

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JUNE 08, 2011

I. CALL TO ORDER/ROLL CALL

- Mayor Bhardwaj called the meeting to order at 7:00PM. Council members in attendance: Morgan, Bhardwaj, Davies, Fulkerson. **Miller – Absent.**
- City Staff in attendance: City Clerk Gabriel Adams, City Manager Karen Suiker.

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION – No closed session scheduled.

IV. RECONVENE TO OPEN SESSION

V. APPROVAL OF AGENDA

- *Move consent item 4 to discussion with amendments.*
 - *Add emergency item: Resolution 2011-05.*
- Motion (Morgan/Fulkerson) to approve the agenda as amended. **Passed 4-0.***

VI. APPROVAL OF MINUTES – May 11, 2011 CC

- *Motion Fulkerson/Davies to approve the minutes as amended. **Passed 4-0.***

VII. COMMISSIONERS REPORTS

Bhardwaj:

- **HCAOG:** MCSD requested to join HCAOG, along with a local Tribal government.
- **Fisherman's Wives Association:** Planning staff should determine whether the banner project will require design review, are they signs, is the process fair, and where the locations will be. Staff should report back at a future meeting.

Morgan: Fish Festival recap.

Fulkerson: Quality Design Committee is still being formed. HTA is interviewing candidates for Executive Director position.

Davies: Nothing to report.

VIII. STAFF REPORTS

Karen Suiker – City Manager

- HCAOG Technical Advisory Committee will meet to discuss TEA Fund distribution. May offset loss of ARRA funds.

Richard Johnson – Planning Commission Chair

- VDU Ordinance will be reviewed at next week's meeting. Attorney's comments have been incorporated into the Ordinance. Final review of circulation element of general plan will also be discussed.

IX. ITEMS FROM THE FLOOR

Jim Cuthbertson – Trinidad

Concerned about lack of trail maintenance on Trinidad Head. Complaints have been received about how overgrown it's become. Are we trying to close it? **City Manager Suiker** explained that the City has contacted the Coastal Commission and asked for a determination clarifying maintenance procedures.

Tom Odom – Trinidad

Poison Oak on Trinidad Head Trail is out of control. Why isn't it being maintained?

Brad Twoomey – Trinidad

Trinidad Head should be a park someday. Complained about the neighborhood watch signs installed throughout town. The one at the entrance of town is inappropriate and should be relocated.

Richard Johnson – Trinidad Area Resident

Council assignments on the website are outdated. The Gateway Committee assignment is an important role. The Committee should stay informed and agree to the proposed light pole relocation. Public input is necessary.

Councilmember Davies explained why a meeting of the Gateway Committee for this issue didn't seem necessary.

Stan Binnie – Trinidad

Uncomfortable moving ahead with light pole relocation without a Gateway Committee meeting. Also, a large tree has been removed without City approval on a property adjacent to mine. Would like to know how that happened.

Kim Tays – Trinidad

Various complaints and criticisms regarding requests for public documents. City Hall is intimidating, and alleged that her right to public document access has been violated. Threatened to elevate her complaint to the Grand Jury.

John Spyropolous – Trinidad

Various complaints and criticisms regarding City Clerk and Manager. Echoed Tays's comments.

X. CONSENT AGENDA

1. Staff Activities Report through May 2011
2. Financial Status Reports for April 2011
3. Resolution 2011-02: Supporting NCRA Railbanking
4. Resolution 2011-04: Authorizing Signature for Funding Agreement to Receive Prop 50 Funds for Water Department Turbidity Monitoring Project.

*Motion (Fulkerson/Davies) to approve the consent agenda 1-3. **Passed 4-0.***

*Motion (Davies/Fulkerson) to approve consent agenda 4. **Passed 3-0-1. Morgan abstained.***

XI. AGENDA ITEMS

1. Discussion/Decision regarding Van Wycke Trail Repair Feasibility Study
Councilmember Fulkerson recused herself from the discussion.

City Engineer Josh Wolf explained the following options that should be considered suitable options for the repair:

- Sheet Pile Wall Soldier Pile Wall
- Soldier Pile Wall Wire Retaining Wall
- Gabion Wall Reinforced Soil Embankment

Councilmember Morgan explained that there are only 3 members present to vote. Council should defer any decision tonight and hold until Miller returns.

Public comment included:

Jim Cuthbertson – Trinidad

The trail is sinking, but not closed.

Tom Odom – Trinidad

The trail is a main public walkway. However, the money should be spent elsewhere. There are much bigger priorities within the city.

Stan Binnie – Trinidad

This is a very popular trail. It has become unsafe and people disregard the signs. How do we close it completely?

Councilmember comments:

Morgan: Would like to see a proposal from Madrone Enterprises before making any decision. **Davies** agreed.

No decision was made. Item continued to a future meeting once Madrone Enterprises has a chance to respond and Councilmember Miller returns from vacation.

2. Discussion/Decision regarding Agreement to Provide Law Enforcement Services within the City of Trinidad
City Manager Suiker explained that through it's agreement with the HCSO law enforcement services are provided to the City. This agreement provides 1.5 sheriff deputies assigned to Trinidad, supported by backup and auxiliary services. All liability associated with the actions or performance of its deputies is the responsibility of Humboldt County. The charge to the City for FY 2011-2012 for continued level of service would be \$182,745. This represents a 1.5% increase compared to the current fiscal year.

Cost calculations made at the time of the initial agreement identified a savings of about \$34,000 per year as compared to Trinidad maintaining its own police force. The proposed agreement includes a three-year arrangement and continuation of service at the present service level.

