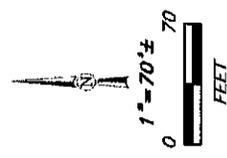


Copyright © 2013 National Geographic Society, Inc.

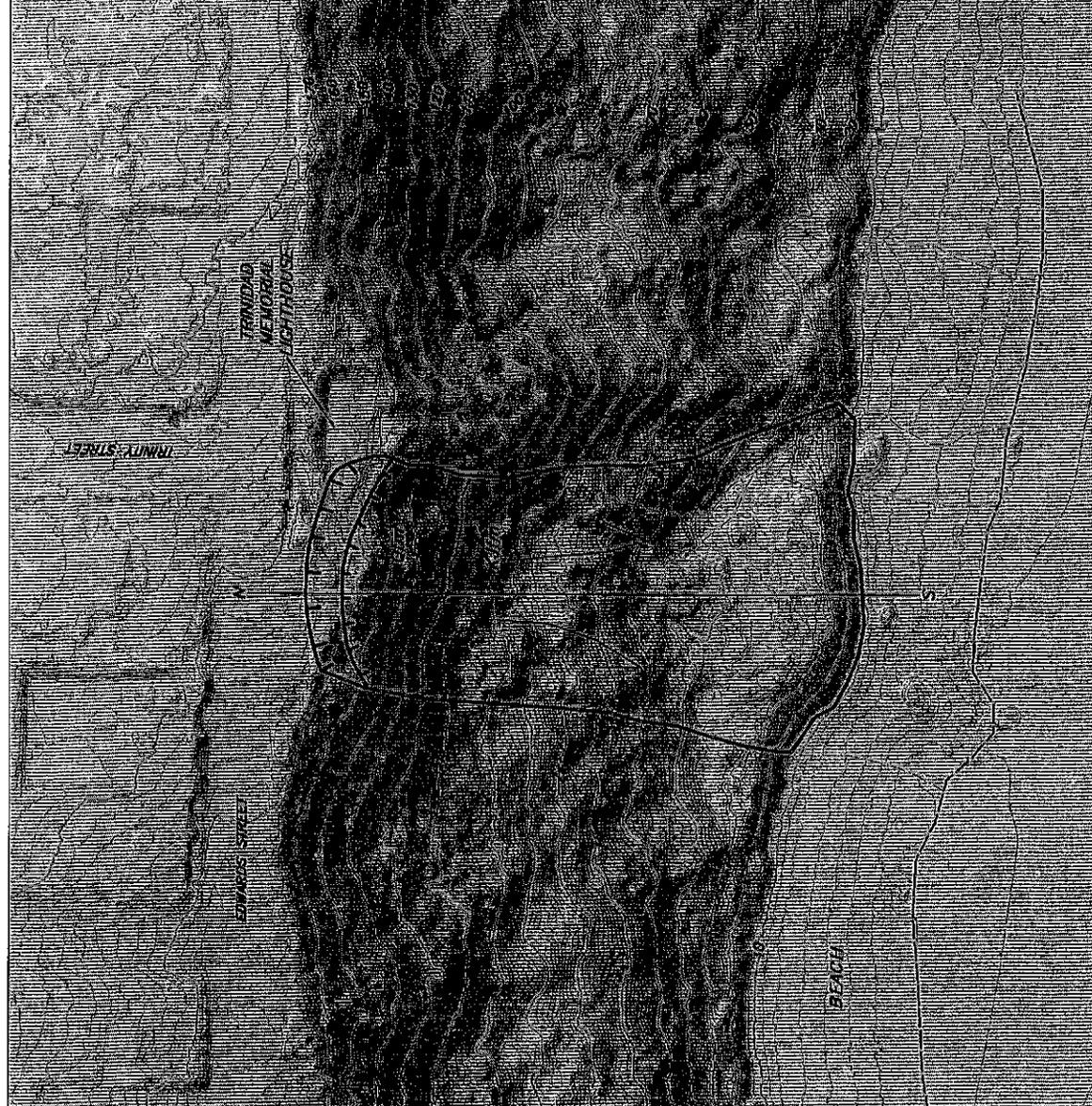
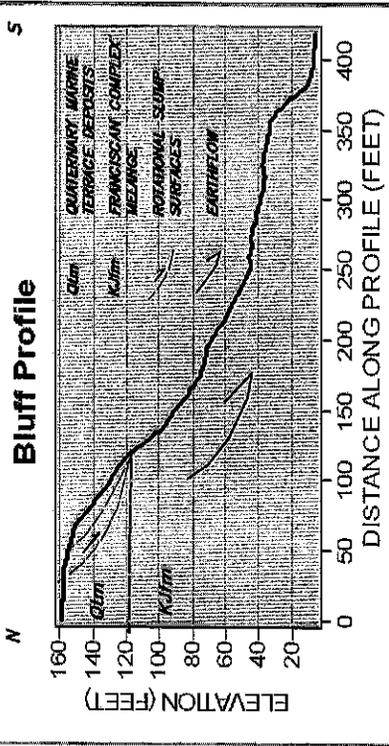
| | | |
|--|---|------------------------------------|
| | City of Trinidad Landslide Mitigation Assessment Trinidad, California | Project Location SHN 017052.100 |
| | July 2017 | Figure1_ProjectLocationMap |

EXPLANATION

- Qtm QUATERNARY MARINE TERRACE DEPOSITS
- Kdfm FRANCISCAN COMPLEX MELANGE
- LANDSLIDE HEADSCARP
- EARTHFLOW
- N-S BLUFF PROFILE LINE
- TOPOGRAPHIC CONTOUR IN FEET
- TRINIDAD MEMORIAL LIGHTHOUSE
- STREAM
- SPRING



NOTE: ELEVATION DATA FROM 2016 USSS WEST COAST EL-NINO LIDAR



City of Trinidad
 Landslide Mitigation Assessment
 Trinidad, California

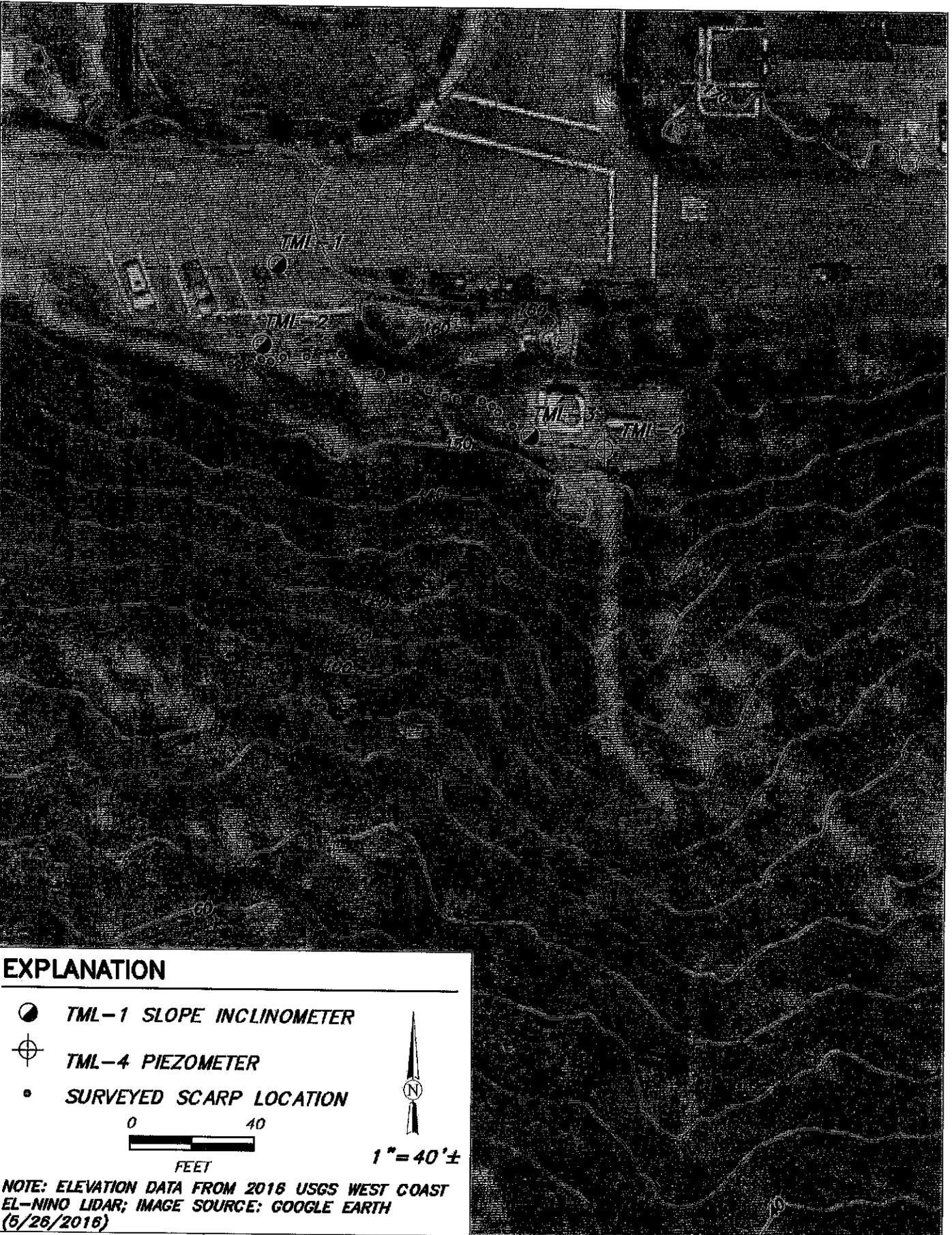
Existing Site Conditions
 Map
 SHN 017652.100

July 2017

Figure2_ExistingSiteConditionsMap

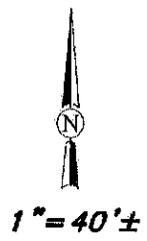
Figure 2

\\nautilus\projects\017052-ign\trnsa350\04-Drilling\GIS\PROJ\MD.D\Figure3_BoringLocationMap.mxd I:ser I:me: pauncyrs



EXPLANATION

-  **TML-1 SLOPE INCLINOMETER**
-  **TML-4 PIEZOMETER**
-  **SURVEYED SCARP LOCATION**



NOTE: ELEVATION DATA FROM 2016 USGS WEST COAST EL-NINO LIDAR; IMAGE SOURCE: GOOGLE EARTH (6/26/2016)



City of Trinidad
Landslide Mitigation Assessment
Trinidad, California

Boring Location
Map
SHN 017052.100

July 2017

Figure3_BoringLocationMap

Figure 3

City of Trinidad

**Landslide Mitigation Assessment, Trinidad Memorial Lighthouse and Edwards Street,
Trinidad, California**

July 20, 2017

Page 3

During drilling, representative samples were obtained using modified California (2.5-inch internal diameter [I.D.]) and standard penetration test (SPT; 1.4-inch I.D.) split spoon samplers. SPT was performed to estimate the relative in-place density of the soils. Soil strength parameters of the cohesionless soils were estimated from correlations with SPT blow counts. Split-spoon samplers were driven by a 140-pound hammer dropping 30-inches inside the boring, controlled with an auto-hammer. The subsurface materials encountered were logged and field classified in general accordance with the Manual-Visual Classification Method (ASTM-International [ASTM] D 2488). Final boring logs are presented in Attachment 1 and were prepared based on the field logs and examination of samples in the laboratory.

The borings and pertinent site features were surveyed and tied to City of Trinidad monuments by SHN under the direction of a licensed surveyor. Surficial reference points were also established and surveyed to monitor future ground displacement. A survey point file with horizontal and vertical coordinates is included in Attachment 2.

Boring TML-1 was drilled at the outboard edge of Edwards Street and is located to the landward (upslope) side of the main head scarp and active slide mass. The boring was drilled to a depth of 50 feet BGS and was located primarily to assess the material strength of the undeformed terrace deposits. Boring TML-2 was drilled to a depth of 51 feet BGS immediately downslope of the main head scarp near the apex of the active slide mass. Boring TML-3 was drilled to a depth of 35 feet BGS and is located near the southwest corner of the concrete sidewalk surrounding the lighthouse. Slope inclinometer casing consisting of 2.75-inch outside diameter PVC was constructed in each of these boreholes to monitor landslide movements and determine the depth(s) to the slide planes. The slope inclinometer in TML-1 is intended to be used for future monitoring in order to assess whether or not the landslide is retrogressing upslope and beneath Edwards Street. One additional boring was drilled to a depth of 35 feet BGS east of the lighthouse. The boring was converted to a piezometer constructed of 1½-inch PVC pipe with factory-screened 0.010 slot in order to measure groundwater levels. All borings were completed with traffic-rated well boxes at the ground surface to protect the top of the casings and for ease of access for future monitoring.

Subsurface Conditions

Bedrock/Soil

Franciscan Complex bedrock was encountered at a depth of approximately 45 feet BGS and 42.5 feet BGS (elevation = 114± feet) in borings TML-1 and TML-2, respectively. Both borings are located along the approximate longitudinal axis of the landslide complex. Borings TML-3 and TML-4 were advanced to 35 feet BGS (elevation = 117± feet), but did not encounter bedrock. Where encountered, bedrock consists of dense to very dense graywacke sandstone that appeared to be a relatively fresh in hand specimen with moderate field strength. Based on the nature of mélangé, natural exposures at the back edge of Old Home Beach (aka Indian Beach) and around Trinidad Bay, and the geometry of the slope profile, we expect bedrock underlying the site to consist of a mixture of hard rock blocks in a matrix of pervasively sheared, and moderately to highly decomposed argillite and shale with very weak field strength. The exposures at beach level

generally indicate "bedrock" to consist of *mélange* matrix, which has the consistency of very stiff fine grained clay-rich soil with a block-in-matrix texture. Bedrock encountered in the borings likely constitutes a coherent rock block "floating" within the *mélange* matrix and should not be construed as being representative of the entire bedrock section.

Where *mélange* matrix is abundant, the *mélange* is highly susceptible to downslope mass movement in the form of earthflows. When saturated, the *mélange* matrix possesses very low internal strength and has the tendency to creep downslope at a very low angle of repose. The areas along Trinidad Bay are entirely underlain by Franciscan *mélange* with a block-in-matrix texture, which is responsible for the bay's unique shape. Stability of the overlying terrace sediments can be influenced by the presence of large sandstone or greenstone blocks in the underlying *mélange*. No such large, coherent rock block exists downslope of the project site. Therefore, the terrace sediments deform in direct response to movement within the underlying *mélange* and will likely continue to do so until a favorable slope angle of repose is achieved.

