City of Trinidad

Posted: Friday, January 07, 2011

NOTICE AND CALL OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold its first regular monthly meeting on

WEDNESDAY, JANUARY 12, 2011 at 7:00 PM

in the Town Hall at 409 Trinity Street

I. CALL TO ORDER/ROLL CALL
II. PLEDGE OF ALLEGIANCE
III. CLOSED SESSION

IV. APPROVAL OF AGENDA
V. APPROVAL OF MINUTES
- December 08, 2010 cc
- December 14, 2010 scc

VI. COUNCIL MEMBER REPORTS, INCLUDING COMMITTEE ASSIGNMENTS
VII. ORAL STAFF REPORTS
- City Manager
- Specific Department Reports

VIII. ITEMS FROM THE FLOOR
(Three (3) minute limit per Speaker unless Council approves request for extended time.)

IX. CONSENT AGENDA
1. Staff Activities Report through December, 2010
2. Financial Status Reports for November, 2010
3. Professional Services Agreement with Steve Albright
4. Revision of MOU with the Trinidad Rancheria for Prop 84 ASBS Project

X. DISCUSSION/ACTION AGENDA ITEMS
1. Appointments of Council Members to Varied Boards and Commissions
2. Appointment(s) to the Trinidad Planning Commission
3. Report on the Process to Replace the City Manager
4. Report on Pampas Grass Survey
5. Report on Van Wycke Trail Improvements
6. Options for Animal Control Functions in Trinidad

XI. COUNCIL, STAFF, or PUBLIC REQUESTS FOR FUTURE AGENDA ITEMS
XII. ADJOURNMENT

APPROVAL OF MINUTES FOR:

December 08, 2010 CC:
December 14, 2010 SCC:

Supporting Documentation follows with: 6 PAGES

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, DECEMBER 08, 2010

I. CALL TO ORDER/ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION (immediately following open session)

Liability Claims for Damages, etc. against the City of Trinidad, Government Code section 54956.9(b) and/or section 54956.95, submitted by the following individuals:

Tsurai Ancestral Society, Axel Lindgren III, Kelly Jean Lindgren, Christine Williams, Kris K.C. Lindgren, Tanna Lindgren-Tripp, Sarah Lindgren-Akana, George E. Nelson, Patricia Bailey, Gary Nelson, Parris Lindgren, Chet Jarboe.

IV. RECONVENE TO OPEN SESSION

V. APPROVAL OF AGENDA

- *Move Agenda item #4 to Discussion agenda (last)*
- *Move Agenda item #5 to Discussion #7.*

Motion (Fulkerson/Bhardwaj) to approve the agenda as amended. Passed unanimously.

VI. APPROVAL OF MINUTES

November 10, 2010 cc

Motion (Ratzlaff/Fulkerson) to approve all the minutes as amended. **Passed 4-0.**

VII. COMMISSIONERS REPORTS

Binnie:

- Thanked volunteers and emergency services for assisting with structure fire on Trinity Street.
- **HCAOG**: Announced that Marcella Clem has been appointed Director of HCAOG. Mayor City Selection committee will be discussing Coastal Commission nominations at next meeting.

Bhardwaj: Still seeking applications for Planning Commission through December 31. Streetlights need repair/maintenance. A comprehensive list of non-functioning lights must be prepared and sent to PGE with request for service.

Morgan: Thanked volunteers and coordination efforts by mutual aid emergency services for assistance with structure fire on Trinity Street last week.

Fulkerson: HTA Director recruitment process is underway. Thanked Ratzlaff & Binnie for serving on Council.

VIII. STAFF REPORTS

City Manager - Albright: Summarized staff activities report and highlighted various other accomplishments. Also noted status on the following grant projects: ARRA, Saunders Park, Van Wycke Trail, and Library.

IX. SWEARING IN OF NEW COUNCIL MEMBERS

City Clerk Gabriel Adams read the oath of office with new members Tom Davies and Dwight Miller.

The Council took a 10 minute break for refreshments.

X. ITEMS FROM THE FLOOR

John Spyropoulous – Trinidad Resident

Tried to attend the Library Bling for Books Fundraiser at the Town Hall in Novemer. Came early but was told he was not welcome. Also told he would be arrested if he didn't leave. Asked for an explanation from the Library as to why he wasn't welcome.

DRAFT

X. CONSENT AGENDA

1. Staff Activities Report through November, 2010
2. Financial Status Reports for October 2010
3. Proposed Resolution 2010-16 Approving an Application for Prop 50 Funding.

Motion (Davies/Miller) to approve Consent items 1-3. **Passed unanimously**.

4. Letters of concern for Offshore Naval Warfare Training Exercises.

On November 9, the National Oceanic and Atmospheric Administration(NOAA) gave the US Navy permission to "take" more than 600,000 marine mammals over the next five years in the expanded Northwest Training Range Complex. The NWTRC extends from the border of Canada to Mendocino County. It is 60 miles off shore for ships, just 13 miles for planes, and includes critical whale migration routes. Naval exercises will include testing of new weaponry and ammunition (habitat and marine life disruption, destruction, and pollution with toxic chemicals, heavy metals, depleted uranium, etc.), deployment of sonar (which has killed hundreds of marine mammals in numerous incidents worldwide), and ship-based flight training (which has already sent panicked livestock off of cliffs on the Oregon coast and through fences in the Hwy 36 valley).

The Environmental Protection Information Center (EPIC) has taken on organizing a grassroots campaign to call for Congressional hearings and a halt to war games in our coastal waters. To make this happen, Congress needs to hear from thousands of citizens. Cities have been requested to join by voicing their concerns regarding these exercises.

Humboldt, Marin, and Mendocino County Boards of Supervisors, Mike Thompson, Diane Feinstein, and Barbara Boxer have all formally voiced their objections, to no avail. We need our City Councils to join in demanding extension of the public comment period, and, if necessary, Congressional hearings.

Public comment included:
Erin Quinlan – Trinidad Area Resident, **Marie Garibedium** – Trinidad, **Don Allan** – Trinidad Area, **Pat Morales** – Trinidad, and **Brad Twoomey** – Trinidad, and **Kim Tays** – Trinidad.
Encouraged the City Council to write to State, Congress, and Senate and take a firm stand against training in coastal waters of North Coast.

Motion (Fulkerson/Miller) to:

1) *send a letter of concern to representatives Boxer, Feinstein, and Thompson requesting congressional hearings on the west coast. Passed 5-0.*
2) *Send a letter to Governor requesting an injunction on NOAA permit and letter of opposition by Thursday.*
3) *Appoint Fulkerson & Davies to attend hearing in Eureka next week and read letters as statements on behalf of the Trinidad City Council.* **Passed unanimously**.

5. Letter of Support for a North Coast Appointment to the California Coastal Commission.

Apparently Governor Schwarzenegger is prepared to make several appointments to State Boards and Commissions prior to leaving office, including an appointment to replace outgoing Supervisor and California Coastal Commission member Bonnie Neely.

Supervisor Mark Lovelace has requested the City of Trinidad's support to be appointed to that position. Traditionally cities and Humboldt County have had a City-County Selection Committee through HCAOG to recommend state appointments to the Governor. At the time of the preparation of the packet, there were plans to convene this selection meeting well prior to the Governor's stated selection time frame of late December.

It is unknown if other possible appointees will come forward to compete for this position. If this were to occur, the City Council may wish to consider which person to support as the new Governor's selection for the California Coastal Commission.

Council comments included:
Morgan: Without knowing who else is applying, I don't feel comfortable taking a vote.

DRAFT

Miller, Fulkerson: Support Lovelace.

Public comment included:
Stan Binne: Mayor City Selection committee meets on December 16. Committee may hear other applicants. Deadline to submit applications is December 10. Support Mark Lovelace.

Motion (Fulkerson/Miller) to endorse Mark Lovelace nomination to Coastal Commission and forward support letter to Governor. **Motion Passed by the following vote: 3 Yes – Miller, Davies, Fulkerson. 2 No – Bhardwaj, Morgan.**

XI. AGENDA ITEMS

1. Resolution 2010-17 Recognizing the Contributions of Mayor Stan Binnie
Mayor Pro-Tem Bhardwaj read the Resolution.

Public comment included:
Pat Morales – Trinidad, **Kim Tays** – Trinidad, **Richard Johnson** – Trinidad, **Tom Odom** – Trinidad, and **Sungnome Madrone** – Trinidad Area Resident: Thanked Binnie for dedication and years of hard work.

Motion (Davies/Miller) to approve Resolution 2010-17. **Passed unanimously**.

2. Resolution 2010-18 recognizing the Contributions of Councilmember Don Ratzlaff.
Mayor Pro-Tem Bhardwaj read the Resolution. Council and public thanked Ratzlaff for significant contributions and dedication of public service.

Motion (Fulkerson/Miller) to approve Resolution 2010-18. **Passed unanimously**.

3. Process for Annual or Bi-Annual Selection of the Mayor and Vice Mayor
City Manager Albright explained that in recent years, the City Council has been selecting its Mayor and Vice Mayor from the five City Council members every two years following a November election. This practice was put in place by Ordinance by the City Council in 1997. The Ordinance also allows for the removal of a Mayor or Vice Mayor if the majority of the Council chooses to do so.

