

Risk Management Assessment Report

Presented to

City of Trinidad

December 10, 2018

From page 4, **Executive Summary** of report:

General liability claims also poses a significant risk exposure for the City. The City of Trinidad is small, both in terms of population and geography; however, it has many of the same general liability risk exposures of larger cities. This includes exposures related to sidewalk liability, urban forest management, and contractual transfer of risk. Some exposures that are unique to Trinidad are its scenic coastline and its many natural trails that bring visitors to the area. Many of the trails observed during the visit were in poor condition. While signage was posted to warn walkers of potential hazards, the City will need to work with PARSAC to ensure that City is able to maintain “trail immunity” in the event a claim is presented against the City.

From pages 5-6, **Critical Findings and Recommendations** of report:

Critical Findings and Recommendations

Critical findings are those areas in which we feel that the City can have the greatest impact on its safety and risk control program.

Trail Access and Trail Immunity

The City has several trail systems that are used frequently by both local residents and tourists. The condition of many of the trails that were observed during the visit was poor and with limited signage to warn of potential hazards. Although the City may have trail immunity under California Government Code 831.4, which shields public entities from liability when injuries are suffered by those using public property for recreational purposes, the City should take reasonable care to prevent injuries and provide notice of potential hazards to visitors.

Axel Lindgren Memorial Trail

The sign posted at the trailhead of the Axel Lindgren Memorial Trail is not adequate to warn users of potential hazards. The sign was printed on standard size paper, protected by a plastic cover sheet, and posted on a temporary traffic barricade. The wording on the sign states “WARNING UNSTABLE TRAIL USE AT YOUR OWN RISK”. Additionally, the warning sign is much smaller than the sign regarding “No Fires or Fireworks Permitted”, which diminishes the warning signs importance.

A warning sign must be clearly visible and large enough to be noticed immediately. Additionally, the sign should include specific hazards of using the trail. PARSAC recommends that a sign stating the following should be posted at the trail entrance:

WARNING

Watch for hazards

including steep grade, uneven surface, unstable soil, and tripping hazards.

USE AT OWN RISK

The sign and font size should follow industry standards for warning signs and be legible from a distance of 25 feet. Similar signs should be posted for other City owned trails indicating the specific hazards of those trails.

The trail itself also has several tripping hazards that are mainly due to the prior improvements to the trail falling in disrepair. This includes several areas where the wood has worn down with rebar poking out and other areas where a steel cable is exposed. The area above the trail, near the original landing for the lighthouse, also has loose planks and exposed rebar. As these improvements are not natural conditions of the trail, the trail should be closed until repairs are made.

Van Wycke Trail

The Van Wycke is a very short trail that has received grant funding to convert the trail into a pedestrian and bicycle connector trail. Several portions of the trail have experienced severe erosion and present a significant fall hazard, as the trail is at the edge of a bluff. Although the City has put up warning signs indicating that the bluff is unstable, based upon its current condition the trail should be closed until permanent repairs are made. A chain or other type of barricade with signage indicating that the trail is closed should be installed.