Overlying bedrock is Pleistocene age (approximately 60,000 to 100,000 years old) marine terrace sediments composed chiefly of fine to medium sand with scattered fine gravel. The terrace deposits are present beginning at the ground surface and continue to a depth of least 35 feet BGS to as much as 45 feet BGS. The terrace sediments have soil textures ranging from silty sand (SM) to poorly-graded sand (SP). The gravel content increases with depth where, presumably, a coarse gravel to cobble lag deposit lies directly on the bedrock surface. The terrace materials are weakly cemented and disaggregate, with little to no finger pressure; this indicates relatively low dry strength. The granular soils generally contain non-plastic fines with intermittent discontinuous lenses of fine rounded gravel. SPT blow counts indicate the relative density of the granular soils to be loose to medium dense throughout the soil profile. The relative density of the terrace materials increases slightly below a depth of about 25 to 30 feet. Practical refusal occurred at the terrace/bedrock contact.

Groundwater

The initial depth to groundwater at the time of drilling was observed in TML-1 and TML-2 at 35 feet BGS and 42 feet BGS, respectively. The noted groundwater depths are interpreted to reflect perching of the groundwater surface on top of the soil/bedrock contact. The relatively steep groundwater surface gradient is likely due to the proximity of the slope free face, whereby groundwater is allowed to emerge rapidly in the form of seeps and springs. A reconnaissance of the lower and mid-slope portions of the slide body as recently as mid-June revealed the presence of saturated surface conditions and flowing surface runoff, indicating that a high volume of emergent groundwater persists throughout the wet season and early dry season months. Due to the low transmissivity of the *mélange* bedrock, we interpret that most, if not all, of the surface runoff observed on the mid- and lower slopes emerges from the bluff face at the elevation of the soil/bedrock contact.

Site Observations and Interpretations

The lighthouse is sited on a cut bench constructed into the original hillslope. The site was originally constructed in the late 1940s (the cut bench is visible in the 1948 aerial photographs) and has remained relatively unaffected by localized landsliding until the previous two wet seasons. The parking area at the outboard edge of Edwards Street and the concrete walkways to the west of the lighthouse began to display ground displacement and distress following the onset of winter rains around early 2016. Vertical and lateral ground displacements continued through the 2016 winter and accelerated during the 2016/2017 winter.

Rainfall totals during 2015/2016 were considered normal to slightly above average compared to historical averages. Rainfall totals during 2016/2017, however, were well above historical average; rainfall has likely contributed significantly to the increased rate of slope movements observed at the site. Of particular noteworthiness is the fact that ground deformation in the form of a tension crack along a previously identified scarp has continued to occur well into the summer dry season.

The original cut pad on which the lighthouse was constructed appears to have extended much further west than its current position, suggesting that slope movement and bluff retreat have been occurring historically. Numerous large trees that were once visible on the slopes descending to the beach are no longer present and have since been replaced with low-lying shrubs; this may be attributed to recurrent slope movements. Not until the recent wet seasons has landsliding begun to directly affect the upper bluff edge in such a manner that the upper portion of the landslide complex has become readily visible.

The formation of multiple, nested, arcuate failure planes observed at the head of the slide complex indicates that the upper portion of the landslide is a large retrogressive rotational slide (it is progressing upslope and is failing along a main curved slip surface). It is unclear from a review of the historical aerial photographs dating to 1948 when landsliding initiated on the slopes below Edwards Street and the lighthouse. However, the growth of an outwardly convex bulge at the toe of the coastal bluff slope along the back edge of Old Home Beach is readily apparent beginning in the 1965 photographs. This landform is suggestive of an active deep-seated earthflow within the *mélange* bedrock that began prograding (advancing) seaward at that time. Landsliding on the midslope may have initiated soon after the initial deep-seated failure, but was likely obscured by the thick vegetation.

The upper limits of recent landsliding at the site are actively deforming the outer 25 feet of the bluff top along multiple slip surfaces. The main head scarp at the points where it intersects the bluff edge at the main break in slope measures up to 100 feet wide. Lateral margins farther downhill are not apparent; they are obscured by thick vegetation. We assume that the nested failure planes sole (detach at a low angle) into a single slide plane at depth. The slide plane is interpreted to be confined to the marine terrace sands that overlie the *mélange* bedrock and would, theoretically, daylight along the slope face about 45 to 50 feet in elevation below the bluff edge. The maximum width of the body of the entire landslide complex is approximately 140 feet

midslope, and is assumed to extend a ground distance of about 400 feet down slope from the bluff edge, as shown on Figure 2.

Geotechnical Analysis

Downhole measurements collected from the slope inclinometers constructed in borings TML-1 through TML-3 have not shown any significant displacement to date due to the timing of their construction (after the end of the rainy season). Less than ¼-inch of deflection has been measured for TML-2 and TML-3; this is within the range of measuring bias for the slope indicator instrument used. Based on landslide geometry and slope profiles generated from the 2016 LiDAR data, we estimate that the depth of the slide planes is approximately 20 to 30 feet below the location of the outer bluff edge.

Slope stability analyses were performed using computer software (SLIDE 7.0) and the slope profile line depicted on Figure 2. The output for the model of the existing failure condition was determined using the Spencer method and a fully specified failure surface. (This is a simplified three-layer model in which soil and bedrock strength parameters were back calculated with an interpreted piezometric groundwater surface, to achieve a factor of safety of 1.0.) The assumed depth of the failure plane was estimated to be approximately 25 feet BGS at the location of the bluff edge. The effective geotechnical parameters for the slide materials are phi (angle of internal friction) equal to 28 and 30 degrees, cohesion equal to zero (0) pounds per square foot (psf), and saturated unit weight equal to 120 and 130 pounds per cubic foot (pcf). The shear strength of the bedrock was modeled as 5,000 psf with saturated unit weight equal to 144 pcf.

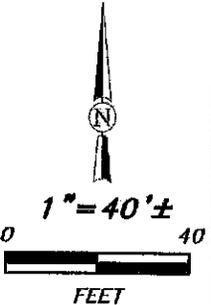
The ground anchor forces required to resist the landslide forces were then evaluated using driven spiral soil nails, drilled soil nails, and a soldier pile with tie-back wall.

Driven Spiral Soil Nails

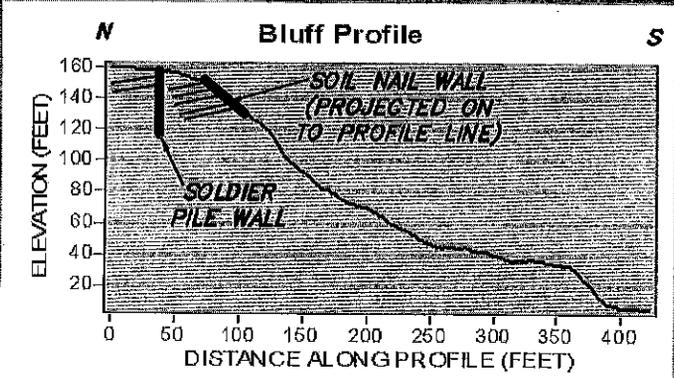
The use of spiral nails in conjunction with reinforcing wall facing (such as, anchored mesh) is considered the most economical and feasible retaining system from a construction standpoint. The spiral nail system is a soil reinforcement method commonly employed for stabilizing steep cut slopes of limited height. They can be used with variety of slope face reinforcements, including wire facing (recommended due to strength to weight ratio) and gabion facing. The soil nails are driven into the slope face using a pneumatic hammer attached to the end of a long reach excavator. Areas to be treated with this method would need to be cleared of vegetation.

This type of retaining system would require the least amount of heavy equipment traffic and would minimize the amount of disturbance to the site during construction relative to the other proposed alternatives. This type of retaining system is also considered the least robust in terms of longevity and long-term effectiveness. This stabilization method would be suitable for reinforcing the slope face in the immediate vicinity of the lighthouse, only, and is not recommended for stabilizing the portion of landslide along Edwards Street. The location of this type of soil reinforcement system is shown on Figure 4.

C:\Users\psunc\p\projects\2017052-160-Drilling669\GIS\PROJ_MXD\Figure4_ConceptualRetainingWallLocation.mxd User: psunc.perc



NOTE: ELEVATION DATA FROM 2016 USGS WEST COAST EL-NINO LIDAR; IMAGE SOURCE: GOOGLE EARTH (5/26/2016)



| | | | |
|--|---|--|----------|
| | City of Trinidad Landslide Mitigation Assessment Trinidad, California | Conceptual Retaining Wall Locations SHN 017052.100 | |
| | July 2017 | Figure4_ConceptualRetainingWallLocation | Figure 4 |

The advantages associated with spiral soil nailing include the following:

- Spiral soil nails would result in less long-term environmental impact compared to other construction techniques such as drilled shafts or soldier pile walls, which require relatively large equipment. Short-term impacts are related to vegetation clearing within the work area.
- The installation of spiral soil nails is relatively fast.
- Soil nailing may be more cost-effective at sites with remote access, because the smaller equipment is more readily mobilized.

The main disadvantage of this approach is the limitation to application in the upper part of the slope. It is not feasible to cover the entire slope, due to lack of access; it will only be feasible to install nails where the long-reach excavator can reach, which will limit the effectiveness of this method. There may also be issues associated with driving the spiral nail the full design length. The presence of medium dense granular soil (sand and gravel) may inhibit the installation of the spiral soil nail for its full length. Shorter nail lengths may prove ineffective in attaining the desired factor of safety against landsliding.

We anticipate constructing such a system for a horizontal length of about 60 feet and slope distance of about 40 feet beginning at the bluff edge (this is the inferred limit of the long-reach excavator) and down the slope face, for a total area of about 2,400 square-feet. For modeling purposes, reinforcement loads for the spiral soil nails were applied at 16 degrees from horizontal and spaced 7-feet apart laterally and 10-feet apart along the descending slope face. The reinforcement loads were determined by increasing the spacing in the stability analysis until the target factor of safety of greater than 1.3 was achieved. The results of the stability analysis indicate that an equivalent pull out bond strength of 940 lbs/ft for three rows of 30-foot spiral soil nails and three rows of 40-foot spiral soil nails is required for a 20-foot vertical design height. Greater factors of safety could be achieved by reducing the nail spacing and/or increasing the overall vertical height.

Drilled and Grouted Soil Nails

Soil nails are reinforcing, passive elements that are drilled and grouted sub-horizontally into the ground to support excavations in soil, or in soft and weathered rock. They contribute to the stability of earth-resisting systems mainly through tension as a result of the deformation of the retained soil or weathered rock mass. Tensile loads are transferred to the surrounding ground through shear stresses (bond stresses) along the grout-ground interface. This type of commonly used soil reinforcement method has long-term, demonstrable corrosion protection to ensure adequate, long-term performance of the system.

Soil nail walls are constructed using a "top-down" construction sequence, where the ground is excavated in lifts of limited height. The extent of excavation required at the project site would be limited to removing any loose soil material from the slope face to provide a smooth surface. Soil nails and an initial shotcrete facing are installed at each excavation lift to provide support.

Subsequently, a final shotcrete or cast-in-place-concrete (CIP) facing is installed. Nails are most often installed at a vertical spacing of 4 to 6 feet. The nail vertical spacing is comparable to the typical height of a stable, excavation lift, which is commonly 3 to 5 feet. The horizontal spacing of nails is often also in the range of 4 to 6 feet. Both the soil nails and the initial and final facing contribute to the stability of the excavation. The soil nails support the soil and transfer loads to the soil mass behind the wall. The facing supports the soil between nails and immediately behind the face, provides structural continuity, and enables the soil nail wall to act as a unit.

The advantages associated with drilled and grouted soil nailing include the following:

- Soil nail walls cause less long-term environmental impact compared to other construction techniques (such as, drilled shafts or soldier pile walls), which require relatively large equipment. Short-term impacts are related to vegetation clearing within the work area.
- The installation of soil nail walls is relatively fast.
- Easy adjustments to nail inclination and location can be made when obstructions are encountered (such as, boulders or underground utilities).
- Soil nailing may be more cost-effective at sites with remote access, because the smaller equipment is more readily mobilized.
- Soil nails are installed using equipment that is multipurpose and can be used for other substructure elements (such as, underpinning or protection of adjacent, movement-sensitive structures, like the lighthouse).
- Soil nail walls can accommodate curves and "bends" more easily than other top-down construction wall systems, which would otherwise require straight wall segments.

Similar to the spiral nail reinforcement system discussed previously, we anticipate constructing a drilled and grouted soil nail wall system to stabilize the slope immediately below the lighthouse only and at a similar location as shown on Figure 4. Similar to the spiral nail approach, the drilled nail approach is limited to treatment of the upper slope, which will limit its effectiveness. The dimensions of a drilled and grouted soil nail wall would, therefore, also be on the order about 2,400 square-feet.

Soldier Pile and Tie-back Wall

A retaining structure consisting of soldier piles, lagging, and one or two rows of tie-backs is feasible along the outboard edge of Edwards Street and at the former locations of the concrete walkways west of the lighthouse. Such a system would likely prove difficult to construct in the immediate vicinity of the lighthouse cut pad due to space limitations and equipment access limitations, unless a large access road was graded, and the lighthouse was temporarily relocated (or removed and reconstructed) during construction.

As conceptually proposed, the retaining structure would consist of deep soldier piles constructed of vertical steel elements in conjunction with a timber lagging wall, which would be partially restrained by one or more rows of tiebacks drilled into the hillside. The wall would be located as shown on Figure 4. The west end of the wall would terminate approximately 20 to 30 feet outside

the limits of the portion of the landslide complex that threatens the upper bluff edge along Edwards Street for a total wall length of about 140 to 160 feet. At the wall location, the landslide slip surface is interpreted to be 10 to 20 feet in depth, and as much as 40 feet deep downslope of the wall location. It is likely that the existing landslide deposits (the failed portion of slope) will continue to translate downslope, therefore the wall should be designed to penetrate to the bedrock surface. Therefore the soldier piling will approach 40 to 50 feet in depth to penetrate a sufficient distance below the failure surface along the entire length of wall.