Some cities, and also Humboldt County, have selected a process whereby the position of Mayor or Board Chairman automatically rotates amongst its members on an annual basis. This spreads the responsibility and also gives each member the opportunity to hold the position.

If the Council desires to change the current process, then it would require a change to the current Ordinance.

Council comments included:
Miller: The current system seems to work. Sharing the responsibility or opportunity is good, but not all of us want or have the time to fulfill the duties.

Fulkerson: I'm satisfied with the current system. Some of us may be more cut-out for the job. A 2-year term is appropriate. **Davies** agreed.

Morgan: The system is not broken, but can be improved. We should have a rotating schedule structure that will introduce more flexibility. I support the change.

Bhardwaj: I value continuity, and believe the current system is fine as-is.

Motion (Miller/Fulkerson) to continue with the current system. **Passed 4-1** (No-Morgan).

DRAFT

4. Election of Mayor and the Mayor Pro-Tem
Motion (Fulkerson/Morgan) to appoint Bhardwaj as Mayor. **Passed unanimously**.
Motion (Morgan/Miller) to appoint Fulkerson as Mayor Pro-Tem. **Passed unanimously**.

5. Process to Appoint Councilmembers to Various Boards and Commissions.
City Manager Albright explained that members of Trinidad's City Council represent the City on various committees, boards and commissions. In addition, the Council appoints citizen members to the Planning Commission and periodically to other committees.

The City's records indicate that there have been different ways that the appointments to boards, commissions, and committees have been made. In some instances, the Mayor has simply made an appointment, sometimes with the concurrence of the Council members. In some instances, Council members have volunteered for assignments. At other times, the Council has agreed as a group after discussion.

It would seem appropriate for the Council to concur (by majority) on all appointments and assigned responsibilities. It would also seem reasonable for the Mayor, as the Council's elected leader, to take the lead role either in soliciting persons from the community and/or recommending individuals for the appointments.

This is a process that needs to be decided by the Council, and then the Council can use its chosen process to fill the many positions that require attention.

Council comment included:
Fulkerson: Each member should make first, second, and third choices and return at the next meeting their selections. HWMA & County Visioning Committee should be added to the list.

City Manager Albright was directed to chart out the committees, time expectations, and meeting dates and provide the info to the Council in advance of selections.

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

XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Special meeting scheduled for Tuesday, December 14, 2010 at 4:30pm.

XIII. ADJOURNMENT

- **Meeting ended at 9:35pm.**

Submitted by:

_____
Gabriel Adams
City Clerk

Approved by:

_____
Kathy Bhardwaj
Mayor

DRAFT

MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, DECEMBER 14, 2010

I. CALL TO ORDER/ROLL CALL

- Mayor Pro-Tem Bhardwaj called the meeting to order at 4:30PM. Council members in attendance: Morgan, Ratzlaff, Bhardwaj, Fulkerson.
- City Staff in attendance: City Manager Steve Albright, City Clerk Gabriel Adams.

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION (immediately following open session)

Liability Claims for Damages, etc. against the City of Trinidad, Government Code section 54956.9(b) and/or section 54956.95, submitted by the following individuals:

Tsurai Ancestral Society, Axel Lindgren III, Kelly Jean Lindgren, Christine Williams, Kris K.C. Lindgren, Tanna Lindgren-Tripp, Sarah Lindgren-Akana, George E. Nelson, Patricia Bailey, Gary Nelson, Parris Lindgren, Chet Jarboe.

IV. RECONVENE TO OPEN SESSION

Bhardwaj announced that no action significant action was taken. However, the Council authorized the City Attorney to contact the individual representing the parties involved in the claim and discuss possible negotiations.

V. APPROVAL OF AGENDA

The agenda was approved as written.

VI. APPROVAL OF MINUTES – No minutes to approve.

VII. COMMISSIONERS REPORTS – No reports were given.

VIII. STAFF REPORTS – Deferred to agenda item 1.

IX. ITEMS FROM THE FLOOR – There were no items from the floor.

X. CONSENT AGENDA – There were no consent agenda items.

XI. AGENDA ITEMS

1. Process to recruit and select a new City Manager.

City Manager Albright explained that with his upcoming retirement, the Council informally authorized Mayor Bhardwaj and Mayor Pro-Tem Fulkerson to begin the process of recruitment and selection of a new City Manager. As the recruitment for the position begins, certain decisions need to be made by the entire City Council so that inquiries from prospective candidates can be answered, such as:

- What level of compensation (salary plus benefits) is available based on budget restraints?
- Is the position full-time or part-time?
- If the position is part-time, can the City procure any administrative assistance?
- What is the process for narrowing applicants and selecting persons to be interviewed?
- Are any funds available to reimburse candidates for interview expenses and relocation expenses for the selected candidates?
- What is the time frame for the entire process?

The current City Manager's total compensation package costs the City $53,485. This includes salary, benefits, retirement contribution, and payroll taxes. The weighted hourly rate is $42.86. The current CM is paid based on a 24-hour work week. If converted to a 40-hour work week, the total cost to the City would be approximately $80,000.

DRAFT

Council comments included:
Fulkerson: Work week options are good, but "no" manager is not an option. Albright has been underpaid. He's saved time, cut costs, and increased income. Full or part-time with an assistant should be options.

Morgan: We should be prepared with a plan B if we can't find someone we all agree on. I want to be prepared, and part-time option should be considered.

The Council agreed, by consensus, to the following items:
1) *$55,000-60,000 should be the targeted starting salary range.*
2) *Resume deadline is January 14, 2011.*
3) *Start date is no later than March 01, 2011*
4) *Advertise as soon as possible in the local newspaper, craigslist, Jobs Available, and post opening on City Website.*

XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

XIII. ADJOURNMENT

- **Meeting ended at 6:15pm.**

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Kathy Bhardwaj
Mayor Pro-Tem

DRAFT

CONSENT AGENDA ITEM #1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

1. Staff Activities Report through December, 2010

CONSENT AGENDA ITEM IX.1
Date: January 12, 2011

Item: **STAFF ACTIVITIES REPORT THROUGH DECEMBER, 2010**

Background: The City Council is provided with a Staff Activities Report at the first meeting of every month. The report covers staff actions and updates on projects through the previous month.

Changes from the previous report will be shown in **BOLD** so that the Council members can follow both the history of an activity and see the progress that has been made since the last Report. Update items will be removed periodically as they become "old news."

The report concentrates on projects and is directly related to the Special Grants and Projects Budgets in the adopted City Budget.

There is also a monthly update on the rental activity at Town Hall for the previous month.

Staff Recommendation:

Receive and file the Staff Activities Report, or take whatever other action is deemed appropriate by the Council.

Attachments: Staff Activities Report through December, 2010.

CITY OF TRINIDAD
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

Stan Binnie, Mayor
Steve Albright, City Manager

STAFF ACTIVITIES REPORT

Through December, 2010

A Staff Activities Report is provided to the City Council at the first Council meeting of every month. Additions to the previous report will be indicated in **bold type face**. Old information will be left on this report for several months and then removed or updated. This report is prepared by Steve Albright, City Manager, with input from staff members and contracted consultants.

The Staff Activities Report focuses on specific projects, the status of requests to the staff from the Council, and other ongoing items where progress can be reported. It is being organized under the six primary City functions: City Administration; Police Department; Fire Department; Public Works Department; City Water Department; and the City Cemetery.

City Administration:

1. **City Manager Recruitment. Advertisements have been placed in the statewide public sector publication, "Jobs Available," the Times Standard newspaper (3 times), on Craigslist.org (running continuously since December 29, and at the local Employment Development Department office in Eureka. The announcement is also posted on the City's website. Any statements of interest being received are forwarded to Mayor Bhardwaj for review. The stated deadline for applying is January 14, and that deadline my have to be extended.**

2. **City Manager Transition. Rebecca Price-Hall has been working with the City Manager to organize and condense all current activities so that an incoming person will have a summary of the status of all projects and an extensive list of contacts and progress on all current issues.**

3. FY2011 Budget. The FY2011 Budget was approved by the City Council on June 9, 2010. A budget amendment was approved by the City Council in September.

4. FY2009-10 Annual Audit. **The site visit from the auditor for the FY2010 annual financial audit was completed during the first week of December. The audit work went very well this year, and the transition to the new accounting software was very helpful. A first draft of the audit will be provided to the City in the first week of January, and the audit should be**

presented to the Council at the February, 2011 meeting by Marcello and Associates.

5. Town Hall Rental. **This report will cover the month December, 2010. For the month, the Hall was rented 6 times for a total revenue of $ 650.00**

6. Improvements to the City's filing/record-keeping system. No other progress toward improving the Town Hall records and filing system has been made. **The City Manager is revamping records and files in that office during his last weeks in the position.**

7. Town Hall Improvements. **The improvements are still pending the award and signed agreement for the Energy Block Grant funds that will replace Town Hall's heating system.**

8. Tsurai Management Plan Area. A contract to provide erosion control and re-planting on the damaged site was signed on September 16, 2010. The contract is with the Watershed Management division of the Yurok Tribe. **The final invoice for the entire project was paid in December.**

9. General Plan. The Open Space, Conservation, and Recreation Elements were presented and discussed at the Council's meeting on April 28, 2010. The staff and Planning Commission are now working on the Transportation Element.

