

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JULY 09, 2008

I. CALL TO ORDER/ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

1. Pursuant to government code section 54956.8; Real Estate Negotiations
 - a. Tsurai Study Area Transfer

IV. RECONVENE TO OPEN SESSION

Mayor Lin reported that no decisions were made in closed session.

V. APPROVAL OF AGENDA

*Motion (Binnie/Ratzlaff) to approve the agenda as submitted. **Passed unanimously.***

VI. APPROVAL OF MINUTES

June 11, 2008 cc

*Motion (Bhardwaj/Binnie) to approve the minutes as corrected. **Passed unanimously.***

June 25, 2008 cc2

Minutes to be reviewed at a future meeting.

VII. COMMISSIONERS REPORTS

Binnie - Parks and Recreation, Streets

Public Works: Discovered a homeless camp between Highway 101 and the Southbound on-ramp while picking up litter. Public Works cleared the debris, but an agreement is being discussed between City officials and the Arcata Endeavor to assist with transient-related issues.

Bhardwaj – Health & Human Services, Planning

Planning: Summarized decisions made by the Planning Commission in June; 1) Tree removal on Scenic Dr., 2) View restoration permit on Underwood Dr., 3) Chevron image refresh proposal & removal of large sign. Also thanked members of the Planning Commission for their dedication to public service. Expressed appreciation for the Commissions careful consideration of controversial proposals such as the Marshall project.

Lin – Water, Town Hall

Water: Reviewed the report given by the City Engineer at the June 11 meeting suggesting improvements to the City's water treatment facility; 1) Membrane Treatment Technology should be investigated, 2) Sungnome Madrone illustrated a unique proposal to redevelop the city's water system, and 3) the city's distribution system is antiquated, inefficient, and should be considered when discussing treatment improvements.

Fulkerson – Public Safety – **Absent.**

Ratzlaff – Finance – **Nothing to report.**

VIII. STAFF REPORTS

City Manager - Albright: Summarized various highlights and updates made to the staff activities and managers report submitted to the council in the meeting packet.

City Attorney – Hagen: **Nothing to report**

Police Chief – Thrailkill – **Nothing to report**

City Clerk – Adams: Thanked Westhaven resident Michelle Conover for encouraging the Postmaster to institute a paper recycling program at the Trinidad Post Office. This was likely the most popular complaint/suggestion logged at City Hall throughout the past 5 years, and has finally been resolved.

IX. ITEMS FROM THE FLOOR

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

Brad Twoomey –Trinidad

Registered a complaint for a propane price sign placed along Main Street recently by Chevron. Urged the Council to strictly enforce sign ordinances and maintain a clean viewshed free of illegal signs along town roadways.

Jim Cuthbertson – Trinidad

Concerned with the tall grass along the lighthouse bluff and claimed it is a fire hazard. Asked the Council to keep the vegetation on public property in check.

Michelle Conover – Trinidad Urban Farm representative & Westhaven resident

A group of residents are working to create a community garden in the open space adjacent to the woodlot behind Murphy's Market. A proposal will be brought to the Council in August offering possible ways the City can contribute to the project.

X. CONSENT AGENDA

1. Staff Activities Report through June, 2008
2. Financial Status Report through May, 2008

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

XI. AGENDA ITEMS

1. Request from the Trinidad Rancheria for Planning Projects Consultation.

City Manager Albright explained that the Trinidad Rancheria has requested that the City of Trinidad enter into a formal consultation for the purpose of providing input into the development of a "Master Plan" for the future development of the Rancheria.

As is stated in the letter, the City and the Rancheria already have a positive and cooperative working relationship on issues ranging from environmental concerns to law enforcement to transportation planning. Since the City and the Rancheria are such close neighbors and impact each other so directly by each other's actions, it is only natural that both should have input to long range planning efforts.