The intent of the soldier pile wall directly above the landslide is to create a barrier to isolate Edwards Street from the slide. We assume that the landslide mass below the wall would continue to move and eventually pull away from the downhill side of the wall. This could result in the loss of material between the pilings. It would be impractical to construct lagging for the full height of the wall due to the amount of excavation of the slope face that would be required. Therefore, it is recommended that soldier piling be spaced at three pile diameters or closer (center to center) such that soil arching would occur between the pilings to limit the internal loss of soil without the use of lagging to the full depth. Lagging should be installed at the top of wall and extend at least 5 feet below the lowest tie-back level. One or more rows of anchored tie-backs would be required from the face of the wall to a point that is several tens of feet (approximately 40 feet or more) beyond the existing and expected future critical failure surface. The total length of the bonded portion of the tie-backs would require calculation of the minimum anchor forces needed and is beyond the scope of the current investigation. The unbonded length of the tie-backs would likely be on the order of 20 feet to 30 feet, based on our interpretation of the slide geometry in relation to the expected wall location.

Conclusions and Opinion of Cost

Conclusions

Attempts to permanently stabilize the upper portion of the coastal bluff edge will prove challenging in light of the scale and magnitude of the forces driving the downslope movements. Under similar circumstances and in a similar setting, we are of the opinion that avoidance (relocating a structure) would be the most practical, economical, and most long-lasting solution. However, we understand the desire of stakeholders to explore the possibility of stabilizing the top of the bluff in order to maintain the current Lighthouse location. That being said, the use of driven spiral nails or drilled and grouted soil nails to stabilize the upper 20 or 30 feet of the bluff face will do little, if anything, to mitigate slope failure within the lower terrace sediments or the larger landscape-scale earthflow movements at depth. We expect that in time, the upper stabilized block may begin to fail as the underlying unreinforced sediments continue to move downslope. Constructing a soil reinforcement system using spiral soil nails or drilled and grouted soil nails, however, may extend the life of the lighthouse at its current location into the near future and provide stakeholders additional time in planning for a more permanent location for the lighthouse.

The more permanent solution to stabilizing the coastal bluff edge is the construction of a soldier pile and tie-back wall, but at considerably greater cost. In our opinion, a wall of this type would serve to protect Edwards Street from being impacted by future landsliding. However,

constructing a retaining system of this type at the location of the lighthouse would likely be impractical due to site logistics (such as, limited access and working areas).

Construction Costs

Costs for constructing the types of soil reinforcement and restraining systems described above vary considerably. Unit costs for construction were determined from SHN's past and recent project experience, and research of slope stabilization projects elsewhere in northern California. The estimated unit costs are for construction only – they do not include project costs associated with engineering design; the need for additional drilling investigations in the case of a soldier pile and tie-back wall; or costs associated with environmental studies and regulatory agency permitting, and construction management and inspection.

Driven Spiral Soil Nails. For a spiral nail reinforcement system, we estimate that a unit cost of \$40 to \$75 per square-foot of protected slope face should be anticipated for planning purposes. At a minimum, we anticipate the need to reinforce approximately 2,400 square-feet of slope face at an estimated cost of about \$100,000 to \$180,000. The advantage of using this type of reinforcement system is that the materials are readily available locally and it could be constructed by a local contractor.

Drilled and Grouted Soil Nails. We estimate a unit cost of \$60 to \$100 per square-foot for a drilled and grouted soil nail reinforcement system. Specialized drilling equipment will be required to be transported from out of the area. Limitations associated with site access, staging, and working areas could contribute significantly more to the cost. Similar to the spiral soil nail system, we anticipate the need to reinforce approximately 2,400 square-feet of slope face at an estimated cost of about \$144,000 to \$240,000.

Soldier Pile and Tie-back Wall. Estimating the cost for a soldier pile and tie-back wall is more uncertain. Large, specialized drilling equipment will need to be transported from out of the area. Limitations associated with site access, staging, and working areas could contribute significantly more to the cost. Extensive grading and temporary access roads would be required to be built along the edge of Edwards Street to facilitate the heavy equipment needed for construction. All construction grading would need to be repaired at the close of the project. We estimate a linear foot unit cost of \$3,500 to \$6,000 and a wall length of about 160 feet. Construction costs are, therefore, estimated to be in the range of about \$560,000 to \$1,000,000.

Recommendation

Based on the site conditions, the likelihood for additional significant landslide movement in the coming years, and the costs and limitations of the various repair options described above, it is our recommendation that the City and Civic Club pursue a short-term plan to relocate the lighthouse. We strongly recommend some action be taken prior to the next rainy season. It may not be feasible to complete any slope reinforcement in that timeframe due to the permitting constraints. Even if reinforcement could be achieved in the short term, it does not appear feasible to reinforce the slope

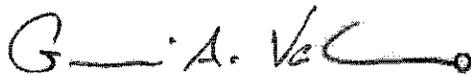
adequately using driven or drilled soil nails, because it will only be possible to treat the upper slope face. Lower portions of the slope that would be important to reinforce are beyond the reach of equipment that would be used to construct this reinforcement system. Therefore, even if the upper slope is reinforced, significant potential for additional movement of the lower slope would remain, which would continue to threaten the lighthouse. Because ground very near the current site is associated with significantly lower slope instability potential, it appears feasible to relocate the lighthouse to a nearby site and significantly reduce its exposure to landsliding.

Protection of Edwards Street, a main transportation artery in the town of Trinidad, is of vital importance, because we expect the landsliding to encroach into the roadway in the near future. There is a small buffer remaining between the head of the slide and the edge of the roadway, so the risk factor here is not as high as at the lighthouse; however, we would expect encroachment to occur within the next few years. Therefore, we recommend that the City pursue funding to construct a soldier pile wall to isolate the landslide from the road.

Please feel free to call me at 707-441-8855 if you have any questions.

Sincerely,

SHN Engineers & Geologists



Giovanni A. Vadurro, CEG
Engineering Geologist



GAV:ims

- Attachments: 1. Boring Logs
2. Survey Point File

References

- Google Earth. (November 26, 2007). Trinidad Lighthouse, Trinidad, California. Accessed on January 17, 2009. NR:Google Earth.
- National Geographic Society, i-cubed,. (2013). Topographic Map of Trinidad, California. Accessed at: <http://maps.nationalgeographic.com/maps>
- U.S. Geological Survey. (2016). West Coast El-Nino LiDAR elevation data. NR:USGS.

0

0

0

1

Boring Logs



Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT: Trinidad Memorial Lighthouse

JOB NUMBER: 017052

LOCATION: S. edge Edwards Street

DATE DRILLED: 5/3/17

GROUND SURFACE ELEVATION: 159 Feet (NAVD88)

TOTAL DEPTH OF BORING: 50 feet

EXCAVATION METHOD: 6-5/8" RHSA (Taber Drilling)

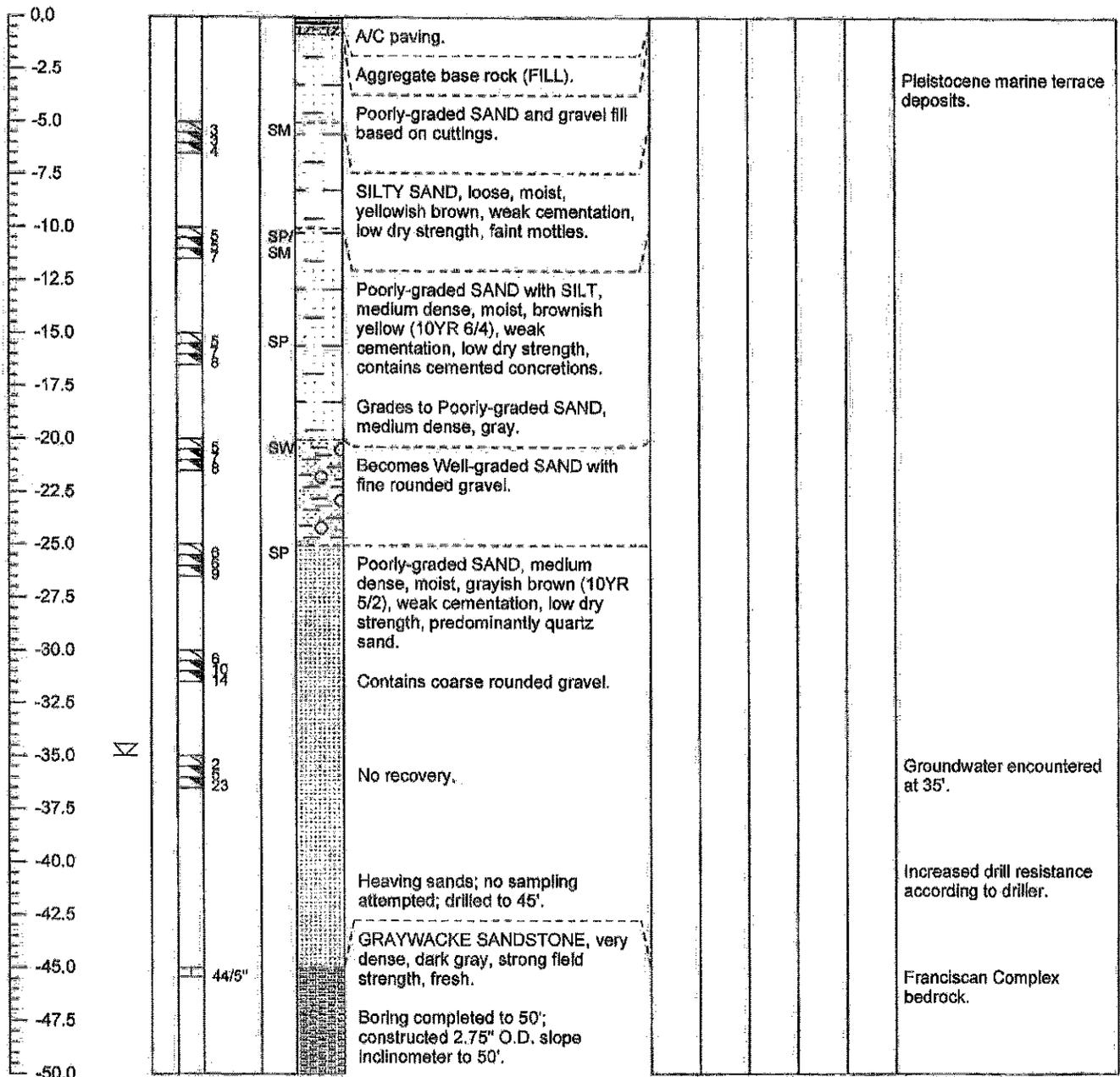
SAMPLER TYPE: MCS/SPT

LOGGED BY: G. Simpson

DEPTH TO GROUNDWATER: 35 Feet

**BORING
NUMBER
TML-1**

| DEPTH (FT) | BULK SAMPLES | SS SAMPLES | BLOWS PER 0.5' | USCS | PROFILE | DESCRIPTION | % Moisture | Dry Density (pcf) | Unc. Cor. (pcf) | U.C. (pcf) by P.P. | % Passing 200 | REMARKS |
|------------|--------------|------------|----------------|------|---------|-------------|------------|-------------------|-----------------|--------------------|---------------|---------|
|------------|--------------|------------|----------------|------|---------|-------------|------------|-------------------|-----------------|--------------------|---------------|---------|



The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations and with the passage of time.

BORING LOG



Consulting Engineers & Geologists, Inc.

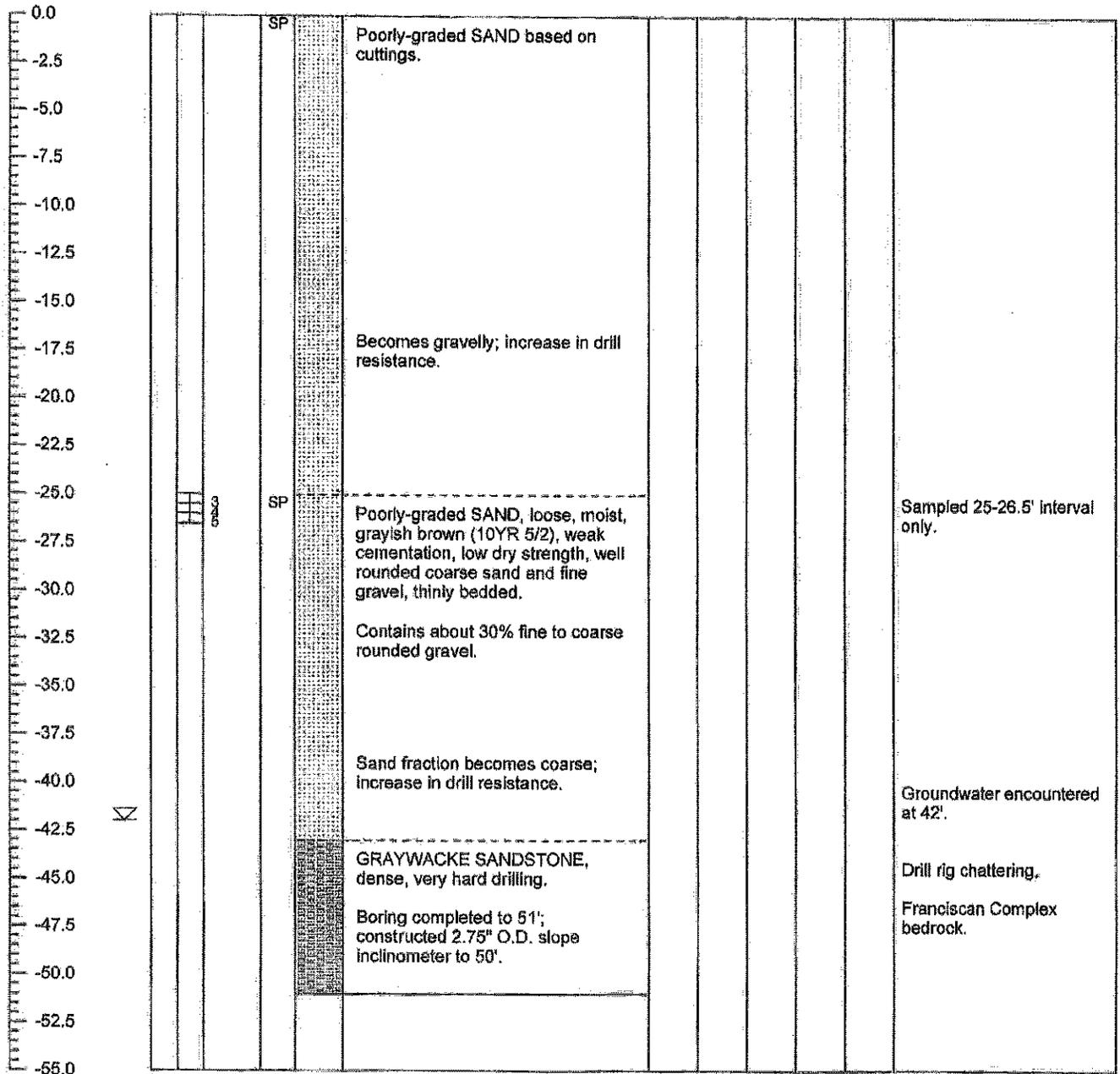
812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT: Trinidad Memorial Lighthouse
 LOCATION: Downslope of main head scarp
 GROUND SURFACE ELEVATION: 156 Feet (NAVD88)
 EXCAVATION METHOD: 6-5/8" RHSA (Taber Drilling)
 LOGGED BY: G. Simpson

JOB NUMBER: 017052
 DATE DRILLED: 5/3/17
 TOTAL DEPTH OF BORING: 51 feet
 SAMPLER TYPE: MCS/SPT
 DEPTH TO GROUNDWATER: 42 Feet

**BORING
NUMBER
TML-2**

| DEPTH (FT) | BULK SAMPLES | SS SAMPLES | BLOWS PER 0.5' | USCS | PROFILE | DESCRIPTION | % Moisture | Dry Density (pcf) | Unc. Cor. (pcf) | U.C. (tsf) by P.P. | % Passing 200 | REMARKS |
|------------|--------------|------------|----------------|------|---------|-------------|------------|-------------------|-----------------|--------------------|---------------|---------|
|------------|--------------|------------|----------------|------|---------|-------------|------------|-------------------|-----------------|--------------------|---------------|---------|



The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations and with the passage of time.

