

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, MAY 13, 2009

I. CALL TO ORDER/ROLL CALL

- Mayor Binnie called the meeting to order at 7:00PM. All Council members in attendance: Bhardwaj, Ratzlaff, Morgan, Binnie, Fulkerson. .
- City Staff in attendance: City Manager Steve Albright, City Clerk Gabriel Adams, City Attorney Paul Hagen, and Police Chief Ken Thraillkill.

II. PLEDGE OF ALLEGIANCE

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

IV. RECONVENE TO OPEN SESSION

V. APPROVAL OF AGENDA

*Motion (Ratzlaff/Fulkerson) to move #3, to the regular agenda for discussion and approve the remaining items as submitted. **Passed unanimously.***

VI. APPROVAL OF MINUTES

March 11, 2009 cc

*Motion (Fulkerson/Ratzlaff) to approve the minutes as submitted. **Passed unanimously.***

VII. COMMISSIONERS REPORTS

Binnie:

- **HCAOG:** The association renewed the maintenance agreement with Caltrans for 62 call boxes along the freeway at a cost of \$28,000.
- The Library Spelling Bee fundraiser was a success. City staff member team won the contest.

Bhardwaj:

- **Planning Commission:** April meeting postponed to the 29th.

Morgan:

- Tsunami Warning Drill was a success. Next drill will be held on May 13th.
- Working on a proposal to purchase NOAA alert radios for homes in the tsunami hazard zone. .
- Indian Gaming grant results should be announced later this month.

Fulkerson:

- HBMWd's revenue has been severely impacted by the Pulp Mill not purchasing large quantities of water as they once did. District customers may be expected to pay the difference through increased rates.

Ratzlaff: - *Nothing to report.*

VIII. STAFF REPORTS

City Manager - Albright: Summarized staff activities report and updated the Council on transportation grant funding, federal stimulus funding complications, and the CIWMB rubberized mulch grant. He also added that the annual audit will be complete next month, budget meetings will begin in May, and that the HR3 funds are safe.

IX. ITEMS FROM THE FLOOR

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

Jason Richie – Trinidad

Motorists camp in their cars on Edwards Street overnight, vehicles constantly speed by, and RV's ignore the No RV parking. I would like to see the Council consider measures that deter overnight camping and calm the traffic on Edwards and Trinity Streets.

Sungnome Madrone – Fox Farm, Westhaven

Notice of Preparation for Moss Minor subdivision will be sent to the City soon. The City will be asked to respond. This development will cause significant impact to the Luffenholtz Creek watershed and the City's water supply. The Council should plan to discuss this project at the next meeting, and should also request an extension for more time to comment. The project could potentially create up to 60 new residential homes.

Chi-Wei Lin – Trinidad

RCEA can assist small cities reduce their carbon footprint. The Moss subdivision on Fox Farm Road will have a major impact on Luffenholtz Watershed, specifically the ASBS. The Council should pay close attention to this project.

X. CONSENT AGENDA

1. Staff Activities Report through March, 2009
2. Financial Status Reports for February, 2009
3. Report to Council on TSA Committee Public Information Meeting

*Motion (Bhardwaj/Fulkerson) to approve the consent agenda as submitted. **Passed unanimously.***

XI. AGENDA ITEMS

1. Traffic Safety Issue on Edwards Street

City Manager Albright explained that the City Council heard a report regarding Edwards Street traffic safety issues in early 2008. Since that time, no action other than enforcement of traffic safety laws has been taken.

In recent months, several Trinidad residents have again requested that safety issues be discussed and addressed by the City Council. A number of alternatives should be considered, and the City Engineer will be asked to review concepts designed by staff.

Public comment included:

Jim Cuthbertson – Trinidad

This is a dangerous problem that will one day cause a major accident. It should be returned to the way it was before the walkway was designed.

Report and discussion item only.. The City manager will take the information gathered during discussion and draft a proposal for the City Engineer to review.

2. Presentation on Alternative to Water Rate Changes.

City Manager Albright explained that at the February 11, 2009 meeting of the City Council, Chi-Wei Lin presented to the Council a report on a possible re-structuring of the water rates in Trinidad. This report was the result of research and work that he completed while a City Councilman and as the Water Commissioner.