Shirley Laos and Jacque Hostler of the Trinidad Rancheria gave a presentation consisting of a number of slides and topics, including:

- History of the Trinidad Rancheria & the original signees
- Rancheria culture, mission statement, goals, and priorities
- Inter-agency collaborations, relationships, and past successes
- Listed current projects with the City of Trinidad, and expressed a desire for future consultations on all significant city projects.

Public comment included:

Tom Odom – Trinidad

Urged the Council to work with the Rancheria as much as possible. They have been good neighbors to the City for many years.

Mike Morgan – Trinidad

Thanked Laos and Hostler for their informative presentation, and looked forward to continue a positive working relationship with the Rancheria.

Council comment included:

Mayor Lin: Suggested appointing Councilmember Binnie as liaison to Rancheria.

*By consensus, the Council agreed to appoint Councilmember Binnie as liaison to work with the City Manager as a consultation team with the Rancheria. **Passed unanimously.***

2. Work Plan activities through 2008

City Manager Albright explained that there always seems to be more work and priority concerns to address than there is time to complete all the tasks of interest to the citizens of Trinidad. It becomes imperative to identify those items that require attention and to prioritize the use of limited staff and Council time.

Included in the Council packet is a list, without stated priority, of all those items that have been identified as needing immediate (remainder of 2008) and ongoing attention. These items are in addition to those daily, weekly, and monthly routine items that demand so much of the staff's time. Ongoing things such as the Council meeting packets and reports, monthly water billings and collections, grounds maintenance, and normal police patrolling still always will demand much (if not a majority) of staff time.

With input from the residents, the Council members will probably want to add to this listing. All of these "tasks" have not been assigned any specific amount of time for completion. As additional items are added, it needs to be understood that some things will suffer in terms of a completion time.

Public comment included:

Jacque Hostler – Trinidad Rancheria

The Rancheria would like to be included in the Tsurai Village Area land transfer negotiations.

Council comment included:

Mayor Lin: The Council should develop a process for creating priorities consistent with the budget and allow the public to contribute input.

No decision was made. Discussion continued to a future meeting.

3. Citizen Petition regarding New Sales Tax Election

City Manager Albright explained that a number of Trinidad residents and civic leaders have recently been discussing the possibility of ANOTHER sales tax election to increase again the sales tax collected within the City limits of Trinidad. Several persons have requested that this item be placed on the City Council's Agenda for the purposes of discussion, possible direction to staff, or action.

There are apparently a number of factors that would need to be decided in a timely manner IF another sales tax were to be placed before the voters in the general election this November. They are:

- Amount of the sales tax, ranging from ¼ percent to one percent;
- Use of the sales tax, understanding that a "directed" tax that dictates the use of the revenue would require a 2/3 approval vote of those voting;
- Length of the sales tax, ranging from 4 years to and indefinite time, or with a condition that the tax continues if it meets set criteria; and
- Factors affecting the application of the sales tax within and outside of the Trinidad City limits.

A number of residents plan to bring to the Council at this meeting more specific recommendations.

Public comment included:

Mike Morgan – Trinidad resident, Organizer of the proposed tax initiative

I supported the original 1% tax proposal that failed in the April election, and feel that the city lost an opportunity to continue a much needed revenue source. However, it was imperative that the community stand behind any future

proposal, and I feel that a compromise of 1/2 of a percent directed to public safety will be a step in the right direction. A number of prominent Trinidad residents who voted NO on the 1% tax proposal in April now sponsor this proposal. Public safety is a benefit for Trinidad and surrounding neighborhoods alike.

Jim Gould – Trinidad

I voted against the 1% tax because the Council was didn't control spending and promised to sunset the tax after 4 years.

Jim Cuthbertson – Trinidad

I support the 1/2% for public safety. It is a chance for the public to rebuild confidence in the Council's financial control. **Tom Odom** agreed.

Richard Johnson – Trinidad

Suggested that the Council create an outline for the public illustrating what will, or can be accomplish with the extra revenue.