10. Code Enforcement. As time, other priorities, and resources allow, staff is continuing to address code enforcement complaints. This will be an ongoing effort.

11. On-Site Waste Water Treatment (OWTS) Ordinance. The City Council adopted the Ordinance on December 10, 2008. In November, Planning Commission requested that a change in the OWTS Ordinance be made to make either the City Manager (administratively) or the City Council responsible for approving the implementation guidelines. An amendment to the Ordinance was prepared to shift this responsibility to the Council, and it was approved in March 2010. The Guidelines were adopted by the City Council at its November, 2010 meeting.

12. Accessory Dwelling Unit (ADU) Code. The ADU Ordinance is on the City's website as a downloadable document for public review and comment. The Ordinance was adopted by the City Council in August, 2010 and went into effect in September.

13. Vacation Units Regulations. The Citizens Advisory Committee on Vacation Dwelling Units was formed and held a total of eight meetings between January and May. The Committee completed its work and presented its findings and recommendations to the City Council in June. Staff has been directed to return to the Council with a first reading of a draft ordinance to regulate aspects of VDUs

in Trinidad. With the swearing in of two new Council members, that Ordinance will be presented in early 2011.

14. Old Wagon Road Trail A complaint about the installation of posts and a trench dug across the trail on the Old Wagon Road Trail has been filed with the City. A Police Report claiming harassment of a citizen was also filed. Because this has been an ongoing difficulty, the staff enlisted the assistance of the Coastal Commission and the Coastal Conservancy to address the problem with the landowner. No response has been received yet.

15. Van Wycke Trail. **The Trail has been temporarily closed due to continued land slide that is damaging the Trail and creating an unsafe condition. A survey has been conducted by Michael O'Hern and provided to the City. Staff has contacted each of the three adjacent property owners to determine their willingness to grant to the City an easement for the trail. Winzler & Kelly is looking into options to repair or replace the storm water drainage that appears to be causing some of the damage to the trail. Bush Geotechnic has been retained to evaluate the stability of the land, and that work is to be completed in the first week of January.**

Status of Grants and Funding Programs

- Project Name: Gateway Project
  Source of Funds: CA State Transportation Improvement (STIP)
  Amount of Funding: $145,000
  Local Match/Source: Prop 1B funds
  Status: Environmental Complete, Design Complete, Construction in 2010
  The Construction Authorization request has been submitted to Cal Trans. The Encroachment Permit was received in April. Staff completed and has obtained construction easements with adjacent property owners and utility relocations with PG&E and AT&T. CalTrans right-of-way staff is has still not signed off on the project, which means that construction will now be delayed until next spring. **Staff has worked with Cal Trans and now is prepared to present the last documentation required to obtain clearance for construction**.

  and

  Project Name: Main and Trinity Safety Improvements
  Source of Funds: Federal High Risk Rural Road Funds (HR3)
  Amount of Funding: $360,000
  Status: See above. The two funds have been combined into one construction project.

- Project Name: New Library/Museum Road

Source of Funds: CA State Proposition 1B
Funding Amount: $100,000
Status: The project has been completed.

- Project Name: Library Museum Project Access Improvements
  Source of Funding: American Recovery and Reinvestment Act (ARRA)
  Amount of Funding: $186,000
  Status: The construction work on the project has been completed. Staff met with CalTrans and Federal Highway officials on August 25 for an audit of the project records. A substantial amount of improvements to the record keeping for this project has been requested and will be worked on by staff. Reimbursement of the project costs has not been received because staff is still working with CalTrans to satisfy records and reporting requirements. **A Resolution Plan has been prepared, and staff anticipates providing all of the required documentation to CalTrans by January 14, 2011.**

- Project Name: Saunders Park Development
  Source of Funding: State Park Bond
  Amount of Funding: Approximately $120,000 remaining.
  Status: Funding received in 2006. Design by Freeman Architects complete, the advertisement for public bid occurred in August 2010. The City Manager completed a contract with Gray Construction after negotiating reductions in the project to bring it within budget. Un-obligated remaining funds from the total grant have been approved to be transferred to this project. Work began on the project in the second week of October and is progressing slowly due to poor weather. **Two progress payments have been made to the contractor, and reimbursement requests have been submitted to the State Parks Department. Most of the concrete work has been completed.**

- Project Name: Azalea and Pacific Streets Reconstruction
  Source of Funds: CA State Transportation Improvement (STIP)
  Amount of Funding:
  Status: Due to lack of construction funds at the State level, construction funding now programmed for 2013-14. Funding for final design undetermined and may delay the project indefinitely. No additional expenditures recommended at this time. Prop 1B funds allocated to this project were reassigned to other eligible activities within the City.

- Project Name: Energy Efficiency and Conservation Block Grant (EECBG)
  Source of Funding: American Recovery and Reinvestment Act
  Amount of Funding: $25,000
  Status: **The grant application was originally submitted in January, 2010.**

Finally

in December, staff was notified that the grant agreement is ready, and a draft has been received. It requires that the City prepare a waste disposal plan and a plan to assure that prevailing wages will be paid on the project. The County plans an implementation meeting in January at which time the agreement can be forwarded for their review. Action by the Trinidad City Council has already been authorized

- Project Name: Safe Drinking Water Revolving Fund (SDWSRF)
  Source of Funds: State Department of Public Health, Revolving Loan Fund
  Amount of Funding: Undetermined
  Status: Application was submitted by February 4, 2010. Notice of Exemption from CEQA filed with the County Clerk in March, 2010. State is apparently ready to award a partial grant/loan for the project, with details to be determined. Project proposal currently under review.

- Project Name: Clean Beaches Program
  Source of Funding: State Proposition 50
  Amount of Funding: $400,000
  Status: **A grant amendment was signed in April 2010. Nearly $300,000 of the funds are for the replacement of failing and unsafe septic systems in the watershed area, and all work was completed by the end of October. Streamline Planning has completed a draft final project report that has been submitted to the Water Resources Board. Funds reimbursement for work completed through September, 2010, has been received, and the final reimbursement request is being submitted.**

- Project Name: Turbidity Meter
  Source of Funding: CA State Proposition 50
  Amount of Funding $60,000
  Status: Letter of Commitment from State in 2008; contract incomplete due to funding freeze. Start date undetermined.

- Project Name: Drainage Improvements (ASBS Project)
  Source of Funding: CA State Proposition 84
  Amount of Funding: $2,500,000
  Status: State announced in late April that bond funds have been raised and this project may proceed. The City Council approved a Resolution to allow the City Manager to negotiate the terms of the Agreement. Staff is responding to a request from the State to address "scope of services" issues that arose during the State's review and approval process. A letter was completed and sent to the Board on August 30, 2010. **Staff is working on final responses to State requests. When these are accepted, an agreement will be brought to the Council for approval.**

- Project Name: Trinidad Pier Reconstruction (ASBS Project)
  Source of Funding: CA State Proposition 84
  Amount of Funding: $2,500,000
  Status: State announced in late April that bond funds have been raised and this project may proceed. The City Council approved a Resolution to allow the City Manager to negotiate the terms of the Agreement. The State sent the City a letter with many concerns in it in June. A response was jointly prepared by City and Rancheria staff and sent to the State on June 30. Their response time and the next steps needed to prepare and agreement to proceed are undetermined. Staff worked with the Rancheria to prepare an MOA for the implementation of this grant when it is finally approved, and that MOA was approved by the Council in October. The State Board requested some modifications to that MOA, and the Council approved those modifications. **A second amendment has been requested by the Rancheria and will be on the Council's January agenda.**

Police Department

1. Staffing. **Deputy Scott Hicks is the Sheriff's Office deputy for Trinidad. For the winter months, his normal work days will be Tuesday through Friday (10-hour days). Roving patrol from the Sheriff's office occurs at other times. A County Sheriff vehicle will be assigned to Trinidad and marked as "Trinidad Police."**

2. Law Enforcement Functions. The contract with the Sheriff's Office became effective on June 30, 2010. It is due to renew automatically for six months on January 1, 2011, as a condition of the contract unless either party chooses to terminate the agreement.

3. Equipment Issues. Telephone, fax, and computer functions of the Police Department and the City Manager's have been integrated.

Fire Department

1. Equipment. Nothing to report.

2. Wildfire Agreement. Per the recommendation of CalFire, the Council approved NOT having a wildfire service agreement. Instead, the Mutual Aide Agreement was updated. That was completed by action of the Council in September.

