

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, NOVEMBER 09, 2011

I. CALL TO ORDER/ROLL CALL

- Mayor Bhardwaj called the meeting to order at 7:00PM. Council members in attendance: Miller, Bhardwaj, Davies, Fulkerson. **Morgan was absent.**
- City Staff in attendance: City Clerk Gabriel Adams, City Manager Karen Suiker, TPW Director Bryan Buckman, City Engineer Rebecca Crow.

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

1. Government Code section 54956.9(b)(3): Pending Litigation

IV. RECONVENE TO OPEN SESSION

Mayor Bhardwaj announced that the Council has decided not to pursue any further litigation against Freeman Architects for loss of ARRA funding for Saunders Park development. Council has determined that sanctions made by Caltrans were disproportionate to the consequences as well.

V. APPROVAL OF AGENDA

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

VI. APPROVAL OF MINUTES – No minutes to approve.

VII. COMMISSIONERS REPORTS

Miller: Nothing to report

Fulkerson: Unable to attend November 10 special meeting scheduled to discuss Moss Subdivision.

Bhardwaj: HCAOG discussed issues with allowing Tribal representation. Also discussed 101 Safety Corridor proposal to ask cities to allocate STIP funding back to HCAOG for improvements to that section of freeway.

Davies: Brief report on RCEA meeting.

VIII. STAFF REPORTS

Karen Suiker – City Manager

- Summarized staff report included in the Council meeting packet.

IX. ITEMS FROM THE FLOOR

Tom Odom – Trinidad

Received a phone call from Pacific Street resident regarding drainage from a city street affecting her property. Asked the Council to address the situation.

Jim Cuthbertson – Trinidad

Azalea & Pacific Streets have been ignored for many years and should be addressed. Also, intersection at Scenic & Main Street is dark and unsafe. A light should be installed to improve safety of pedestrians and vehicles crossing intersection.

Marie Kelleher-Roy – Trinidad area resident.

Commented on trail and road maintenance on Trinidad Head.

X. CONSENT AGENDA

1. Staff Activities Report through October 2011
2. Financial Status Reports for September 2011

3. Updated Contract for City Attorney Legal Services
4. Agreement for Accounting and Financial Services
5. Bid award for Surplus Property - 2000 Ford Expedition
6. Updated Contract between the State of California and the City of Trinidad for 2002 Park Bond and Roberti Z'Berg-Harris Bond Act Fund Reimbursements
7. Use Permit/CDP 2011-05; Certification of Planning Commission Decision as required by PD Zoning Ordinance.

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

XI. AGENDA ITEMS

1. Proclamation 2011-05; Recognition and Support of the Great American Smokeout, November 17, 2011.
Representative Denise George explained the Proclamation, her involvement with the program, and thanked the Council for supporting the Great American Smokeout.

*Motion (Miller/Fulkerson) to approve Proclamation 2011-05. **Passed 4-0.***

2. Discussion/Decision regarding Proposed Water Rate Increase Notice.
City Manager Suiker explained that the draft Notice of Public Hearing on Proposed Water Rate Increases was prepared based on Council action to increase water rates to generate an additional \$100,000 and change the in city/out of city differential from 50% to 15%.

The substantial increase as a result of this proposed change in monthly water rates caused staff to survey other water service providers and take a closer look at the financial data used in the rate analysis. The Council may wish to consider a lesser increase based on the following:

- The expenditure projections were based on budgeted amounts, which historically are higher than actual expenditures and presumably that trend will continue.
- The debt service payment will mature in FY 13-14, freeing up nearly \$26,000 in annual payments.

Toward that end, it is recommended that the Council consider reducing the additional amount to generate through fee increases from \$100,000 to \$50,000 per year. That will reduce the amount available for capital expenditures, but some of that will be restored once the debt service is paid in full in FY 2013-2014.