Kim Tays – Trinidad

If there is support from the community to pass a sales tax measure, why sell ourselves short with 1/2% when we could possibly get the full 1%?

Staff comments included:

City Manager Albright: The 1/2% sales tax would generate approximately \$65,000/yr based on current sales. It would certainly help balance the budget, but it won't build the reserves.

City Attorney Hagen: 1) There is no ballot language before the Council tonight. 2) "Public Safety" should be carefully defined. 3) When residents outside the city limits are being charged the additional tax when making purchases, they are being charged this tax illegally.

Council comments included:

Binnie: Why not go for the full 1%? It's too risky going for the 2/3 majority.

Bhardwaj: I've spent some time researching the League of California Cities resources regarding introducing tax initiatives to the public. Common thought among municipal professionals is to wait at least 1 year before introducing a tax initiative in the wake of a failed one. However, if we pursue this proposal we must open up a dialog among the public to gain the support it will need. A solid campaign must be implemented. Also, the Board of Equalization's website lists cities with this same problem, and instructs vendors how to avoid imposing the wrong tax rates by listing addresses and streets within the tax jurisdiction.

Ratzlaff: Concerned about the impact the tax may have on neighborhoods surrounding Trinidad.

By consensus, the Council directed the City Manager to work with the proponents of the new sales tax proposal to create the language for the ballot, draft the necessary documents, and bring the information back for a decision on July 23.

4. Report on Rates and Requirements for Renting Town Hall Facilities

City Manager Albright explained that the Council has requested that the staff present changes to any existing policies and processes used for the purpose of renting Town Hall. This objective was also discussed and deemed to be a priority during the recent FY2009 budget hearings. After Council and public input, a revised agreement with policies will be provided to the Council at the next meeting.

City Clerk Gabriel Adams reviewed with the Council some of the findings to date and discuss alternative actions that could be taken to improve our procedures for renting Town Hall, including:

- A more comprehensive Rental Application, Agreement, & Checklist.
- Use of the Town Hall has increased as a result of the recent remodel. At this time, rental rates basically cover the cost of managing, operating, and maintaining the Town Hall facilities.
- Instructional (for-profit) classes such as Line Dancing and Fitness have enjoyed the use of Town Hall for many years. This was a policy inherited by the City Clerk in 2003 that has not been changed.

- Non-profit, community event rates differ from high-risk events involving alcohol or multiple day rentals.
- Access to the Town Hall is also a benefit that many residents consider an enhancement to the quality of life in Trinidad.
- Asked the Council for direction as to how aggressive or competitive the rates should be set.

Public comment included:

Sam Merryman – Moonstone Heights

Rental of the Town Hall should be a for-profit enterprise. I charge up to \$750.00 for my Moonstone Beach house.

Tom Odom – Trinidad

A deposit should be collected. It should be sufficient to cover any cleaning costs or damages.

Mike Morgan – Trinidad

I want to see the place be used as much as possible. That's what it's here for. It shouldn't be ran like a business. It is an extraordinary, historical building that should be enjoyed.

Kim Tays - Trinidad

It is a quality of life benefit to Trinidad area residents when the city offers the Hall to instructors teaching health & fitness related classes at little to no rent. It encourages them to stay in Trinidad, and avoid us from having to drive to McKinleyville or Arcata for similar activities.

Staff comment included:

City Attorney Hagen: The government must be fair and equitable. If a for-profit business uses the facility, it is illegal NOT to charge them a use fee.

Council comment included:

Binnie: I support a program where large, high-risk/high-impact events are charged enough to cover health & fitness classes.

No decision was made. Staff will draft a proposal incorporating public input and Council and submit it for consideration at a future meeting.

XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

XIII. ADJOURNMENT

- Meeting ended at 9:20pm.

Submitted by:

Approved by:

Gabriel Adams
City Clerk

Chi-Wei Lin
Mayor