Public Works Department

1. Grounds Maintenance. Grounds maintenance activities proceed on a normal basis, weather permitting

2. Streets Maintenance. The staff completed the project of patching and resurfacing on Main Street underneath the Highway 101 overpass. **Other projects are being planned using the Prop1B funds, which need to be expended by June 30, 2011.**

3. Street Trees Maintenance. No new information to report.

4. Appropriations Request. A 2011 appropriations request was submitted to Congressman Thompson's staff for funding of the second phase of the Stormwater Drainage Improvement Project required to meet discharge standards at the ASBS. The first phase is due to be funded by Prop 84 when the State is able to release project funds.

City Water Department

1. Rates. A public hearing for an annual adjustment to the City water rates resulted in a 2.2% rate increase. The City may receive state funding assistance to perform a water rates analysis to meet State Prop 218 requirements if any rate increases are demanded to support major capital infrastructure improvement loans.

2. Maintenance. No new projects to report.

3. Water Quality: No new actions to report.

4. Appropriations Request. A 2011 appropriations request was submitted to Congressman Thompson's staff for funding of the improvements required at the water treatment facility.

City Cemetery

1. Annual Maintenance. The Public Works staff maintains the Cemetery Grounds on an ongoing basis.

2. **Plot Sales. Several plots were sold in the month of December.**

CONSENT AGENDA ITEM #2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

2. Financial Status Reports for November, 2010

CONSENT AGENDA ITEM IX.2
Date: December 10, 2010

Item: **FINANCIAL STATUS REPORT**

Background: This "Monthly Financial Status Report" is provided to the Council at the first meeting of every month and is produced by Cunningham, Malone & Morton. It provides the Council and the public with a monthly financial status which is intended to be timely and user-friendly.

The status report is done for each department and includes: 1) expenditures from the previous month; 2) expenditures for the year-to-date; 3) the annual budget for a given budget category; and 4) the percent of the budget that has been expended to date.

This Financial Status Report provides the status on seven pages:

General Fund Revenue;
1. General Fund-Administration;
2. General Fund-Public Works;
3. General Fund-Police;
4. General Fund-Fire;
Enterprise Account-Water Department; and
Enterprise Account-Cemetery.

The four General Fund Accounts also include bottom-line statements for specific grant or special project budgets. For example, the Village Keepers Fund and the Clean Beaches Grant are included with the General Fund-Administration. Full details of those special project or grant budgets will be available for review but will not be published monthly with the meeting packet.

Staff Recommendation:

Discussion and public input, and Council action to receive and file the Financial Status Report

Attachments: Financial Status Report through November, 2010.

City of Trinidad

Statement of Revenues and Expenditures

From 11/1/2010 Through 11/30/2010

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Revenue				
41010	PROPERTY TAX - SECURED	0.00	0.00	110,000.00	(100.00)%
41071	MOTOR VEHICLES	0.00	143.98	0.00	0.00%
42000	SALES & USE TAX	7,300.00	49,460.67	220,000.00	(77.52)%
43000	TRANSIENT LODGING TAX	8,784.83	32,596.34	72,000.00	(54.73)%
47310	VEHICLE LICENSE COLLECTION	144.16	243.91	0.00	0.00%
49080	MOTOR VEHICLE FINES	0.00	0.00	1,000.00	(100.00)%
53010	COPY MACHINE FEE	2.00	15.00	100.00	(85.00)%
53020	INTEREST INCOME	3,723.63	17,063.02	35,000.00	(51.25)%
53090	OTHER MISCELLANEOUS INCOME	50.00	1,103.52	0.00	0.00%
54020	PLANNER- APPLICATION PROCESSIN	1,035.00	1,518.00	10,000.00	(84.82)%
54040	ENGINEER-APPLICATION PROCESSIN	0.00	0.00	500.00	(100.00)%
54050	BLDG.INSP-APPLICATION PROCESSI	153.25	6,214.42	5,000.00	24.29%
54100	ANIMAL LICENSE FEES	0.00	24.00	200.00	(88.00)%
54130	FARMERS MARKET BUSINESS LICENS	210.00	210.00	0.00	0.00%
54140	ZONING & SUBDIVISION FEES	0.00	10.00	0.00	0.00%
54150	BUSINESS LICENSE TAX	55.00	4,760.00	12,000.00	(60.33)%
54300	ENCROACHMENT PERMIT FEES	0.00	50.00	400.00	(87.50)%
56150	FRANCHISE FEES	0.00	0.00	6,000.00	(100.00)%
56400	RENT - VERIZON	1,617.45	8,087.25	18,000.00	(55.07)%
56500	RENT - HARBOR LEASE	0.00	0.00	5,000.00	(100.00)%
56650	RENT - SUDDENLINK	0.00	1,967.77	0.00	0.00%
56700	RENT - TOWN HALL	90.00	2,905.00	10,000.00	(70.95)%
56800	RENT - MISC	0.00	0.00	500.00	(100.00)%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	52,000.00	(100.00)%
	Total Revenue	23,165.32	126,372.88	557,700.00	(77.34)%

City of Trinidad
Statement of Revenues and Expenditures
201 - GFAdmin
From 11/1/2010 Through 11/30/2010

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	250.00	1,000.00	3,000.00	66.67%
61000	EMPLOYEE GROSS WAGE	3,953.36	18,527.22	46,245.00	59.94%
61470	FRINGE BENEFITS	769.24	3,846.20	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	26,247.00	100.00%
65100	DEFERRED RETIREMENT	648.43	4,165.19	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	(414.95)	4,390.45	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	613.75	0.00	0.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	114.00	475.00	1,200.00	60.42%
65600	PAYROLL TAX	399.13	1,971.45	4,721.00	58.24%
68100	FIDELITY BOND	0.00	700.00	700.00	0.00%
68200	INSURANCE - LIABILITY	0.00	5,443.00	5,443.00	0.00%
68300	PROPERTY & CASUALTY	0.00	4,397.00	5,350.00	17.81%
71100	ATTORNEY-MEETINGS	0.00	6,487.50	24,000.00	72.97%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	862.50	0.00	0.00%
71130	ATTORNEY-LITIGATION	0.00	0.00	5,000.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	4,404.75	5,866.75	6,000.00	2.22%
71220	CITY ENG-APPLICATION PROCESS	0.00	0.00	2,000.00	100.00%
71300	CITY PLANNER-MEETINGS	853.25	2,125.25	2,000.00	(6.26)%
71310	CITY PLANNER-ADMIN. TASKS	0.00	3,762.30	6,000.00	37.30%
71320	CITY PLANNER-APPL. PROCESS	72.00	2,685.00	8,000.00	66.44%
71340	CITY PLANNER - SPECIAL PROJECT	0.00	2,751.00	12,000.00	77.08%
71410	BLDG INSPECTOR-ADMIN TASKS	0.00	40.49	0.00	0.00%
71420	BLDG INSPECTOR-PERMIT PROCESS	65.00	569.00	0.00	0.00%
71430	BLDG INSPECTOR-ENFORCEMENT	0.00	593.00	5,000.00	88.14%
71510	ACCOUNTANT-ADMIN TASKS	805.62	10,227.29	10,000.00	(2.27)%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	10,000.00	100.00%
72000	CHAMBER OF COMMERCE	0.00	0.00	30,000.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	252.44	1,000.00	74.76%
75120	WASTE RECYCLING PICKUP/DISPOSA	1,040.00	1,040.00	0.00	0.00%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	0.00	4,000.00	100.00%
75170	RENT	0.00	0.00	7,800.00	100.00%
75180	UTILITIES	168.08	658.55	4,000.00	83.54%
75190	DUES & MEMBERSHIP	0.00	0.00	2,000.00	100.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	483.06	21,000.00	97.70%
75220	OFFICE SUPPLIES & EXPENSE	431.98	1,840.55	4,500.00	59.10%
75240	BANK CHARGES	0.00	72.80	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	4,200.08	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	677.00	677.00	1,000.00	32.30%
76110	TELEPHONE	116.44	672.22	3,000.00	77.59%
76130	CABLE & INTERNET SERVICE	167.14	915.41	1,500.00	38.97%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	51.39	1,290.08	1,000.00	(29.01)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	234.70	829.29	5,000.00	83.41%
	Total Expense	14,806.56	94,430.82	270,206.00	65.05%

City of Trinidad
Statement of Revenues and Expenditures
301 - Police
From 11/1/2010 Through 11/30/2010

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
61000	EMPLOYEE GROSS WAGE	1,786.98	8,584.68	23,231.00	63.05%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	980.00	100.00%
65100	DEFERRED RETIREMENT	27.70	196.19	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	0.00	133.70	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	614.51	0.00	0.00%
65600	PAYROLL TAX	141.76	686.42	2,371.00	71.05%
71510	ACCOUNTANT-ADMIN TASKS	690.51	2,563.92	0.00	0.00%
75170	RENT	1,300.00	5,200.00	7,800.00	33.33%
75180	UTILITIES	405.90	862.01	1,200.00	28.17%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	2,400.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	80,000.00	100.00%
75350	ANIMAL CONTROL	113.00	565.00	1,350.00	58.15%
75380	INVESTIGATION	0.00	70.00	0.00	0.00%
76110	TELEPHONE	75.41	372.54	1,800.00	79.30%
76130	CABLE & INTERNET SERVICE	0.00	174.76	0.00	0.00%
78180	OTHER REPAIR & MAINTENENCE	0.00	0.00	500.00	100.00%
85000	CAPITAL OUTLAY	0.00	2,791.75	3,000.00	6.94%
	Total Expense	4,541.26	22,815.48	124,632.00	81.69%