Public comment included:

Geoff Proust – Trinidad School Principal

Read a letter submitted to the Council and included in the packet. Expressed concerns with how the new rates will impact an already tight budget, and requested consideration for a reduced rate or alternative scenario for how the school is billed. He explained that based upon the draft rate structure, the school would get hit with a \$5,000 overall increase annually.

Jim Cuthbertson – Trinidad

Warned the Council that if the rates aren't modified from the current proposal, they will likely get voted down. The City should review expenses and make cuts before passing along the burden completely to rate payers.

Tom Odom – Trinidad

Agreed with Cuthbertson. The draft rates should address \$50,000 increased revenue vs. \$100,000.

Shirley Laos – Trinidad

Supports the new, adjusted draft rates as proposed tonight that reflect a reduction in overall revenue target from \$100,000 to a more reasonable amount like \$50-60,000.

Kim Tays – Trinidad

The City should complete an energy audit and cut costs before adopting new rates.

Council comments included:

Fulkerson: Perhaps the City could create a fund that would help offset higher rates to the School based upon the City's use of the School grounds after-hours? The City definitely benefits from the beautiful landscaping that the School maintains. Also, we all should realize how cheap this water is, and how lucky we are to have it delivered to our homes.

Miller: Maybe we should revisit the rate differential for outside-city residents? Conservation is important, but the progressive rate structure didn't produce significant results. I'm certainly willing to pay increase rates for water that is clean and safe to drink. The cost to produce good, clean water that meets current State health standards will continue to increase over time. The Water Department runs lean, and the infrastructure we use to treat our water needs regular attention. I'm in favor of paying an increased rate to maintain the highest level of water.

Davies: I don't want the rate structure to have such a significant impact to the School. Should we consider a 25% differential for outside-city residents? Treating water with less chemicals and using mechanical processes is a priority.

Bhardwaj: The treatment plant is running lean and efficiently. TPW has found and fixed numerous leaks throughout the system, adjusted polymers and saved money, and consumes only enough energy to get the job done. We should all be pleased with Water Department staff, and appreciate how well they work with the City's best interests in mind. There is no us vs. them – it's OUR money. We need to make our finances sustainable, but protecting the School from significant impacts should be a priority. We should revisit a 25% rate differential, and lower the target to \$50,000 increased revenue.

By consensus, the Council agreed to direct Staff to return with a new proposal that adjusts revenue target to \$50,000, raise the differential to 25%, and protect the school however possible.

3. Discussion/Decision regarding updated draft Town Hall rental Rates and Application Procedure.
City Manager Suiker introduced Kara Newman. Newman explained that research and data collection lead to conclusions and recommendations for the City of Trinidad's facility rental fees and procedures. Data collection included but was not limited to facility rental fees and procedures from similar facilities in Blue Lake, Arcata and Ferndale. It was evident from comparing other city's policies that Trinidad would benefit from revising their fee schedule as well as making some changes to the facility rental process.

Public comment included:

Kim Tays – Trinidad

Detail work should be done on a regular basis.

Patti Fleschner – Trinidad

Please don't increase rates for instructors. We will lose them if they're required to pay a fee. It's a benefit to our quality of life to have access to talented instructors who wouldn't likely be here if it weren't for availability of the Hall free-of-charge.

Council comment included:

Miller: It doesn't make sense to charge higher fees if it prohibits the use of the facility.

Fulkerson: It looks like an airtight process – take deposits, be strict with check-out process and hold tenants accountable. Civic groups should not be required to pay a use fee. Parties and for-profit groups should pay.

Davies: Classes and activities open to the public should not be required to pay a fee. A monitor for large events should be on site and the tenant should be required to pay for the service.

Bhardwaj: I agree with the Council comments so far. More follow up after large parties is necessary, and tenants should be held accountable for any damages that occur.