There were multiple reasons given for structuring the water rates. First, the current rates do not encourage water conservation. Second, the current rates have historically required customers outside of the City limits to pay 50% more than customers living inside the City. Third, revenue from the current rates is sufficient to maintain the operational costs of the system but not fund much-needed system improvements.

Staff offered to generate several additional rate structure scenarios, taking into account the reasons for amending the current rate structure. That was done, and alternate approaches to the current rate structure will be presented to the Council. The different options can be adjusted to include all or part of the rate structure changes in an eventual rate to be considered for approval by the City Council.

Council comment included:

Fulkerson: The Council first needs to agree on concepts such as, 1) in-City vs. Out-of-City rate difference, 2) conservation structure, and 3) building a reserve.

Morgan: Our first objective is to fully fund our Water Department and build the reserve. I also would like to see all residential customers pay the same rates, and possibly another rate structure for commercial or industrial users.

Binnie: I'd like to see the difference reduced or eliminated.

Bhardwaj: I could support reducing the outside-City rates but not at the expense of penalizing current low-users.. I'd also like to see how the proposed rate structure will impact the school and trailer park.

Ratzlaff: I'm in favor of reducing the rates for outside-City customers, and see this as a goodwill pay-back opportunity for those who pay the City sales tax rate.

City Manager Albright summarized the discussion and identified the following objectives for staff to work with:

- The water system should be self-sustaining
- The rate structure should build a reserve.
- The rate structure should encourage conservation.
- There should be more equity between in-City and out-of-City customer rates.

Public comment included:

Jim Cuthbertson - Trinidad

If everyone conserves and a revenue shortfall occurs, the City will have to increase rates again.

Patti Fleschner – Trinidad

I would like to see the water department hook-up anyone needing water whose property is adjacent to the main water line outside City limits.

Chi-Wei Lin- Trinidad

1. LAFCO sets the policy for extending City services to county areas regardless of the City's capacity to provide.
2. My proposal reduces the in-City vs. out-of-City difference by 50%, which seems extremely fair.
3. My rate proposal increased consumption charges gradually and spread out the burden more equitably.
4. A winter/summer rate difference is an innovative approach to encourage conservation.

Janine Volkmar – N. Westhaven

We've been paying more for water for many years. Regarding the current rate difference, why is there no proof or trace of the current difference?

Michael Crosbie – Trinidad

Businesses bring in sales tax revenue that the City benefits greatly from. This may justify lowering rates for commercial users.

Report and discussion item only. The Council agreed on the following principals to consider when drafting the new water rate proposals:

- *The system should pay for itself and not operate in deficit.*
- *The system should be generating enough income to build a reserve.*
- *The rate structure should promote conservation.*
- *There should be more equity in the difference between in-City and outside-City rates.*

Draft rate proposals will be considered at the regular Council meeting in May.

3. Public Hearing on the Adoption of Proposed Ordinance 2009-01

City Manager Albright explained that at the December 2008 Council meeting, Police Chief Ken Thraikill provided a written and oral report and answered questions from the Council regarding illegal "grow houses" for the cultivation of marijuana. There have been a number of search warrants executed in 2008 regarding this problem, and the Council requested a report on these activities.

The Council subsequently requested staff to return with a proposed ordinance that would ban the distribution of marijuana in Trinidad to 215 card-holders at “cooperatives.” The ordinance was prepared and was modeled after a similar one adopted in Fortuna in mid-2008.

Draft Ordinance, 2009-01, was presented to the Council and the public as a first reading on February 11, 2009. The Council set a public hearing date for April 8, 2009 for the purpose of receiving public input and considering the adoption of the proposed Ordinance.

*Motion (Bhardwaj/Ratzlaff) to conduct the Public Hearing on Proposed Ordinance 2009-01, approve the Ordinance prohibiting 215 Cooperatives in the City of Trinidad, and adopt Ordinance 2009-01. **Passed unanimously.***

XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

XIII. ADJOURNMENT

- Meeting ended at 10:10pm.

Submitted by:

Approved by:

Gabriel Adams
City Clerk

Stan Binnie
Mayor