City of Trinidad
Statement of Revenues and Expenditures
401 - Fire
From 11/1/2010 Through 11/30/2010

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	150.00	600.00	1,800.00	66.67%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	90.00	0.00	0.00%
75180	UTILITIES	74.64	219.78	600.00	63.37%
75260	BACKGROUNDS / EDUCATION	0.00	0.00	1,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	123.00	5,700.00	97.84%
76110	TELEPHONE	6.32	107.85	100.00	(7.85)%
76140	RADIO & DISPATCH	0.00	0.00	1,000.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	0.00	750.00	100.00%
78150	VEHICLE REPAIRS	0.00	0.00	3,000.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	81.21	500.00	83.76%
78180	OTHER REPAIR & MAINTENENCE	0.00	0.00	1,500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	9.07	4,094.97	7,500.00	45.40%
85000	CAPITAL OUTLAY	0.00	0.00	10,000.00	100.00%
90000	Capital Reserves	0.00	0.00	20,000.00	100.00%
	Total Expense	240.03	5,316.81	53,450.00	90.05%

City of Trinidad
Statement of Revenues and Expenditures
501 - PW (Public Works)
From 11/1/2010 Through 11/30/2010

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
61000	EMPLOYEE GROSS WAGE	2,471.04	11,280.21	25,072.00	55.01%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	11,345.00	100.00%
65100	DEFERRED RETIREMENT	200.69	1,109.41	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	640.57	3,336.55	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	614.51	0.00	0.00%
65600	PAYROLL TAX	207.33	962.50	2,560.00	62.40%
71510	ACCOUNTANT-ADMIN TASKS	0.00	942.64	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	1,000.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	10,669.77	11,098.87	24,000.00	53.75%
78110	Street Safety Improvements	0.00	0.00	12,000.00	100.00%
78120	STREET LIGHTING	317.61	1,552.07	4,000.00	61.20%
78125	Street Lighting - Improvements	0.00	0.00	15,000.00	100.00%
78130	TRAIL MAINTENANCE	5.43	749.06	3,000.00	75.03%
78140	VEHICLE FUEL & OIL	244.68	969.42	3,000.00	67.69%
78150	VEHICLE REPAIRS	0.00	57.20	0.00	0.00%
78180	OTHER REPAIR & MAINTENENCE	0.00	43.29	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	255.38	831.11	2,500.00	66.76%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	217.39	0.00	0.00%
79150	WATER LINE REPAIR	0.00	32.42	0.00	0.00%
	Total Expense	15,012.50	33,796.65	103,477.00	67.34%

CONSENT AGENDA ITEM #3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

3. Professional Services Agreement with Steve Albright

CONSENT AGENDA ITEM IX.3
Date: January 12, 2011

Item: **PROFESSIONAL SERVICES AGREEMENT WITH STEVE ALBRIGHT**

Background: Steve Albright will be leaving as the City Manager of Trinidad by the end of January. In the transition to a new City Manager, he has offered to continue to assist the City, especially with the completion of some of the current grant projects.

He has offered to continue to assist the City under a professional services agreement. He would be paid at the same hour rate that he has received as the City Manager, with no allowance for benefits. He would be paid mileage for any visits to the City on City business.

The agreement would be controlled by the City Council. He would only create "billable hours" when requested by the City Council or an person designated by the Council

Staff Recommendation: Approve the Professional Services Agreement with Steve Albright.

Attachments: Proposed Professional Services Agreement with Steve Albright.

CITY OF TRINIDAD
Steve Albright, City Manager
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-3876

PROFESSIONAL SERVICES AGREEMENT

The City of Trinidad (City) desires to enter into a Professional Services Agreement (Agreement) with Stephen Albright (Consultant) for the purposes of assisting the City with certain management services. The services to be provided by the Consultant are for the purpose of assisting the City as it seeks to retain a new City Manager. As the retiring City Manager, the Consultant is uniquely qualified to provide these services.

By entering into this Agreement, the Consultant does hereby agree to perform the services as identified below and in a timely manner.

- Perform work related to existing ongoing projects of the City, including grant programs in progress, fiscal management of grant programs, required reports, etc.
- Attend meetings as required to coordinate the work of ongoing projects, especially relating to meetings with representatives from grantor agencies or contractors to the City of Trinidad;
- Assist the City, as requested, with recruiting and screening applicants for the position of City Manager;
- Assist the City, as requested, with orienting the new City Manager.

In return for those services, the City does hereby agree to the following:

- Cooperate with the Consultant in making City resources available to assist in the completion of identified work items;
- Pay to Consultant at a rate of $25.00/hour for billed time, plus personal mileage to attend meetings or work in Trinidad at a rate of $.50/mile; and
- The City acknowledges that the Consultant will be employed outside of Humboldt County and that his availability to provide the services included in this Agreement will be limited and will have to be coordinated in advance.

This Agreement and any attachments constitute the full conditions for services to be provided by the Consultant to the City.

Dated: _____, 2011

_____
Kathy Bhardwaj,
Mayor

Dated: _____, 2011

_____
Stephen Albright
Consultant

CONSENT AGENDA ITEM #4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

4. Revision of MOU with the Trinidad Rancheria for Prop 84 ASBS Project

CONSENT AGENDA ITEM IX.4
Date: January 12, 2011

Item: **REVISION OF MOA WITH THE TRINIDAD RANCHERIA FOR THE PROP 84 ASBS PROJECT**

Background: The City has already approved a Memorandum of Agreement (MOA) with the Trinidad Rancheria for the implementation of the Prop 84 ASBS Grant for the Pier Reconstruction Project. After the approval, a change was requested by the funding agency, the State Water Resources Board.

The change reflects the need for attachments to the MOA. Those attachments are not yet available.

If the attachments are not available by the Council meeting time, staff will request that this item be delayed for a month.

The Rancheria also forwarded a letter requested by the City that demonstrates that the Rancheria has the necessary cash flow needed to proceed with this project.

Staff Recommendation: Approve the proposed amended MOA, or delay action to the February 2011 City Council meeting if the attachments are not available.

Attachments: MOA with the Trinidad Rancheria; and
Finance letter from Umpqua Bank.

DRAFT

MEMORANDUM OF AGREEMENT

between

THE CHER-AE HEIGHTS INDIAN COMMUNITY OF THE TRINIDAD RANCHERIA

and

THE CITY OF TRINIDAD

This Memorandum of Agreement identifies and sets forth the joint and individual responsibility of the Cher-Ae Heights Indian Community of the Trinidad Rancheria, hereinafter referred to as the "Rancheria" and the City of Trinidad, hereinafter referred to as the "City" in the administration of the State Water Resources Control Board (SWRCB), Proposition 84 Areas of Special Biological Significance ("ASBS") Grant Program; hereinafter referred to as the "Grantor" for the Trinidad Pier Reconstruction Project, hereinafter referred to as the "Project."

The Rancheria desires to construct a new pier that eliminates the High Threat Discharges, addresses pollutant concerns for a 303(d) Listed Waterbody, and protects beneficial uses in the ASBS. The new pier will capture runoff, which currently drains into the ASBS, and channel it to a land-based, filter-protected infiltration gallery. The Project also includes complete post-project O&M, involving completion of the Rancheria's draft Waterfront Operations Plan with Best Management Practices for the entire Harbor, public education and improvement of the Rancheria's mooring field lease agreements to protect water quality. The Project will immediately improve water quality in the ASBS.

The City desires to assist the Rancheria with the Project and implement long-term public out-reach, support and participation in the protection of the ASBS.

WHEREAS, the Rancheria and the City have previously entered into an MOA in the interest of pursuing storm water improvements to preserve and enhance water quality at the beaches and ocean waters adjoining their facilities and jurisdictions; and

WHEREAS, the City has applied for funding through the Grantor, Proposition 84 Areas of Special Biological Significance Grant Program; and

WHEREAS, the City's proposed Project supports the Grantor's mission and funding priorities for Areas of Special Biological Significance; and

WHEREAS, the City and Grantor plan to execute a proposed 84 Areas of Special Biological Significance Grant Program Grant Agreement ("Grant Agreement") attached hereto as Exhibit A to this MOA.

It is hereby agreed between the Rancheria and the City that, upon execution of the Grant Agreement by the City and the Grantor, the Rancheria and the City will perform the following:

1. The City shall utilize the grant funds for the Project only on reimbursable costs as defined in Proposition 84 Areas of Special Biological Significance Grant Program Guidelines. The specific activities/tasks to be carried out, including activities, objectives and deliverables, are set in Exhibit A, attached hereto and incorporated herein, and Exhibit B, City's grant proposal attached hereto and incorporated herein;

2. The City will have the primary responsibility for Grant and Labor Compliance ; review all grant documents for Project compliance, review all contracts and subcontracts for Project compliance, review insurance and bond requirements for Project compliance, and attend Pre-Bid Meeting for Construction to disseminate compliance requirements;

3. The City shall conduct the necessary inspections of the Project facilities provided under the contract with the contractor, Rancheria representative and authorized agencies, and shall request reimbursements for the payment of subcontractor invoices for work completed during the invoice period. Final acceptance and payment for the work shall not occur until the contractor has corrected all deficiencies identified at the inspection and until the work is in full compliance with the plans, specifications and other contract requirements under this grant.