Public comment included:

Mike Downey – Humboldt County Sheriff

Concerned about the availability of COPS grant funding, but our feeling is that the current level of funding will be reached at the conclusion of State budget discussions. Very satisfied with the proposed contract.

Tom Odom – Trinidad

In 60 years of living in Trinidad, I believe that the City has the best coverage and police protection ever at this time with Deputy Hicks. Very grateful for his level of service and response to community needs.

Jim Cuthbertson – Trinidad

The City should liquidate all left-over assets from the old Police Department.

Richard Johnson – Trinidad Area Resident

The City should discuss a separate animal control contract.

Council comment included:

Morgan: Extremely satisfied with Deputy Hicks. He's doing a great job.

Fulkerson: Would like to discuss ways to make the officer feel more like Trinidad's officer. **Mike Downey** encouraged the Council to forward suggestions and comments to his attention and confirmed he will do everything he can to support ways to make this happen.

*Motion (Fulkerson/Davies) to authorize the Mayor to execute an agreement with the HCSO following review and approval by City Attorney and subject to inclusion of language to authorize renegotiation in the event of failure of State to annually appropriate \$100,000 to offset local law enforcement services. Also, authorize city staff to sell or otherwise properly dispose of police related assets. **Passed 4-0.***

3. Discussion/Decision to approve Resolution 2011-03; Adopting the FY 2012 Annual Budget.

City Manager Suiker explained that the proposed budget is ready for adoption that includes changes, comments, and suggestions made at the May 25, 2011 budget workshop. Key points related to the budget presentation included:

- Planned expenditures exceed anticipated revenues, meaning reserve or carried forward balances will need to be utilized to offset the differences. This practice is unsustainable for the long term.
- Draft budget includes \$14,848 to conduct a water rate analysis to consider rate adjustments through Prop 218 process.
- Assumes continuation of the \$100,000 annual funding received to offset local law enforcement services.
- Grant Administrator position is proposed to increase from 60% to full time at an hourly rate of \$21.00/hr, with 95% of the costs funded through the application costs to various grants. Other employee salaries are proposed to increase by 2%.
- Reserve designation of \$50,000 to be formally set aside for future Fire Department equipment acquisitions.
- Special project funds are not included for adoption in the City's budget because they are determined by the respective funding sources.

- Changes that now have been incorporated into the proposed budget based on Council direction on May 25, 2011 include:
 - One-time \$1,000 contribution to the McKinleyville Family Resource Center to support related activities serving Trinidad families.
 - Distribution of TOT: \$1,500 to HCCVB, \$3,000 to Trinidad Chamber of Commerce (an additional \$3,000 may be considered when the issues of state support for law enforcement and ability to recoup expenditures for Museum Landscaping Project are resolved.
 - \$500 contribution for banner hardware compatible with the new light poles, with banner placement to be administered by the Trinidad Chamber of Commerce.
 - Request for \$1,500 to support birding interpreters was deferred for additional clarification/details.

Public comments included:

Richard Johnson – Trinidad Area Resident

Why do we still have a records manager at the Police Department? What do we intend to do to close in on deficits?

Council comments included:

Morgan: I want to ensure that the \$50,000 allocation to the Fire Department is secure, and have the opportunity to re-evaluate whether that number is accurate. Also, the ARRA grant reimbursement issue is serious. We should set September as a time to discuss and amend the budget if necessary.

Fulkerson: We are in the black, and ensured the public that this is no time to panic. I trust that the City Manager can handle the budget. It may take more than a year to resolve.

Davies: Being frustrated about an issue won't fix it. There is a plan in place to recover from a deficit this year.

*Motion (Fulkerson/Davies) to approve Resolution 2011-04, and 2011-05 adopting the FY 2011-2012 budget with amendments made to Water Department line items as discussed. **Motion passed 3-1. No - Morgan.***

4. First reading of Ordinance 2011-01; Relating to Qualifications of Planning Commissioners.

City Manager Suiker explained that staff was directed to modify the current ordinance to authorize the Council, in times of need, to appoint up to (2) members that live outside the City limits, in the greater Trinidad area, as defined in the ordinance.

Public comment included:

Tom Odom – Trinidad

Urged the Council not to move ahead with this ordinance. I understand that one resident has recently expressed interest in applying, and noted he has 3 others that will likely submit letters of interest. Please postpone this decision for one month pending applications from City residents are received.

John Spyropolous – Trinidad

I don't want to see City residents become a minority on the Commission.

Council comment included:

Bhardwaj: If there's a possibility someone will step forward, I agree that we should delay this item for 1 month as requested by the public.

Fulkerson: It's difficult to find qualified volunteers to serve the city. I support moving the proposed Ordinance forward. **Davies** agreed.

Motion (Fulkerson/Davies) to adopt Ordinance 2011-01.

Motion failed by the following vote: (2-Yes) – Fulkerson, Davies (2-No) – Bhardwaj, Morgan.

5. **Emergency Items:**

- a. Resolution 2011-05: Authorizing City Manager to Sign Funding Agreements for Safe Water Drinking Fund Grant Program, and Authorize the City Engineer to Execute Budget and Expenditure Summary.

*Motion (Davies/Fulkerson) to approve Resolution 2011-05 as written. **Passed 4-0.***

XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

- **Fulkerson:** Gateway Project Presentation.

XIII. ADJOURNMENT

- Meeting ended at 9:55 pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Kathy Bhardwaj
Mayor

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