BORING LOG



Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT: Trinidad Memorial Lighthouse

JOB NUMBER: 017052

LOCATION: SW corner of Lighthouse

DATE DRILLED: 5/4/17

GROUND SURFACE ELEVATION: 152 Feet (NAVD88)

TOTAL DEPTH OF BORING: 34.5 feet

EXCAVATION METHOD: 4" Flight Auger (Taber Drilling)

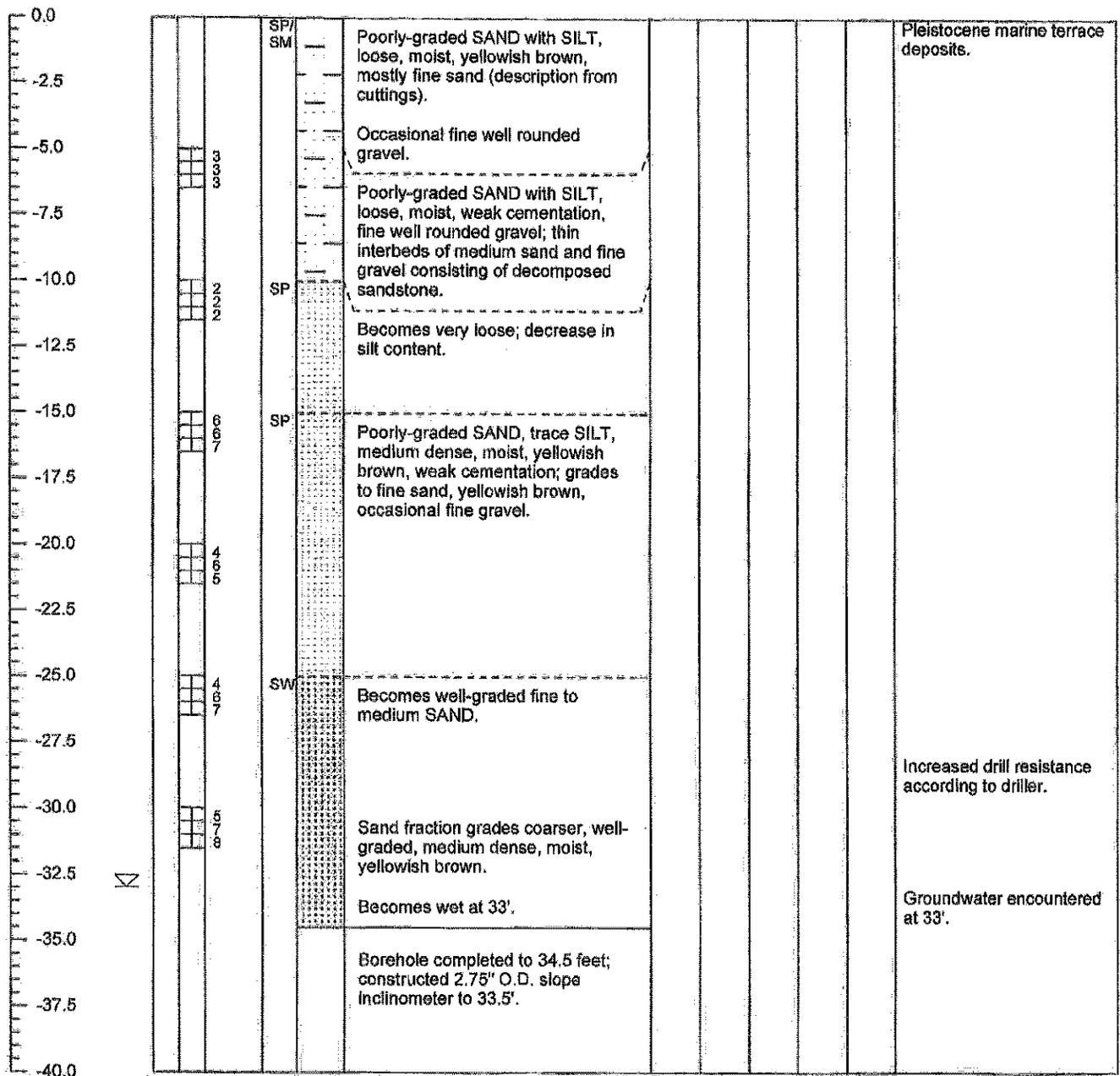
SAMPLER TYPE: SPT

LOGGED BY: A. Call

DEPTH TO GROUNDWATER: 33 Feet

BORING
NUMBER
TML-3

| DEPTH (FT) | BULK SAMPLES | SS SAMPLES | BLOWS PER 0.5' | USCS | PROFILE | DESCRIPTION | % Moisture | Dry Density (pcf) | Uncc. Com. (pcf) | U.C. (pcf) by P.P. | % Passing 200 | REMARKS |
|------------|--------------|------------|----------------|------|---------|-------------|------------|-------------------|------------------|--------------------|---------------|---------|
|------------|--------------|------------|----------------|------|---------|-------------|------------|-------------------|------------------|--------------------|---------------|---------|



The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations and with the passage of time.

BORING LOG



Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT: Trinidad Memorial Lighthouse

JOB NUMBER: 017052

LOCATION: SE corner of Lighthouse

DATE DRILLED: 5/4/17

GROUND SURFACE ELEVATION: 151 Feet (NAVD88)

TOTAL DEPTH OF BORING: 35 feet

EXCAVATION METHOD: 4" Flight Auger (Taber Drilling)

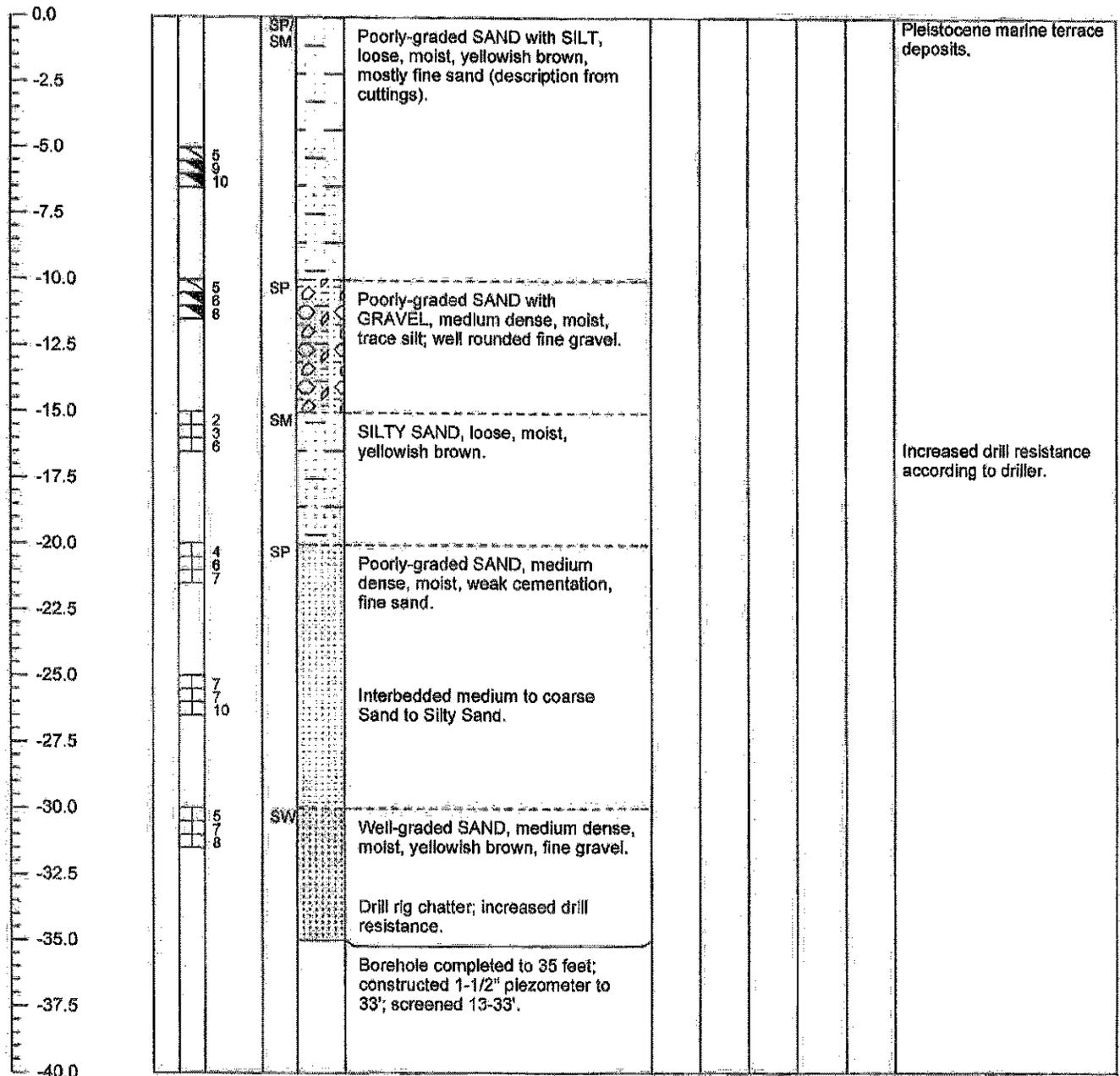
SAMPLER TYPE: MCS/SPT

LOGGED BY: A. Call

DEPTH TO GROUNDWATER: not encountered

BORING
NUMBER
TML-4

| DEPTH (FT) | BULK SAMPLES | SS SAMPLES | BLOWS PER 0.5' | USCS | PROFILE | DESCRIPTION | % Moisture | Dry Density (pcf) | Unc. Corr. (pcf) | U.C. (pcf) by P.P. | % Passing 200 | REMARKS |
|------------|--------------|------------|----------------|------|---------|-------------|------------|-------------------|------------------|--------------------|---------------|---------|
|------------|--------------|------------|----------------|------|---------|-------------|------------|-------------------|------------------|--------------------|---------------|---------|



The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations and with the passage of time.

BORING LOG

2

Survey Point File

Trinidad Memorial Landslide Survey Point File- SHN Project Number 017052.100

| <u>Point #</u> | <u>X-coord. (ft)</u> | <u>Y-coord. (ft)</u> | <u>Elevation (ft)</u> | <u>Point Description</u> | <u>Explanation</u> |
|----------------|----------------------|----------------------|-----------------------|--------------------------|--|
| 101 | 2276082.812 | 5970594.124 | 154.668 | CP PK BY OTHERS | CP = control point |
| 210 | 2276091.943 | 5970734.882 | 163.142 | MON CL | MON CL = centerline monument |
| 212 | 2276095.951 | 5970438.439 | 146.424 | MON CL 9001 | RC = slope movement monitoring point |
| 312 | 2276095.95 | 5970438.456 | 146.352 | CHK CP 212 | SCRIP = landslide headscarp |
| 500 | 2276091.296 | 5970648.177 | 158.636 | I-1 NRIM PUNCH MARK | TOC = top of slope inclinometer casing |
| 501 | 2276090.989 | 5970648.212 | 157.94 | I-1 TOC N NOTCH | |
| 502 | 2276066.035 | 5970643.524 | 155.785 | I-2 NRIM PUNCH MARK | |
| 503 | 2276065.737 | 5970643.436 | 155.09 | I-2 TOC N NOTCH | |
| 504 | 2276033.118 | 5970753.311 | 152.51 | P-1 TOC | |
| 505 | 2276033.33 | 5970753.374 | 152.774 | P-1 NRIM PUNCH MARK | |
| 506 | 2276037.824 | 5970729.355 | 152.335 | I-3 NRIM PUNCH MARK | |
| 507 | 2276037.523 | 5970729.318 | 151.921 | I-3 TOC N NOTCH | |
| 1001 | 2276074.333 | 5970600.213 | 154.679 | RC-1 | |
| 1002 | 2276063.607 | 5970630.994 | 155.802 | RC-2 | |
| 1003 | 2276075.538 | 5970653.291 | 158.168 | RC-3 | |
| 1004 | 2276070.795 | 5970674.467 | 158.65 | RC-4 | |
| 1005 | 2276055.415 | 5970641.384 | 152.787 | RC-5 | |
| 1006 | 2276066.117 | 5970703.235 | 156.337 | RC-6 | |
| 1007 | 2276040.548 | 5970681.456 | 149.094 | RC-7 | |
| 1008 | 2276042.549 | 5970705.498 | 150.33 | RC-8 | |
| 1009 | 2276027.058 | 5970762.06 | 152.044 | RC-9 | |
| 1010 | 2276044.412 | 5970766.19 | 153.104 | RC-10 | |
| 1011 | 2276019.234 | 5970739.069 | 149.729 | RC-11 | |
| 1012 | 2276050.893 | 5970723.9 | 152.801 | RC-12 | |
| 1013 | 2276027.501 | 5970712.311 | 145.912 | RC-13 | |
| 1014 | 2276052.617 | 5970659.73 | 153.647 | RC-14 | |
| 1050 | 2276049.485 | 5970753.453 | 153.086 | CNC AP | |
| 1051 | 2276030.356 | 5970752.144 | 152.578 | CNC AP | |
| 1052 | 2276031.844 | 5970732.362 | 152.291 | CNC AP | |
| 1053 | 2276047.38 | 5970733.424 | 152.939 | CNC EDG GB | |
| 1054 | 2276040.099 | 5970723.776 | 151.281 | SCRIP | |