4. The City will be the Program Administrator. As the Program Administrator for this Project the City will have all fiscal management, progress reporting, and requests for reimbursement responsibility. In general the City will be responsible for meeting the assurances demanded by the Grantor, completing periodic reporting as required and doing the fiscal management for the grant;

5. The Rancheria will be the Project Manager. As the Project Manager the Rancheria will be responsible for the management of the Pier Reconstruction Project and will provide all information as needed to the City to assure timely reporting and reimbursement submittals. In general the Rancheria will be responsible for the day-to-day activities of the Project;

6. The Rancheria will be responsible for the repayment of any and all grant funds that have been disbursed, with interest, should the Project lapse, or be unable to be completed as a result of an act or omission by the Trinidad Rancheria in breach of this MOA;

7. The Rancheria shall be responsible in accordance with acceptable standards and business practices, for the settlement of all contractual and administrative issues arising out of procurement. These issues include, but are not limited to, source evaluation, protests, disputes and claims;

8. The Rancheria shall demonstrate that it has sufficient cash on hand to the reasonable satisfaction of the Grantor to implement this Project, with the understanding that there will be no advance payments, and invoices may only be submitted for work that has been completed and invoiced by subcontractors during the invoice period.

9. The Rancheria will provide any necessary cash flow to the City for the costs associated with work to be performed by the Rancheria or its subcontractors on the Project while the parties await reimbursements from the Grantor for invoiced work.

10. At no time during the Project will the Rancheria represent the City nor will the City represent the Rancheria.

11. The Trinidad Rancheria accepts and agrees to comply with all terms, provisions, conditions, and commitments of this MOA and agrees to perform its obligations and commitments consistent with the assurances, declarations, representations, and commitments made by the Trinidad Rancheria to the City in the **[insert specific provisions of named documents]** attached hereto as Exhibit B to this MOA and filed in support to the City's request for financial assistance.

12. Notwithstanding any other provision in this MOA (including, without limitation any provision of the Grant Agreement or grant application incorporated in this MOA by reference) to the contrary, nothing in this MOA shall be deemed to be a general wavier of the Trinidad Rancheria's sovereign immunity from suit, which immunity is expressly asserted. Provided, however, that the Trinidad Rancheria hereby expressly unequivocally and irrevocably consents to be sued by the City in any court otherwise having jurisdiction over the subject matter for an action to interpret and enforce this MOA; and provided further that this limited waiver of sovereign immunity is not, and shall not be deemed to be, consent by the Trinidad Rancheria to the levy of any judgment, lien, or attachment upon any of its property, assets or income except for, and limited to, the "Project Assets," which shall be exclusively limited to the future revenues earned from the operation of the pier and gift shop located on the pier. In no instance shall any enforcement of any kind whatsoever be allowed against any assets of the Trinidad Rancheria other than the limited assets of the Trinidad Rancheria specified in this section 12 of this MOA, nor shall this limited waiver of sovereign immunity extend to specific performance, special damages, or special penalties. This limited waiver shall remain in effect for the term of the executed Grant Agreement or, to the extent explicitly required in the Grant

Deleted: ¶

Formatted: Font: Bold

Deleted:

Agreement, for the useful life of the Project, as the term "useful life of the Project" is defined in Section 39 of the proposed Grant Agreement.

Approval Recommended:

X

Garth Sundberg, Chairman Date
Trinidad Rancheria

X

Stan Binnie Date
Mayor, City of Trinidad

UMPQUA
B · A · N · K

December 21, 2010

Mr. Steve Albright
City Manager
City of Trinidad
PO Box 390
Trinidad, CA 95570

Re: Verification of funds

Dear Mr. Albright:

Please accept this letter as verification that Trinidad Rancheria has deposit accounts with Umpqua Bank which include Trinidad Pier Reconstruction Funds in the Amount of $2,360,624. This amount is available for the Rancheria without restriction for the withdraw.

If you have any questions, please let me know.

Sincerely,

Songmi Sweet
VP Commercial Relationship Manager
(707) 269-3144

AGENDA ITEM #1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 7 PAGES

1. Appointments of Council Members to Varied Boards and Commissions

DISCUSSION/ACTION AGENDA ITEM X.1
Date: January 12, 2011

Item: **APPOINTMENTS OF COUNCIL MEMBERS TO VARIED BOARDS AND COMMISSIONS**

Background: Members of Trinidad's City Council represent the City on various committees, boards and commissions. In addition, the Council appoints citizen members to the Planning Commission and periodically to other committees.

At the last Council meeting, it was agreed to summarize all of the boards and committees that requires representation on the Council. That information is shown on the attached chart.

Mayor Bhardwaj has shared this information with the Council members and compiled each person's requests for committee service. Her suggestions for appointments, which attempt to divide the workload responsibilities and honor individual requests, is shown on the attached list.

Staff Recommendation: Approve Mayor Bhardwaj's suggested slate of appointments to Boards, Commissions, and committees, or revise the appointments at the desire of the Council.

Attachments:
1. Chart of information regarding varied boards and commissions; and
2. Proposed Committee Assignments

Committee appointments for Trinidad City Council members

Committee & Function	Mtg. Time	Mtg. Place	members	Current appointee	Comments
Humboldt Waste Mngmt. Authority: Oversees county waste collection & disposal (hazardous, solid & food waste)	6:30 2nd Thursday	Eureka City Hall	Arcata, Blue Lake, Eureka, Ferndale, Rio Dell, County	Currently we are not a member	Decisions have a big county-wide financial impact.
Planning Commission Liaison: Keep PC and CC apprised of each other's related activities, communicate between groups	3rd Wed. 7 PM + as needed	Town Hall	Commission members and Trever Parker	Bhardwaj	Requires prep time & study of packet.
Humboldt Area Council of Govts. (HCOAG): County-wide transportation planning and programming	4th Thurs. 7 PM	Eureka City Hall	Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, Trinidad, County	Binnie Alternate: Morgan	Big packet, many important county-wide decisions. Reps are usually Mayor and Mayor Pro-Tem)
Tsurai Management Plan Implementation Committee: Implement Management Plan	Quarterly or as needed or requested by members.	Trinidad	City, Tsurai Ancestral Society, Yurok Tribe, Coastal Conservancy	Binnie & Morgan	This committee was negotiating for property transfer & is currently inactive. May change focus to improvements on TSA site per Management Plan
ASBS Projects Committee: plan and implement projects to clean up the ASBS (Stormwater and Pier project)	TBA	TBA	Stormwater project: City, Winzler & Kelly, Trever, & Pier Project: City, Rancheria, their design and engineering companies &	---	This committee is being developed

Committee appointments for Trinidad City Council members

Committee & Function	Mtg. Time	Mtg. Place	Members	Current appointee	Comments
Redwood Regional Economic Develpmnt Corp. (RREDC): Administers loans and grants to improve business & job opportunities in Humboldt county	6:30 4th Monday	Eureka	Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, Trinidad, Humboldt County, McKinleyville, Orick, Redway, Willow Creek, Hoopa, Orleans, Manila, Humboldt Bay Municipal Water District, Humboldt Harbor Commission, College of the Redwoods	Fulkerson	
Humboldt Transit Authority: Oversees county-wide transit services Trinidad to Garberville	9AM 3rd Wed.	Eureka	Trinidad, Arcata, Eureka, Fortuna, Rio Dell, County	Fulkerson	
Redwood Coast Energy Authority Board (RCEA): Develop & implement sustainable energy projects in Humboldt county	3:00 3rd Monday	517 5th, Eureka	Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, Trinidad, County, Humboldt Bay Municipal Water District	Ratzlaff	
BLM Gateway Project: protect the diversity of life on coastline and offshore rocks by education and community cooperation	Quarterly or as needed	Trinidad or Arcata	Trinidad, Native Plants, Trinidad Library, HSU Marine Lab, BLM, Trinidad Land Trust, Yurok Tribe, Tsurai Ancestral Society, State Parks and Fish and Game, Rancheria	Julie	