Based upon input from Council and draft amendments provided by Newman for integration into the new rental contract, the following items were agreed to:

- *The Town Hall Rental Application should require renters who are charging admission provide their Non-Profit I.D. as well as a description of what the proceeds will be used for.*
- *The Local Event rental fee should be raised to \$30/hr.*
- *Saunders Park should be available to reserve for \$200 Non Profit/Youth/School/Senior Group Rate and \$250 for Private/Business Rate.*
- *The Security Deposit should be referred to as the Security/Clean-Up/Damage Deposit and raised to \$300. Public Works should complete and submit to the City Clerk a completed Clean-Up/Damage Deposit checklist following each rental. City Clerk should mail back deposit within two weeks of the rental..*
- *A 20% surcharge should be put towards a Town Hall maintenance fund. The Town Hall maintenance fund would cover: utilities, regular repairs, custodial, capital improvements, staff costs and insurance/risk management.*
- *Event host should be required for large parties over 100 people.*

*Motion (Miller/Fulkerson) to approve the amendments to the Town Hall rental agreement. **Passed 4-0.***

4. Discussion/Decision to consider additional appointment to Trinidad Head Committee.

City Manager Suiker explained that Rocky Whitlow has expressed interest in joining the Committee. The Council appointed members to the committee, and should decide whether or not to add new members.

Public comment included:

Shirley Laos – Trinidad Rancheria VP

If the Council adds new members, then others people should have the opportunity to be considered as well.

Mareva Russo – Trinidad

Agreed with Laos. Does not support adding new members at this time.

Victoria Sackville-Rosen – Trinidad

The deadline to sign up has passed. No new members should be considered.

Council comments included:

Davies, Fulkerson, Miller agreed that the deadline was set and the committee formed. No additions.

Bhardwaj: Complimented and thanked applicant and encouraged her to continue to attend meetings.

No action taken.

5. Discussion/Decision regarding request to waive fees for design review of the banners intended to celebrate the commercial fishing fleet.

City Manager Suiker explained that earlier this year the Council heard a presentation from a representative of the Commercial Fishermen's Wives to install banners throughout Trinidad to celebrate the commercial fishing fleet. The council subsequently approved a budget allocation of \$500 for banner hardware to be compatible with the new light poles, with banner placement to be administered by the Chamber of Commerce.

The Council is now being requested to consider waiving fees for design review. The actual fee is not known at this point, but would depend on actual time and materials of planning staff effort expended toward this project. A deposit of \$750 would normally be collected up front, with additional funds assessed or excess refunded depending on the actual costs.

Public comment included:

Mareva Russo – Trinidad

The fee should not be waived.

Marge O'Brien – Trinidad

I support the banners. They will decorate the town beautifully, and celebrate or fishing heritage.

Brad Twoomey – Trinidad

Various complaints and criticisms about sign issues, preventing eyesores, etc. Kim Tays agreed with Twoomey that the city should not pay for the application.

Council comment included:

Fulkerson: \$750 seems high for application fees. Banners concern me due to possible future requests. More details are needed. **Bhardwaj and Davies** agreed.

By consensus, the Council agreed not to waive the fees.

6. Discussion/Decision regarding acceptance of Bid and Contract for Town Hall HVAC and Insulation project. City Manager Suiker explained that sealed bids were solicited for the project to 1) insulate the Town Hall Ceiling; 2) Install a 95% efficient 100,000 btu/hour furnace and a 95% efficient 60,000 btu/hour furnace to replace existing equipment; and 3) Install a ventilation system in the main room of the City Hall. Bids were received and opened on November 7, 2011. This project is funded by the American Recovery and Reinvestment Act (ARRA) Energy Efficiency and Conservation Block Grant (EECBG) through a sub grantee agreement with the County of Humboldt. Approximately \$24,000 is available for completing this project.

Project work is expected to begin in November or December and be completed in January 2012.

There was no public comment.

Motion (Miller/Fulkerson) to accept the bid and award contract to Pierson and Co. for Insulation project, and award O&M Industries the contract for the HVAC and Furnace Replacement project. Passed 4-0.

XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

XIII. ADJOURNMENT

- Meeting ended at 10:25 pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Kathy Bhardwaj
Mayor