| | | | | |
|------|-------------|-------------|---------|---------------|
| 1055 | 2276044.208 | 5970718.752 | 152.037 | SCRIP |
| 1056 | 2276046.242 | 5970716.915 | 151.882 | SCRIP |
| 1057 | 2276047.872 | 5970713.672 | 151.465 | SCRIP |
| 1058 | 2276048.178 | 5970705.517 | 150.473 | SCRIP |
| 1059 | 2276048.856 | 5970701.682 | 150.298 | SCRIP |
| 1060 | 2276050.989 | 5970696.801 | 150.335 | SCRIP |
| 1061 | 2276054.498 | 5970689.191 | 151.559 | SCRIP |
| 1062 | 2276055.939 | 5970680.986 | 151.166 | SCRIP |
| 1063 | 2276062.098 | 5970668.653 | 154.956 | SCRIP |
| 1064 | 2276061.026 | 5970657.559 | 153.815 | SCRIP |
| 1065 | 2276060.731 | 5970650.165 | 154.702 | SCRIP |
| 1066 | 2276059.533 | 5970645.976 | 154.969 | SCRIP |
| 1067 | 2276060.045 | 5970643.122 | 155.082 | SCRIP |
| 1068 | 2276058.839 | 5970639.554 | 154.735 | SCRIP |
| 1069 | 2276058.297 | 5970635.533 | 154.506 | SCRIP |
| 1070 | 2276058.262 | 5970633.244 | 154.037 | SCRIP |
| 1071 | 2275844.043 | 5970653.104 | 41.591 | TOE AT SPRING |
| 1072 | 2275375.884 | 5970752.272 | 5.722 | BABY SEALION |
| 1073 | 2276033.379 | 5970753.383 | 152.78 | CHK P-1 NRIM |
| 1074 | 2276027.099 | 5970762.061 | 152.035 | CHK RC-9 |

DISCUSSION AGENDA ITEM
Wednesday, July 26th 2017

Item: Ocean Avenue Encroachments and Right of Way Recovery

Summary:

On March 8, 2017, a Consent Agenda Staff Report described the issue of encroachments into the City right of way at 407 and 357 Ocean Avenue. These encroachments either eliminate parking in the right of way altogether, or create a situation where cars that park adjacent to them are partially blocking what should be the cleared roadway. The Council approved the staff proposal to move forward with further conversations with the property owners, to get cost estimates for recovering the Ocean Avenue right of way and to come back to Council for cost approval.

A scope of work to recover the City right of way and create parking consistent with the other properties on the street at both locations has been developed and offered for bid. The low Bid for both projects combined was \$8,400. The project purpose is to provide parking in front of both properties without encroaching on the road width needed for safe two-way traffic. The project also provides consistency between these properties and their neighbors up and down the street.

On June 28th staff recommended approving the low bid and going forward with the project. The Council discussed the issue and directed staff to discuss further with the City Attorney, City Engineer, and with the residents and owners, and return to Council.

General Right of Way Policy Discussion--

Where the full street right of way is not developed with roadway, curbs, sidewalks, or other public improvements, it is not unusual that the adjoining property owners will, over time, end up with vegetation, grass, hedges, or other encroachments over some portion of the 'unused' right of way. The City effectively 'owns' the full right of way on behalf of the City, and has the right to reclaim and use it as needed for the benefit of the public, for instance to widen a street, provide public parking, address a safety issue, or support other public infrastructure.

Where an adjacent neighbor desires to construct or place anything within the City's right of way, they are required to utilize the Encroachment Permit process to do so. This allows the City to review and consider whether allowing a particular use in the right of way is in the public interest, as outlined in detail in City Code section 12.04. For instance, the City recently approved an Encroachment Permit for a retaining wall in the City right of way at 321 Trinity St. The wall is in line with the sidewalk edge on the two adjoining properties, parking and street width are deemed fully adequate, and importantly the Permit explicitly requires the adjoining owner to remove all improvements at the City's request in the future.

There are many unpermitted (and some permitted) encroachments into the City right of way throughout Trinidad. Staff see no need to systematically address existing encroachments simply on principle, and indeed do not have the time nor resources to do so. However any new encroachment should absolutely be required to utilize the encroachment permit process, and staff

will make all efforts to prevent new unpermitted encroachments from occurring. For existing encroachments, staff believe the right of way should be reclaimed where it is necessary for public safety, to implement specific public works projects, or for other public benefit. This brings us to the two encroachments under discussion today.

At 407 Ocean

In this case the encroachment creates a situation where cars parked in front of it are blocking the flow of traffic and creating an unsafe condition. One option would be to paint the curb red and not allow parking, but parking is in short supply on Ocean St. Staff recommend the encroachment be removed to allow safe parking in front of this residence, and a consistent 'right of way' line along the street. The (new) owner understands the City's plan (as described on the attached Scope of Work) and does not object. The encroachment into the right of way was constructed decades ago, by a previous owner. The City Attorney does not recommend attempting to hold the current owner financially liable for the work due to their complete lack of involvement in the creation of this encroachment.

At 357 Ocean Ave

An Escalonia hedge was planted in the City right of way, and has subsequently grown to massive proportions, engulfing the entire 8' unpaved right of way, pushing beyond that into the paved roadway, and covering the City water meter such that our staff have to crawl deep into the hedge to read the meter, which puts them in a dangerous situation relative to passing cars.

Staff have so far been unable to contact the owner of the property. The City has a name, but the water billing and County assessor data provide a local PO Box that staff understand is used by the current resident. The current resident has refused staff's requests to provide a number or address for the owner.

Staff's recommendation is to notify the owner that the City is requiring the hedge to be removed from the full right of way, and that the owner can either complete that effort themselves, or reimburse the City for the cost. While we have not reached the owner, and very much want to do so, certified mail to the address on record for the parcel should be adequate legal notice. If there is no response, the City may have to fall back on completing the work, billing the owner, and pursuing a lien against the property if necessary to recover our costs.

The City Attorney's advice includes the following points:

1. The City certainly has the right to reclaim the entire right of way if it desires— it is City property.
2. Because the hedge was planted by the current owner (or their tenant), the City has a reasonable claim to demand that the owner remove the hedge, or reimburse the City for doing so. If there was objection, this could be pursued through a nuisance abatement process, or through a small claims court process. The latter would be less expensive and involved.
3. Either approach (nuisance abatement or small claims) will require proper noticing of the owner.

4. Depending on the scale of the costs involved, it may be more efficient to have the City pay for the work, or to negotiate a shared cost arrangement. i.e. we may spend more in time and money than we get back.

The current resident has done substantial trimming of the hedge, and strongly objects to staff's recommendation for its complete removal. The City considered the removal of this hedge in 2014 as part of the Stormwater Project construction, and decided against it at that time. However that decision is largely irrelevant to the current discussion in staff's opinion.

The other option at 357 Ocean is to hold off on complete removal of the hedge, and instead require it be trimmed enough to allow safe access to the water meter, and safe passage and visibility for the paved roadway. This would not provide any parking, and would present the same ongoing challenge as at 407 Ocean, where people parking adjacent to the (trimmed) hedge would be partially obstructing the safe flow of traffic on the street.

Financial Impact:

Removal of both encroachments and creation of graveled parking in both locations as provided on the attached scope of work was bid at \$8,400. Staff expect the costs to be roughly even between the two, and can work with the contractor to split the bid cost between the two parcels in order to recover the costs at 357 Ocean from the homeowner.

This project is not included in the 2018 Public Works Budget. There are substantial funds in the Capital Asset and Special Projects reserve to support this safety project.

Staff recommendation

- *Approve the use of up to \$8,400 from the Capital Asset and Special Project Reserve Fund for the Ocean Ave Right of Way Recovery Project.*
- *Direct staff to complete the necessary legal notifications to the address on file for the owner of 357 Ocean so that they can either do the work themselves, or the City can recover our costs for the project from them if they do not.*
- *Once those notifications are complete, accept the low bid and move forward to implement the project.*

Alternate minimum option for public safety (not staff's recommendation):

If the Council does not want to expend these funds at this time, or have other objections to the project, staff would recommend at a minimum that the Council direct staff to paint the curb red at 407 Ocean, and paint a red stripe on the edge of pavement adjacent to the hedge, so that people will not create a safety hazard by parking in these locations, and can be ticketed if they do.

Attachment:

- Ocean Avenue Scope of Work

City of Trinidad Ocean Avenue Right of Way Recovery Project

Scope of Work

At 407 Ocean Ave in front of property:

- Contractor to locate utilities
- Remove A/C curb
- Shrubs to be trimmed to 1 foot from right of way on city side
- Excavate 6 inches below road grade to 1 foot from edge of city side of right of way and compact exposed subgrade
- Install 4 x 4 (minimum size) pressure treated lumber rebar pinned retaining wall to lawn grade
- Backfill with open graded crushed base rock to road grade and compact
- Meter box to be re-installed to road grade

At 364 Ocean in front of property

- Contractor to locate utilities
- Remove hedge on City side to edge of right of way
- Excavate to 6 inches below road grade and compact exposed subgrade
- Backfill with open graded crushed base rock to road grade and compact
- Meter box to be re-installed to road grade



DISCUSSION AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 19 PAGES

2. Presentation/Discussion regarding upcoming OPC Stormwater Project Construction

DISCUSSION/ACTION AGENDA ITEM

Wednesday, July 26th, 2017

Item: Ocean Protection Council Stormwater Project Construction Update

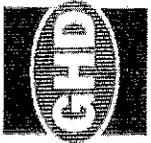
Background: The City is preparing to construct three components of the Phase I Storm water Project that were not built during the initial construction phase, and have now been funded through the Ocean Protection Council. City Engineer Steve Allen of GHD will provide a presentation of the upcoming construction work and its context in the larger effort to meet the state mandate to eliminate storm water runoff into Trinidad Bay.

Staff recommendation

Receive presentation and discuss with Steve Allen.

Attachments:

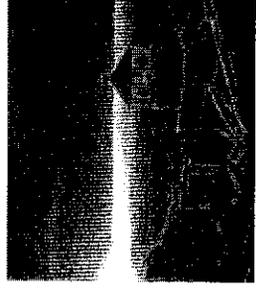
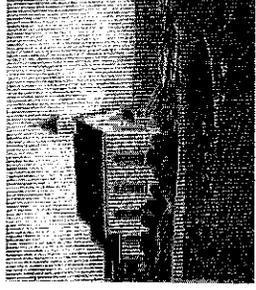
OPC Construction Project Presentation



City of Trinidad
Trinidad ASBS Stormwater Improvements

OPC Project Update July 26, 2017

Steven Allen



Presentation Outline

- ✓ ASBS Stormwater Improvement Summary
- ✓ Review of Initial Geophysical and Groundwater Model Work
- ✓ Summary of OPC Grant Construction Projects
- ✓ Review of Design Components
- ✓ Next Steps



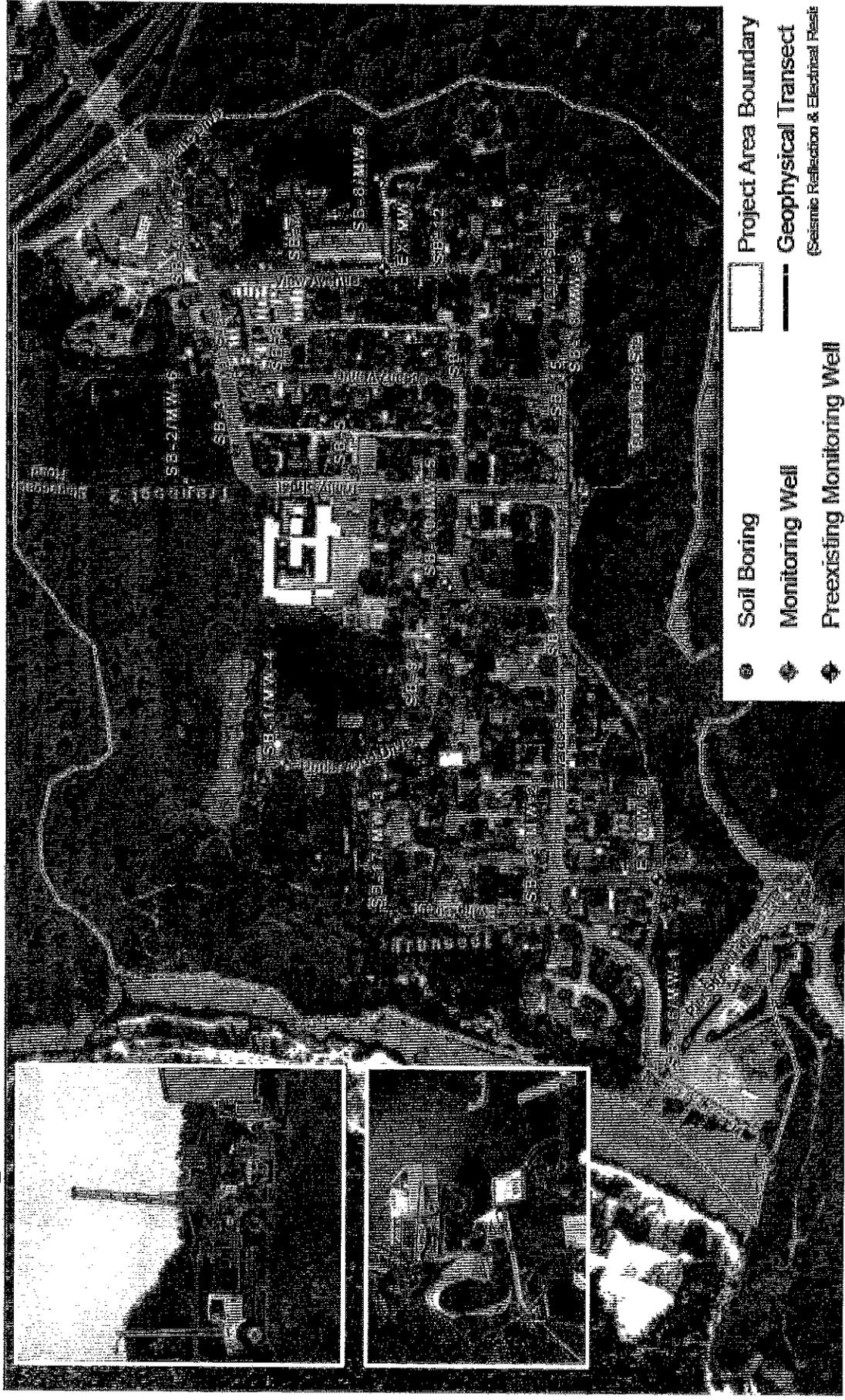
ASBS Stormwater Project Summary

This Project was Identified in the Integrated Coastal Watershed Management Plan (ICWMP) – Stormwater Action Plan 2006-2008