Committee appointments for Trinidad City Council members

Committee & Function	Mtg. Time	Mtg. Place	members	Current appointee	Comments
Humboldt County Convention and Visitors Bureau (HCCVB): Promotes Tourism in Humboldt County	Bimonthly Lunch meeting	Varies	Governments and businesses throughout Humboldt County	Morgan	
Humboldt County Hazard Mitigation Committee: County-wide effort to reduce risk and plan for efficient recovery from natural disasters.	2X year or as needed	varies	26 planning partners include local governments, fire departments, hospitals, etc.	Morgan	
Joint Committee for Park/Museum/Library: Plan, implement and coordinate Park, Museum & Library projects.	Inactive	Trinidad	City, Museum, Library, Land Trust Contractor	Bhardwaj Ratzlaff	May become active once more when Library starts construction
Imagine Humboldt: County-wide planning for the next 40 years.	Nov, Jan, April	TBA		---	This committee is being developed
Trinidad Gateway Project: Design & implement beautification projects for town entry	Monthly as needed	Town Hall	Rancheria, Tsurai, Yurok Tribe, Council, Planning Commission, Community	Binnie	2 hour meeting
Office of Emergency Services (OES): prepares for natural; disasters, coordinating efforts of first responders.	Bi-monthly, 1 PM	Eureka	County, cities, service districts, medical providers, Ham radio, HSU, weather service, Fish & Game, etc.	Morgan	1 hour meeting

Committee appointments for Trinidad City Council members

Committee & Function	Mtg. Time	Mtg. Place	members	Current appointee	Comments
Indian Gaming Funds: Distribute funds to local communities and projects to offset casino impacts	Inactive: no money				This committee meets when the state sends Gaming money. This year, no money.
Humboldt Mayors Committee: Recommends candidates for appointments	As needed	Eureka City Hall	Arcata, Eureka, Blue Lake, Rio Dell, Fortuna, Ferndale, Trinidad	Binnie	

Committee appointments for Trinidad City Council members

Proposed Committee Assignments*

COMMITTEE	REP
Trinidad Gateway	Dwight
BLM Gateway	Tom
Joint Committee Park/Library/Museum	Kathy
Planning Commission Liaison	Tom
HCOAG Humboldt County Association of Governments	Kathy
Humboldt Mayors	Kathy
HTA Humboldt Transit Authority	Julie
Tsurai Mngmnt. Plan Implementation	Mike / Dwight
RCEA Redwood Coast Energy Authority	Julie
RREDC Redwood Regional Economic Development Corp.	Julie
Humboldt Waste Management Authority	Dwight
Indian Gaming Funds	Kathy
ASBS Projects Committee	Tom
Imagine Humboldt!	Julie
HCCVB Humboldt County Convention & Visitors Bureau	Mike
Humboldt County Hazard Mitigation	Mike
OES Office of Emergency Services	Mike

Dwight	**Julie**	**Kathy**	**Mike**	**Tom**
Trin Gtwy	RREDC	HCOAG	Tsurai	BLM
Tsurai	RCEA	Jnt. Cmtee	OES	Planning
Waste	HTA	Mayors	HazMit	ASBS
	Imagine	Gaming	HCCVB	

* In drawing up this list of suggested committee assignments, I (Kathy) tried to honor everyone's requests as much as possible, and divide the work fairly. The group can consider the proposal and change as needed.

AGENDA ITEM #2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

2. Appointment(s) to the Trinidad Planning Commission

DISCUSSION/ACTION AGENDA ITEM X.2
Date: January 12, 2011

Item: **APPOINTMENT(S) TO THE TRINIDAD PLANNING COMMISSION**

Background: There are currently three open slots on the Trinidad Planning Commission. All three are due to expiring terms. Of the three, only Richard Johnson (current Chairman of the Planning Commission) is requesting reappointment.

To date, two additional individuals have requested consideration for appointment. One of the two persons is a Trinidad resident. Since the letter of interest was received only recently, the Council has not yet had the opportunity to "interview" the candidate as has been done in the past.

Staff Recommendation:

1. Reappoint Richard Johnson to second four-year term;
2. Over the next month, interview the other candidates who have submitted a letter of interest; and
3. Reopen the period for filing through January 28, 2011 in an effort to receive additional candidates.

Attachments:

1. Statement of interest from Jeffrey Musgrave; and
2. Statement of interest from Chuck Vanderpool.

Trinidad City Manager

From: Trinidad City Clerk [cityclerk@trinidad.ca.gov]
Sent: Thursday, January 06, 2011 2:09 PM
To: 'Trinidad City Manager'
Subject: FW: My desire to be on the Trinidad Planning Commission

-----Original Message-----
From: Jeffrey "Muskrat" Musgrave [mailto:humboldtforestdefense@gmail.com]
Sent: Friday, October 29, 2010 11:42 AM
To: cityclerk@trinidad.ca.gov
Subject: My desire to be on the Trinidad Planning Commission

To Trinidad City Clerk Gabriel Adams(and whomever else this may concern):

I have lived in the Westhaven area for over three and a half years, as well as have lived here in Northern Humboldt County for a total of over 7 years.
After "discovering" Trinidad years back, I have finally found what I feel is the best place to live on the entire west coast.

I am very interested in sitting on the Trinidad planning commission to help decide which direction that this wonderful little town will take in the coming future in regards to zoning and new construction.
Despite the fact that I live just outside the city in Westhaven (on Quarry Road), I still call my home Trinidad and I feel that I can help represent the interests of all progressive local residents. My main interests in the commission are to help keep Trinidad visitor and tourist friendly and most importantly, to protect green space and habitat.

I have a long list of referrences that I would be more than happy to provide. Thank you for this opportunity to serve my community.

Sincerely,

Jeffrey "Muskrat" Musgrave
PO Box 85
423 Quarry Rd.
Trinidad, Ca 95570

http://humboldtforestdefense.blogspot.com
http://saverichardsongrove.blogspot.com/

12.31.2010

TO WHOM IT MAY CONCERN:

I WOULD LIKE TO EXPRESS MY INTEREST IN A POSITION ON THE PLANNING BOARD. I'VE LIVED HERE JUST OVER A YEAR, AND I CARE ABOUT THE FUTURE OF THIS BEAUTIFUL PLACE. PLEASE LET ME KNOW IF I CAN BE OF SERVICE TO ~~XXXXX~~ TRINIDAD.

- HAPPY NEW YEAR! -

SINCERELY,

C. Vanderpool

CHUCK VANDERPOOL
PO BOX 513 - 486 VIEW AVE
TRINIDAD
732-614-3195

AGENDA ITEM #3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

3. Report on the Process to Replace the City Manager

DISCUSSION/ACTION AGENDA ITEM X.3
Date: January 12, 2011

Item: **REPORT ON THE PROCESS TO REPLACE THE CITY MANAGER**

Background: The City Manager announced his retirement from the City in early November. Since that time, Mayor Bhardwaj and Mayor Pro-Tem Fulkerson have been working with the City Manager to plan for a smooth transition to t anew City Manager.

Several actions have taken place since that time:

- An Advertisement and complete Job Description have been prepared.
- Ads have been placed in Jobs Available; the Times Standard newspaper (3 times), Craigslist.org (ongoing), and the local Employment Development Department of the State. The ad deadline was set for January 14, 2011.
- To date, three applications have been received and at least two more are anticipated.
- Rebecca Price-Hall has been working as a part-time employee (about 12 hours per week) to help the City Manager in preparing for the transition,

Staff Recommendation: Discuss any additional actions that the Council would like to take on the process to recruit, interview, and select a new City Manager, and any other actions that the Council deems necessary to affect a smooth transition.

Attachments: City Manager Advertisement; and
City Manager Job Description.

CITY MANAGER
City of Trinidad, California

Trinidad is a unique small village in Humboldt County on California's north coast. It is one of the smallest incorporated cities in the State, yet it addresses many of the same issues as larger cities. Trinidad is fiscally sound and is responding to challenging budget times by building a solid reserve and leveraging varied grants and other financial assistance to further community improvement priorities.

The City Manager has been a part-time (60%) position since being established in 2007. There are four other full-time employees and several authorized part-time employees. The City manages Water and Cemetery enterprise functions, Public Works and Streets, and general administrative activities. Trinidad currently contracts with the County Sheriff for law enforcement services, and there is a local Volunteer Fire Department. Other City functions are under contract to professional consultants (Planning, Engineering, City Attorney, and Finance).

This is an excellent opportunity for a person with city management experience. The salary is negotiable. Trinidad offers a benefits package, including a 457 retirement plan. The City is not a PERS agency.

Apply by: 5:00 pm, Friday, January 14, 2011: open until filled. City of Trinidad, "City Manager Position," P.O. Box 390, Trinidad, CA 95570. To be considered, all applicants must submit a letter of interest, a current resume, and be prepared to complete a City employment application form and provide three current references. For further information, call (707) 677-3876.

Additional information can be found on the City's website at www.trinidad.ca.gov

CITY of TRINIDAD, CALIFORNIA

JOB DESCRIPTION

CITY MANAGER

The CITY MANAGER is a professional administrative management position (exempt) employed by and responsible to the Trinidad City Council. The person shall generally be selected after a recruitment process that ensures equal employment opportunity to all candidates in accordance with the "Employee Recruitment and Selection" policy approved by the Trinidad Employee Policies and Procedures Manual.

POSITION

The CITY MANAGER is a professional administrative management position that supervises all other City employees and the program functions of the City. Under policy direction of the Trinidad City Council, it is the CITY MANAGER'S responsibility to carry out the directions of the City Council and manage all functions of the City in a professional and efficient manner.