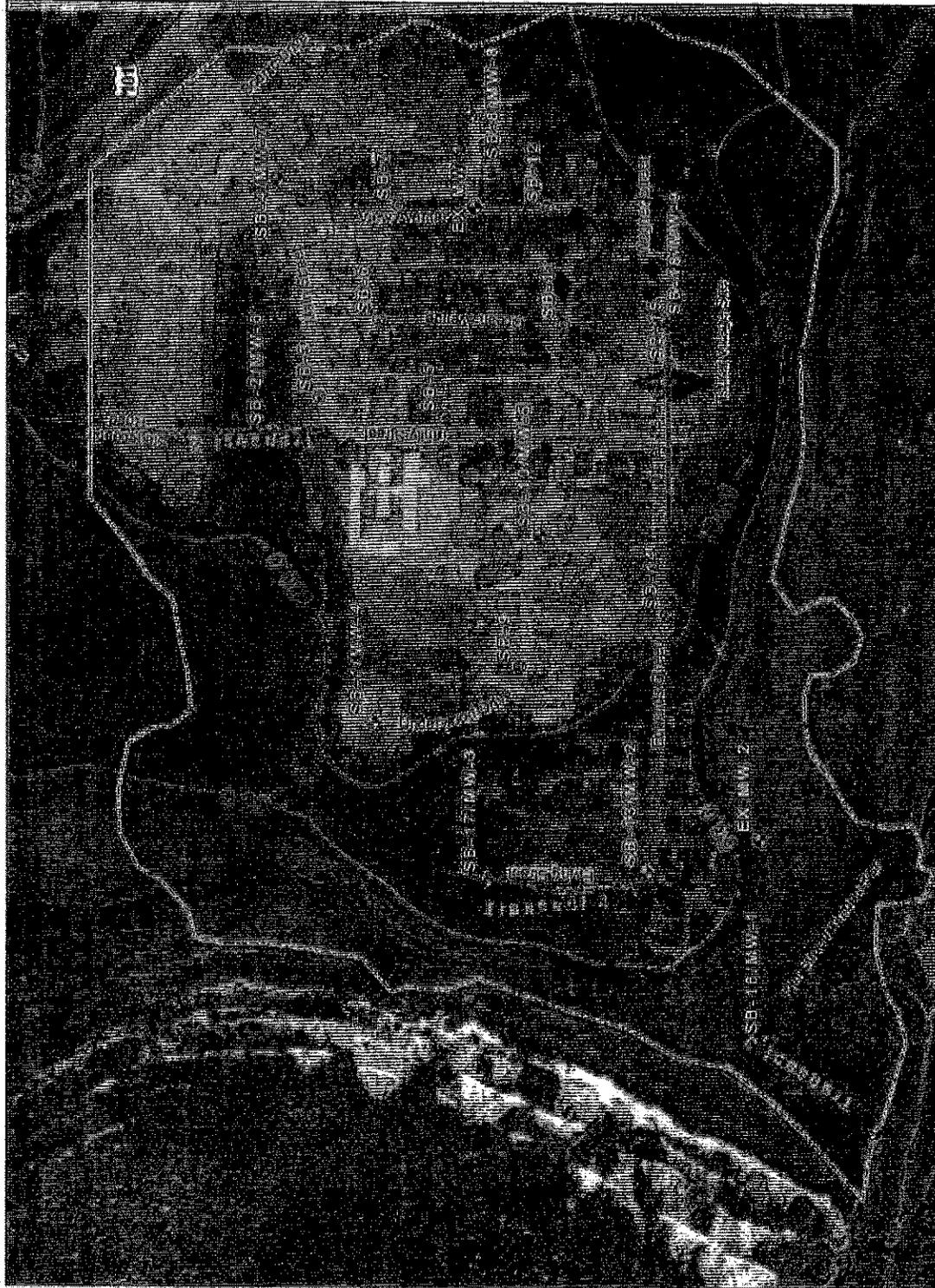
- 1) Project addresses letter from State Board to the City regarding protection of ASBS which includes permitting requirements and monitoring of stormwater at the current Ocean Discharge .
- 2) Basic concept is to utilize simple technologies, gravity based systems, with low maintenance requirements.
- 3) Concept focuses on common BMPs, such as multiple types of infiltration.
- 4) Concept focuses on multiple smaller scale solutions over a wider area to reduce the quantity and improve the quality of the stormwater.
- 5) Concept allows for the eventual removal of the current Ocean Discharge which should allow the City to avoid ongoing compliance with the ASBS permitting requirements.



Geophysical Evaluation Overview



Geophysical and Groundwater Investigation



Bedrock Elevation (ft msl)

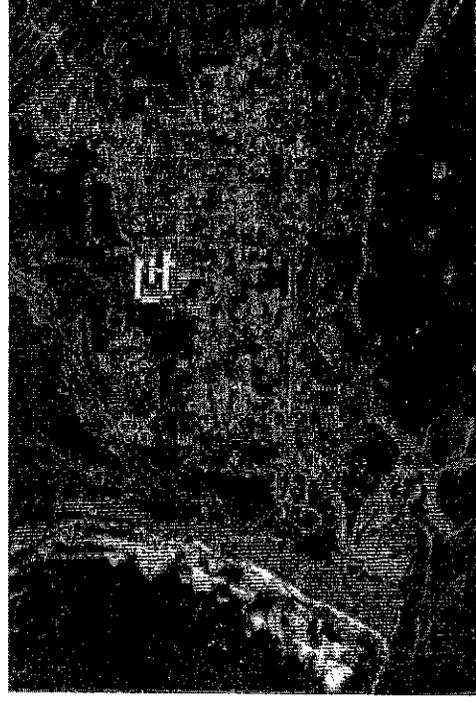
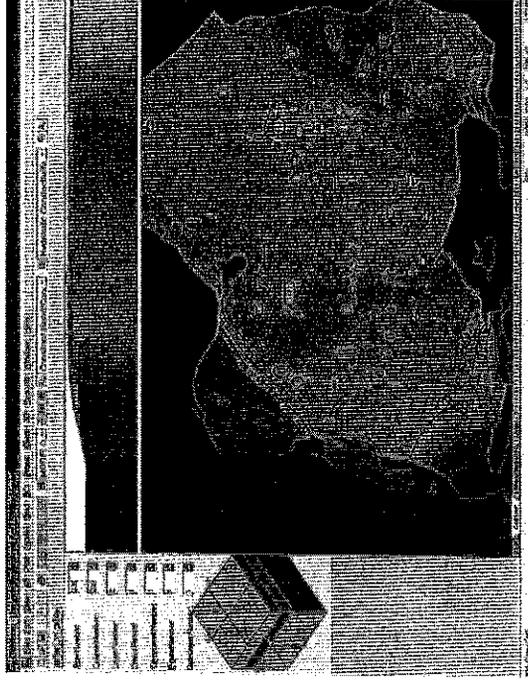


Note: Bedrock contours are to soil borings, and geotechnical. Some coastal features, such as concern, where they will not in may not be representative.



Groundwater Model

- MODFLOW-Surfact 3-D flow groundwater model was developed based upon physical properties collected during the geotechnical investigation
- Predictive groundwater model that describes groundwater movement and response to various changes in conditions – spatial and temporal
- Used to evaluate changes in subsurface conditions for stormwater design scenarios
- Model set up and calibration reviewed by independent 3rd party firm, HydroGeologic, Inc.
- Results analyzed by Independent Geotechnical Engineering Firm, Crawford & Associates, Inc.



Groundwater Evaluation Conclusions

Based on:

- Geotechnical evaluation
- Groundwater monitoring results

Groundwater flow patterns

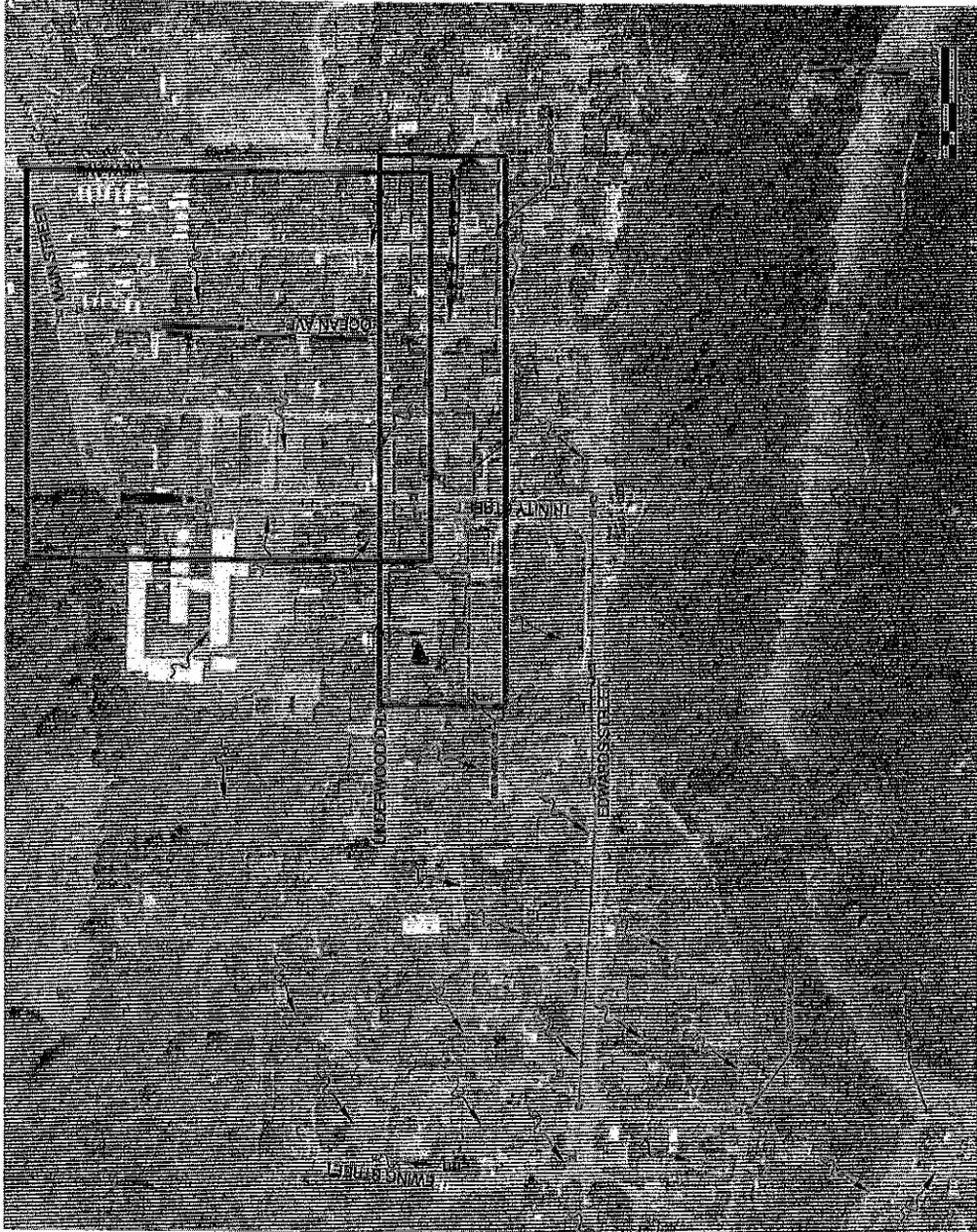
- Water entering the system from the surface migrates vertically to confining layer/bedrock
- Groundwater lateral movement is largely governed by the shape and slope of the confining bedrock layer

Used to determine:

- Where infiltration can occur while considering existing septic systems, bluff stability, creeks and seeps



Review of Past and Upcoming Project Work



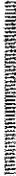
LEGEND

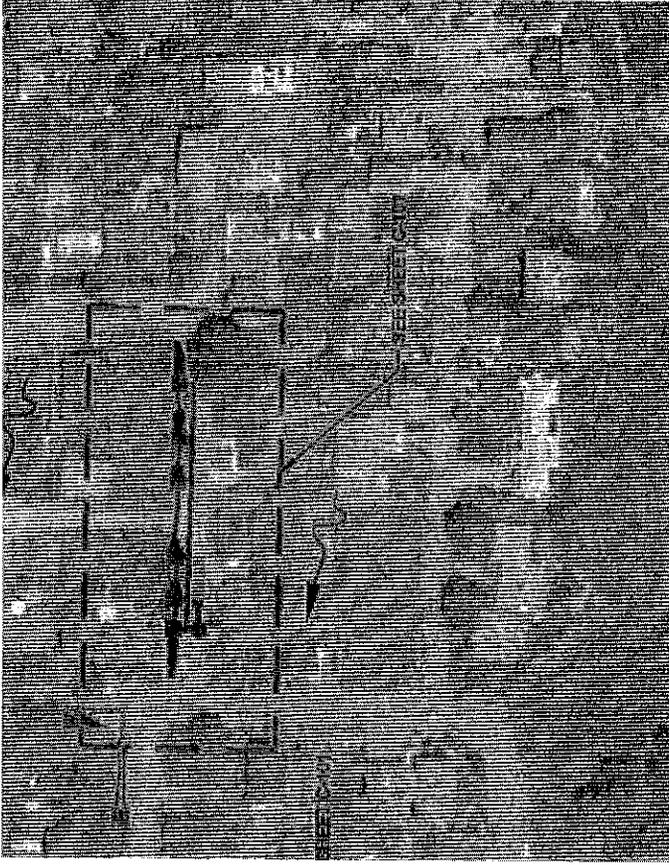
| | |
|---|----------------------------|
|  | EXISTING STORM DRAIN INLET |
|  | EXISTING STORM DRAIN PIPE |
|  | EXISTING TREATMENT CHAMBER |
|  | EXISTING INFILTRATION PIPE |
|  | EXISTING BIO-SWALE |
|  | NEW STORM DRAIN INLET |
|  | NEW STORM DRAIN PIPE |
|  | NEW TREATMENT CHAMBER |
|  | NEW INFILTRATION PIPE |
|  | NEW BIO-SWALE |
|  | NEW RAIN GARDEN |
|  | DIRECTION OF FLOW |



Review of East Street Project Work

LEGEND

| | |
|---|----------------------------|
|  | EXISTING STORM DRAIN INLET |
|  | EXISTING STORM DRAIN PIPE |
|  | EXISTING TREATMENT CHAMBER |
|  | EXISTING INFILTRATION PIPE |
|  | EXISTING BIO-SWALE |
|  | NEW STORM DRAIN INLET |
|  | NEW STORM DRAIN PIPE |
|  | NEW TREATMENT CHAMBER |
|  | NEW INFILTRATION PIPE |
|  | NEW BIO-SWALE |
|  | NEW RAIN GARDEN |
|  | DIRECTION OF FLOW |

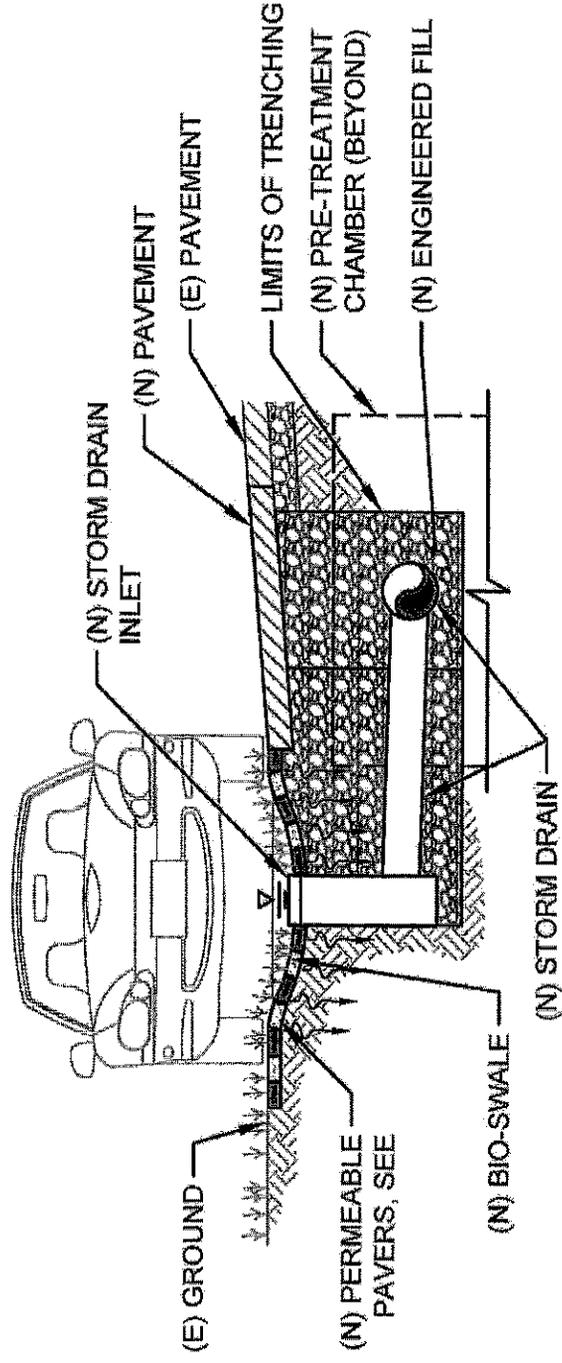


Overview:

- Located on East Street between Ocean and View
- Bioswales on north side of street
- Treatment chamber and infiltration pipes in street



Design: Bio-Swales



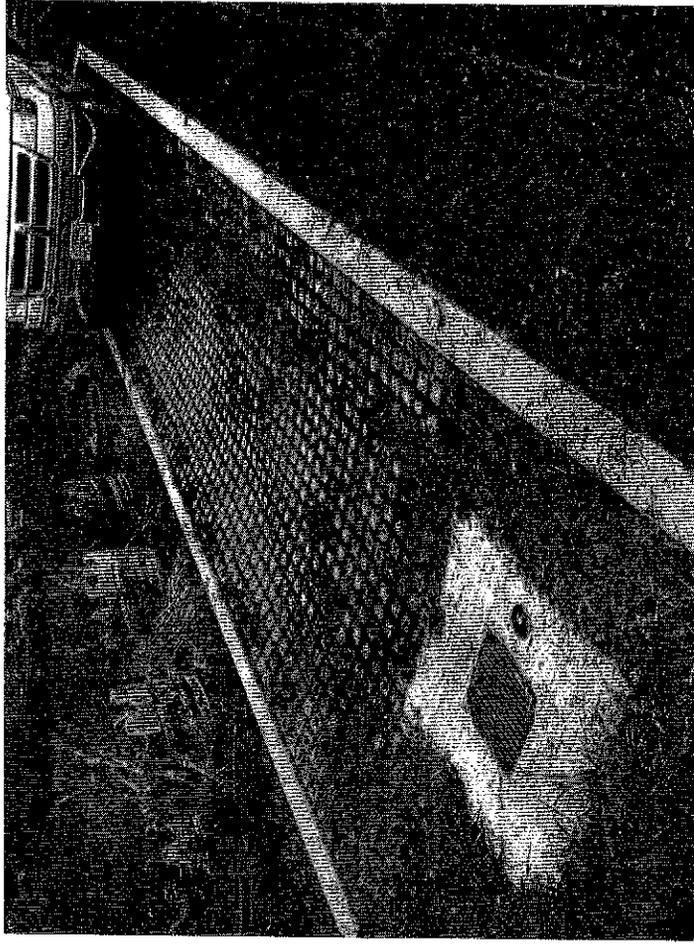
Lessons Learned: Bio-Swales or Grassy Swales

Positive Feedback:

- Resolved drainage issues for some residents
- Like how they look
- Still allows parking along street

Negative Feedback:

- Took too long after construction to be able to use them and park
- They are too deep, prefer more flat
- Don't like how they look
- Have to walk through water when raining to get to vehicle
- They collect sediment
- They require maintenance



Installed Swale on Ocean



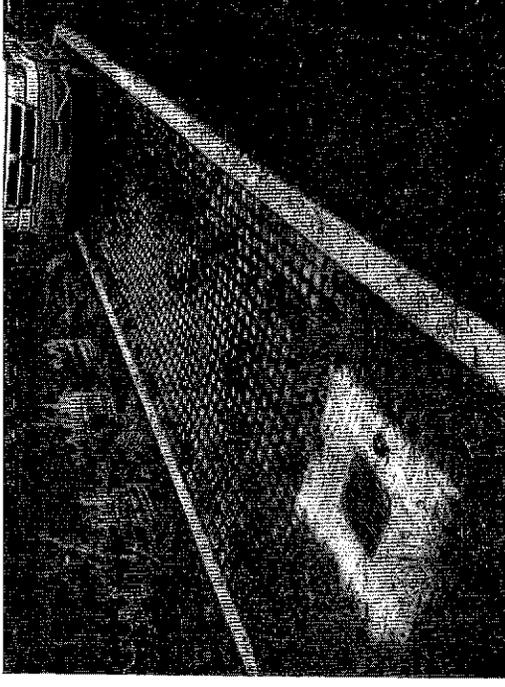
Revised Design: Bio-Swales or Grassy Swales

Changes Based on Feedback:

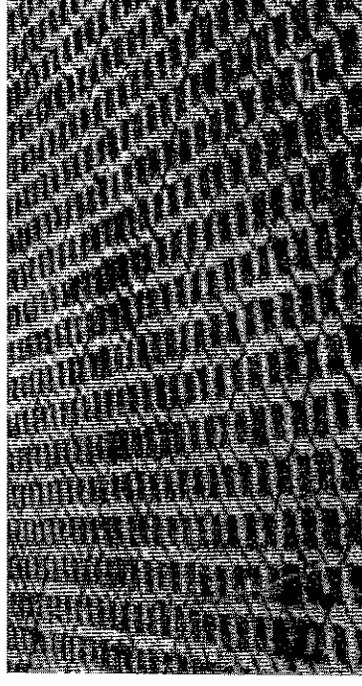
- Took too long after construction to be able to use them and park – Now will be able to park right after construction
- They are too deep, prefer more flat – Now more flat, less deep
- Don't like how they look – Now using different permeable paver product
- Have to walk through water when raining to get to vehicle – Now less ponding with better infiltration

Unchanged items:

- Resolves drainage issues for some residents
- Allows parking along street
- Provides water quality treatment
- They require maintenance



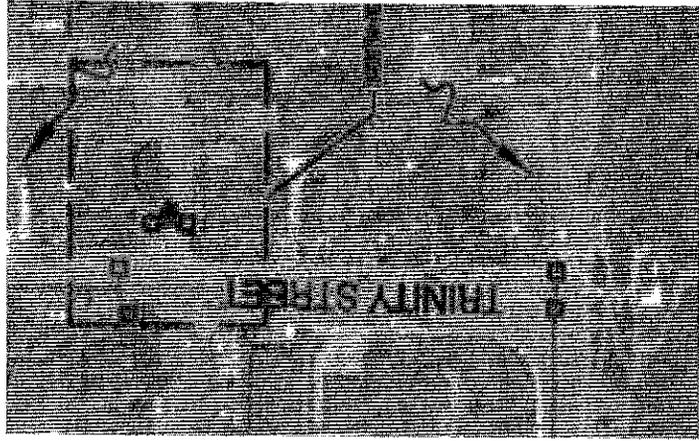
Installed Swale on Ocean



New Turf Block Product



Review of West Street Project Work



LEGEND

- EXISTING STORM DRAIN INLET
- EXISTING STORM DRAIN PIPE
- EXISTING TREATMENT CHAMBER
- EXISTING INFILTRATION PIPE
- EXISTING BIO-SWALE
- NEW STORM DRAIN INLET
- NEW STORM DRAIN PIPE
- NEW TREATMENT CHAMBER
- NEW INFILTRATION PIPE
- NEW BIO-SWALE
- NEW RAIN GARDEN
- DIRECTION OF FLOW

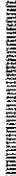
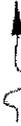
Overview:

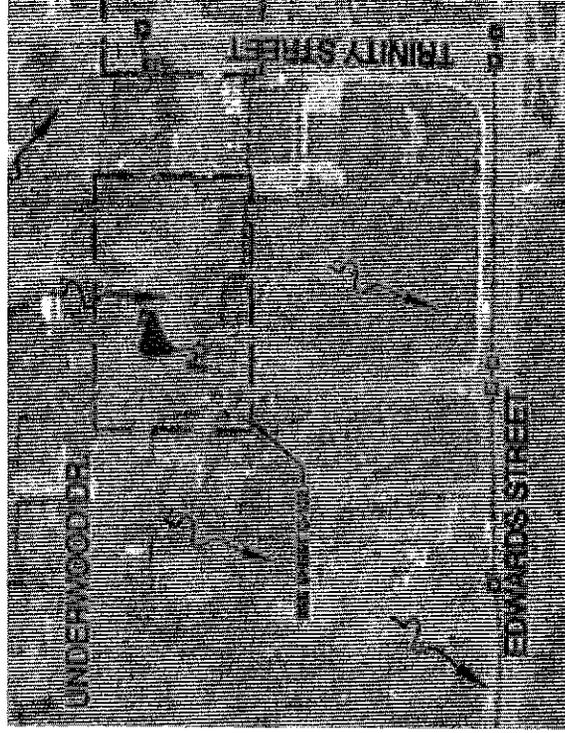
- Located on West Street between Trinity and Ocean
- No bioswales
- Drainage inlets, treatment chamber, and infiltration pipes in street



Review of Hector Street Project Work

LEGEND

| | |
|---|----------------------------|
|  | EXISTING STORM DRAIN INLET |
|  | EXISTING STORM DRAIN PIPE |
|  | EXISTING TREATMENT CHAMBER |
|  | EXISTING INFILTRATION PIPE |
|  | EXISTING BIO-SWALE |
|  | NEW STORM DRAIN INLET |
|  | NEW STORM DRAIN PIPE |
|  | NEW TREATMENT CHAMBER |
|  | NEW INFILTRATION PIPE |
|  | NEW BIO-SWALE |
|  | NEW RAIN GARDEN |
|  | DIRECTION OF FLOW |

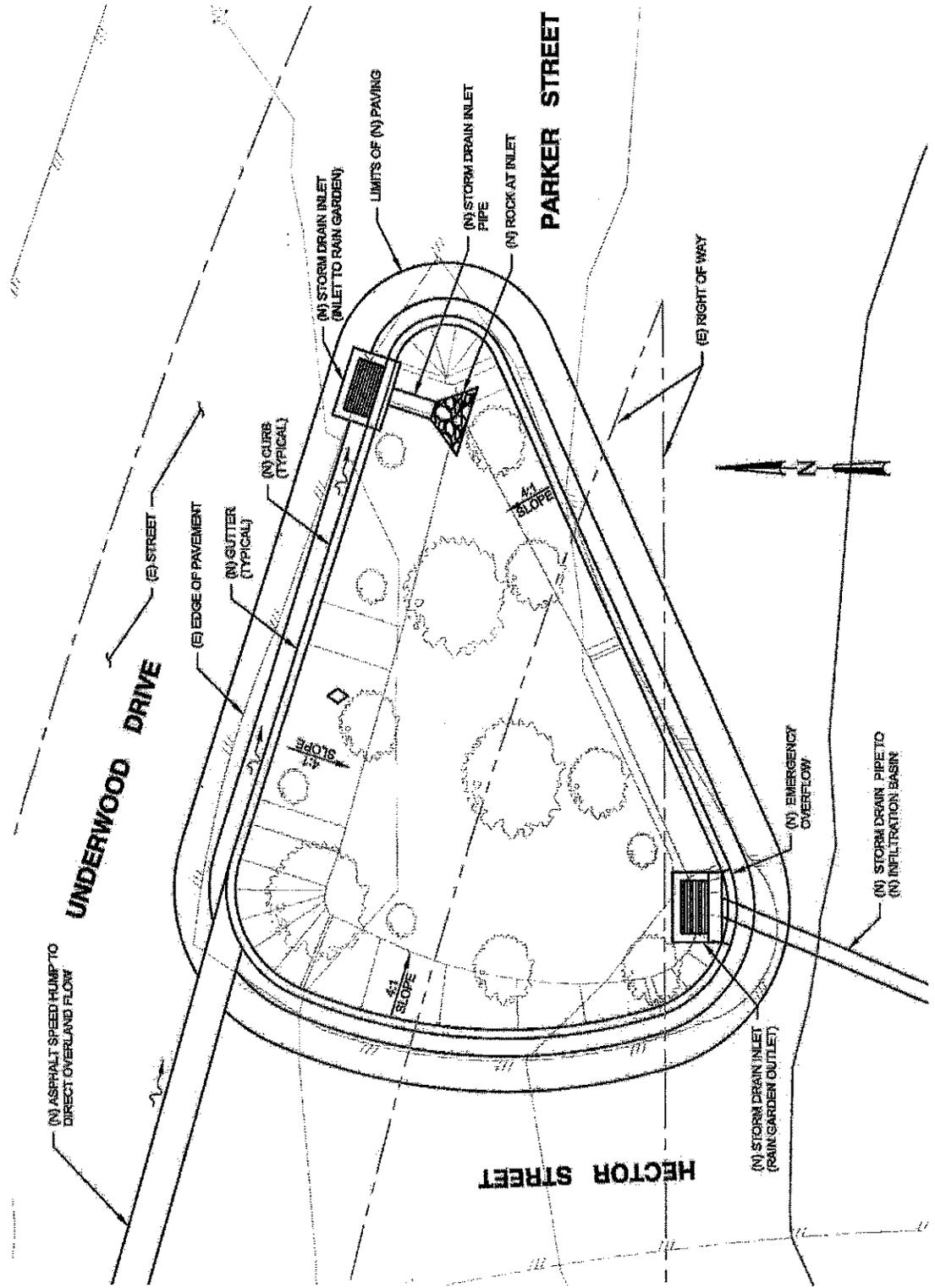


Overview:

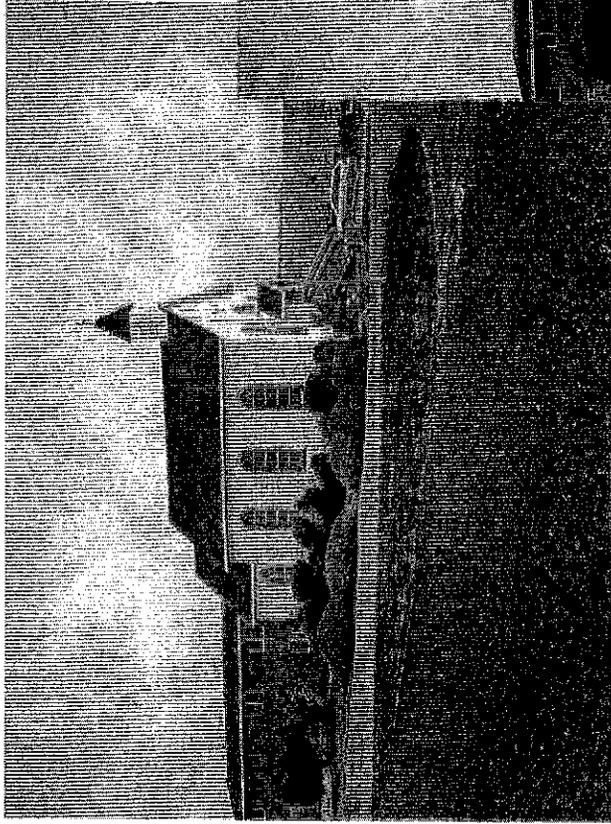
- Located on Hector Street and Underwood
- Rain garden with native plants
- Treatment chamber and infiltration pipes in street



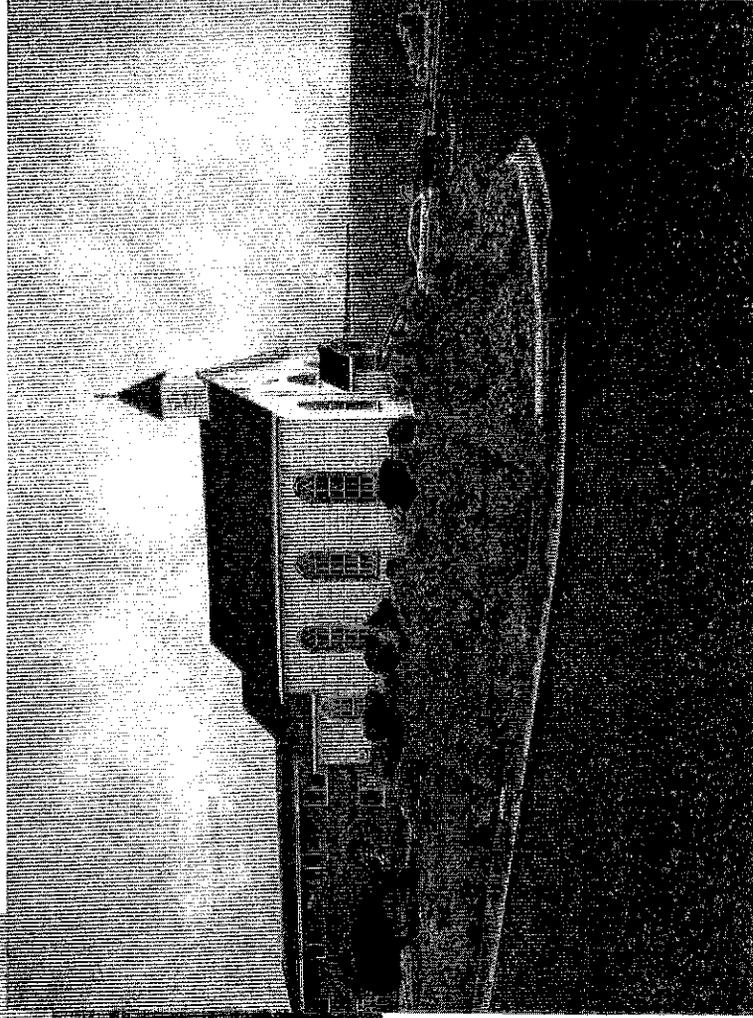
Design: Rain Garden at Hector & Underwood



Rendering: Rain Garden at Hector & Underwood



BEFORE



AFTER- RENDERING



Next Steps

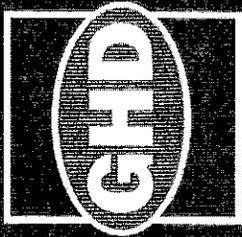
OPC Upper Watershed Stormwater Project

- Construction of Hector, East, and West Streets Scheduled for Fall 2017
- Construction likely September and October
- Smaller projects than those on Trinity and Ocean
- No street closures but one-way traffic during construction
- Smaller projects also not as deep, with no shoring and less noise than before

Lower Watershed Stormwater Project

- Prop 1 grant application for \$4 million selected for funding
- City is working with State to finalize grant agreement
- Work would allow final stormwater components to be constructed
- Storm drain outfall on beach by boat ramp would be abandoned in place





Questions?

www.ghd.com



DISCUSSION AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

3. Discussion/Decision regarding Ocean Avenue Encroachments and Right of Way Recovery Project.

DISCUSSION AGENDA ITEM

Wednesday, July 26th 2017

Item: Ocean Avenue Encroachments and Right of Way Recovery

Summary:

On March 8, 2017, a Consent Agenda Staff Report described the issue of encroachments into the City right of way at 407 and 357 Ocean Avenue. These encroachments either eliminate parking in the right of way altogether, or create a situation where cars that park adjacent to them are partially blocking what should be the cleared roadway. The Council approved the staff proposal to move forward with further conversations with the property owners, to get cost estimates for recovering the Ocean Avenue right of way and to come back to Council for cost approval.

A scope of work to recover the City right of way and create parking consistent with the other properties on the street at both locations has been developed and offered for bid. The low Bid for both projects combined was \$8,400. The project purpose is to provide parking in front of both properties without encroaching on the road width needed for safe two-way traffic. The project also provides consistency between these properties and their neighbors up and down the street.

On June 28th staff recommended approving the low bid and going forward with the project. The Council discussed the issue and directed staff to discuss further with the City Attorney, City Engineer, and with the residents and owners, and return to Council.

General Right of Way Policy Discussion–

Where the full street right of way is not developed with roadway, curbs, sidewalks, or other public improvements, it is not unusual that the adjoining property owners will, over time, end up with vegetation, grass, hedges, or other encroachments over some portion of the ‘unused’ right of way. The City effectively ‘owns’ the full right of way on behalf of the City, and has the right to reclaim and use it as needed for the benefit of the public, for instance to widen a street, provide public parking, address a safety issue, or support other public infrastructure.

Where an adjacent neighbor desires to construct or place anything within the City’s right of way, they are required to utilize the Encroachment Permit process to do so. This allows the City to review and consider whether allowing a particular use in the right of way is in the public interest, as outlined in detail in City Code section 12.04. For instance, the City recently approved an Encroachment Permit for a retaining wall in the City right of way at 321 Trinity St. The wall is in line with the sidewalk edge on the two adjoining properties, parking and street width are deemed fully adequate, and importantly the Permit explicitly requires the adjoining owner to remove all improvements at the City’s request in the future.

There are many unpermitted (and some permitted) encroachments into the City right of way throughout Trinidad. Staff see no need to systematically address existing encroachments simply on principle, and indeed do not have the time nor resources to do so. However any new encroachment should absolutely be required to utilize the encroachment permit process, and staff

will make all efforts to prevent new unpermitted encroachments from occurring. For existing encroachments, staff believe the right of way should be reclaimed where it is necessary for public safety, to implement specific public works projects, or for other public benefit. This brings us to the two encroachments under discussion today.

At 407 Ocean

In this case the encroachment creates a situation where cars parked in front of it are blocking the flow of traffic and creating an unsafe condition. One option would be to paint the curb red and not allow parking, but parking is in short supply on Ocean St. Staff recommend the encroachment be removed to allow safe parking in front of this residence, and a consistent 'right of way' line along the street. The (new) owner understands the City's plan (as described on the attached Scope of Work) and does not object. The encroachment into the right of way was constructed decades ago, by a previous owner. The City Attorney does not recommend attempting to hold the current owner financially liable for the work due to their complete lack of involvement in the creation of this encroachment.

At 357 Ocean Ave

An Escalonia hedge was planted in the City right of way, and has subsequently grown to massive proportions, engulfing the entire 8' unpaved right of way, pushing beyond that into the paved roadway, and covering the City water meter such that our staff have to crawl deep into the hedge to read the meter, which puts them in a dangerous situation relative to passing cars.

Staff have so far been unable to contact the owner of the property. The City has a name, but the water billing and County assessor data provide a local PO Box that staff understand is used by the current resident. The current resident has refused staff's requests to provide a number or address for the owner.

Staff's recommendation is to notify the owner that the City is requiring the hedge to be removed from the full right of way, and that the owner can either complete that effort themselves, or reimburse the City for the cost. While we have not reached the owner, and very much want to do so, certified mail to the address on record for the parcel should be adequate legal notice. If there is no response, the City may have to fall back on completing the work, billing the owner, and pursuing a lien against the property if necessary to recover our costs.

The City Attorney's advice includes the following points:

1. The City certainly has the right to reclaim the entire right of way if it desires— it is City property.
2. Because the hedge was planted by the current owner (or their tenant), the City has a reasonable claim to demand that the owner remove the hedge, or reimburse the City for doing so. If there was objection, this could be pursued through a nuisance abatement process, or through a small claims court process. The latter would be less expensive and involved.
3. Either approach (nuisance abatement or small claims) will require proper noticing of the owner.

4. Depending on the scale of the costs involved, it may be more efficient to have the City pay for the work, or to negotiate a shared cost arrangement. i.e. we may spend more in time and money than we get back.

The current resident has done substantial trimming of the hedge, and strongly objects to staff's recommendation for its complete removal. The City considered the removal of this hedge in 2014 as part of the Stormwater Project construction, and decided against it at that time. However that decision is largely irrelevant to the current discussion in staff's opinion.

The other option at 357 Ocean is to hold off on complete removal of the hedge, and instead require it be trimmed enough to allow safe access to the water meter, and safe passage and visibility for the paved roadway. This would not provide any parking, and would present the same ongoing challenge as at 407 Ocean, where people parking adjacent to the (trimmed) hedge would be partially obstructing the safe flow of traffic on the street.

Financial Impact:

Removal of both encroachments and creation of graveled parking in both locations as provided on the attached scope of work was bid at \$8,400. Staff expect the costs to be roughly even between the two, and can work with the contractor to split the bid cost between the two parcels in order to recover the costs at 357 Ocean from the homeowner.

This project is not included in the 2018 Public Works Budget. There are substantial funds in the Capital Asset and Special Projects reserve to support this safety project.

Staff recommendation

- *Approve the use of up to \$8,400 from the Capital Asset and Special Project Reserve Fund for the Ocean Ave Right of Way Recovery Project.*
- *Direct staff to complete the necessary legal notifications to the address on file for the owner of 357 Ocean so that they can either do the work themselves, or the City can recover our costs for the project from them if they do not.*
- *Once those notifications are complete, accept the low bid and move forward to implement the project.*

Alternate minimum option for public safety (not staff's recommendation):

If the Council does not want to expend these funds at this time, or have other objections to the project, staff would recommend at a minimum that the Council direct staff to paint the curb red at 407 Ocean, and paint a red stripe on the edge of pavement adjacent to the hedge, so that people will not create a safety hazard by parking in these locations, and can be ticketed if they do.

Attachment:

- Ocean Avenue Scope of Work

City of Trinidad Ocean Avenue Right of Way Recovery Project

Scope of Work

At 407 Ocean Ave in front of property:

- Contractor to locate utilities
- Remove A/C curb
- Shrubs to be trimmed to 1 foot from right of way on city side
- Excavate 6 inches below road grade to 1 foot from edge of city side of right of way and compact exposed subgrade
- Install 4 x 4 (minimum size) pressure treated lumber rebar pinned retaining wall to lawn grade
- Backfill with open graded crushed base rock to road grade and compact
- Meter box to be re-installed to road grade

At 364 Ocean in front of property

- Contractor to locate utilities
- Remove hedge on City side to edge of right of way
- Excavate to 6 inches below road grade and compact exposed subgrade
- Backfill with open graded crushed base rock to road grade and compact
- Meter box to be re-installed to road grade