QUALIFICATIONS

Education and Experience:

1.

Licenses and Certificates:

1. Valid California Driver's License, or the ability to get one if relocating.

Other Considerations:

1. Demonstrated ability to work under minimal direction;
2. Understanding of city management principles and practices;
3. Experience and understanding of municipal finance management;
4. Experience and understanding in general grantsmanship and the management and implementation of State and Federal grants programs;
5. Flexibility in work scheduling and the ability to periodically attend pre- or post-business hour meetings;
6. Strong public relations skills.

POSITION RESPONSIBILITIES

The CITY MANAGER will be expected to divide his/her time between the following prime functions:

1. Day-to-day management of the City;
2. Interaction with and support to the City Council members;
3. Fiscal management;
4. Personnel management and management of the City's contracted services;
5. Program and project management of grants and City capital improvement projects; and
6. Public relations.

Following is a listing of duties that are representative of the CITY MANAGER'S job responsibilities. Due to the fact that there are very few employees in Trinidad, and contract services need to be managed in terms of time and costs, the CITY MANAGER is a working position that is required to perform more tasks than are delegated.

Day-to-day management of the City:

Interact with Council, staff, and public;
Assist with the administration of facilities, equipment, and supplies;
Represent City at public and inter-agency meetings;
Coordination with legal counsel on legal issues and litigation;

Interaction with and support to the City Council members:

Prepare meeting agendas, reports, and packets;
Perform a variety of administrative research and technical assignments:
Prepare oral and written reports;
Primary staff to City Council meetings

Fiscal management:

Annual budget preparation;
Monthly and quarterly financial reporting;
Oversight of accounts payable, accounts receivable, and payroll.
Ongoing direction of investments and cash-flow management;
Annual liaison to the preparation of the Fiscal Audit;
City representative to PARSAC (insurance carrier) Board

Personnel management and management of the City's contracted services:

Supervision of all city employees;
Maintenance of all City personnel records;
Maintenance and updating of Personnel Policies and Procedures Manual;
Fiscal and work product management of contracted services (Legal, Planning, Engineering, Building Services, Accounting, Auditing)

Program and project management of grants and City capital improvement projects:

Grants research and application preparation;
Prepare or oversee grants management, including progress and final reports;
Prepare and manage construction or other work contracts;
Prepare or oversee financial reimbursement claims;

Maintenance of project records

Public relations:

Deal with citizen complaints and problems;
Interact as City's official media representative;
Author varied City correspondence:

The preceding description of position duties is not all inclusive. The Administrative Assistant must be flexible and able to provide assistance in varied other activities that may prove to be beneficial to the efforts of the JPA.

SUPERVISION AND AUTHORITY

The CITY MANAGER is employed, under contract, by the City of Trinidad. The CITY MANAGER serves at the pleasure of the City Council and is directly supervised by the City Council of the City of Trinidad.

The CITY MANAGER is generally authorized by the City Council to carry out the Council's policies, including the annually adopted budget.

PERFORMANCE REVIEW

The performance of the CITY MANAGER will be reviewed periodically (annually) on or about the person's anniversary date with the City. The content of this review will be the basis of salary adjustments, contract changes, or contract extensions. The review will be based on the City Council's assessment of the person's effectiveness in performing the duties outlined in this job description.

SALARY AND BENEFITS

The CITY MANAGER is a contract employee. The salary and benefits included in the contract will be approved after a process of negotiation. A benefits package will be part of the negotiation, but at minimum offered benefits will be consistent with those offered to all employees as defined in the Employee Policy and Procedures Manual, unless declined in writing by the employee.

This job description may be amended from time to time to meet the changing needs of the City.

The City of Trinidad is an Affirmative Action/Equal Opportunity employer. Qualified women, minorities, disabled veterans, and physically challenged persons are strongly encouraged to apply.

AGENDA ITEM #4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 9 PAGES

4. Report on Pampas Grass Survey

DISCUSSION/ACTION AGENDA ITEM X.4
Date: January 12, 2011

Item: **REPORT ON PAMPAS GRASS SURVEY**

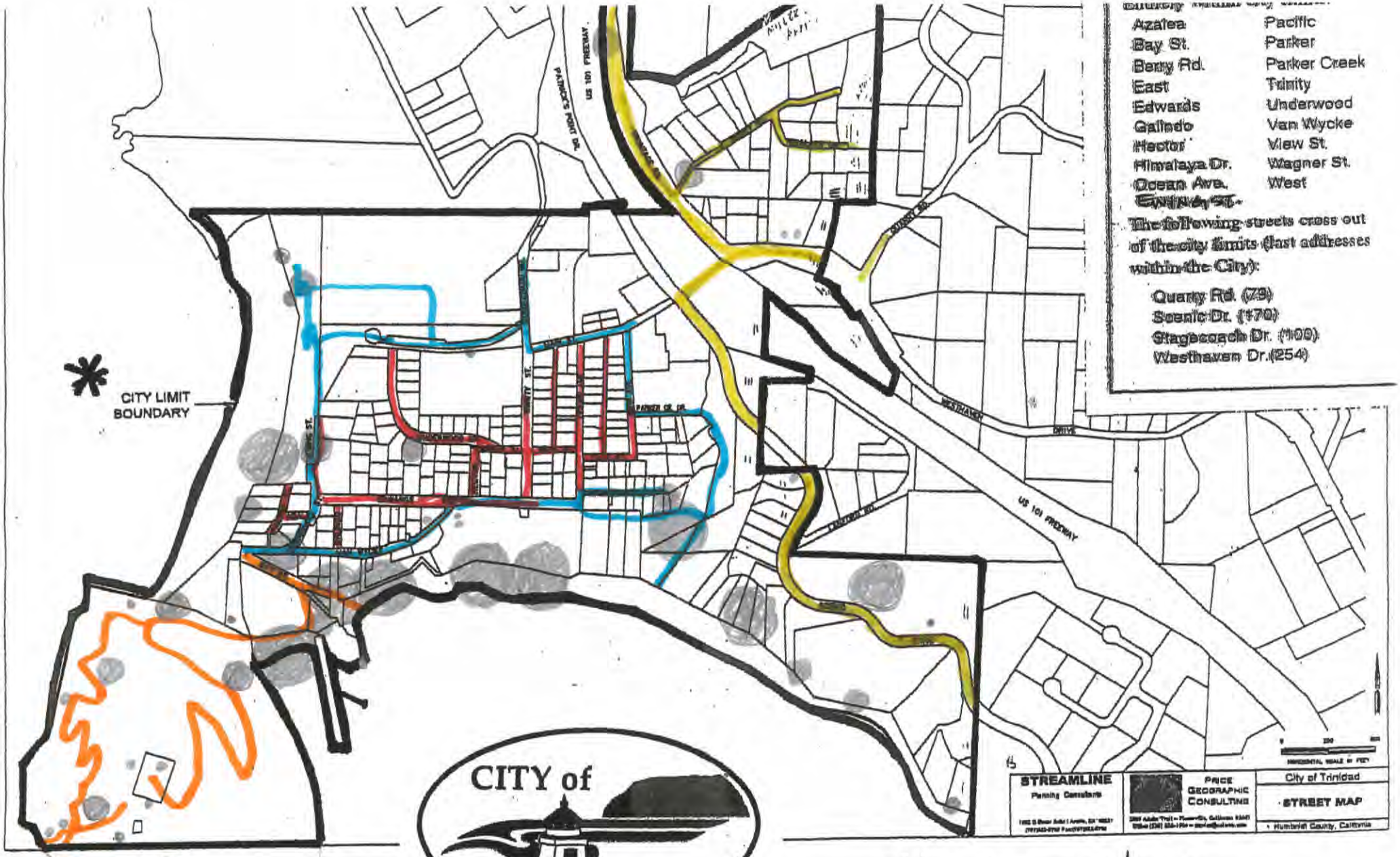
Background: In October, Marie Kelleher-Roy spoke to the Council regarding invasive plant species and their impact on the California coast. She concentrated her comments on pampas grass.

The Council authorized the City Clerk to provide her a list of name/addresses of Trinidad's residents so that she could contact them about the Native Plant Society's desire to do a complete inventory of pampas grass in Trinidad. That was done, and over the pas three months a survey has been completed.

Marie Keller-Roy will give a brief report on the Society's findings within the City of Trinidad.

Staff Recommendation: Receive and file the report, and take whatever other related action that is deemed appropriate by the members of the City Council.

Attachments: A hand-drawn survey map has been provided to the Council Members and will be displayed on the screen at the Council Meeting.



CITY of TRINIDAD

CGB

- ONE
- 2-10
- 11-20
- 21-50

FYI: HOPE THIS HELPS -

CABE

Pampasgrass Survey of the city of Trinidad

East side of city
November 2, 2010 morning
Marie Kelleher-Roy
Melanie Johnson

#15 Berry Road	1 plant
north side of Berry Road near #15	8 plants
Westhaven Drive at Big Lagoon Church	1 plant
At 221 Westhaven Dr	1 plant
Scenic Drive #50	1 plant
Scenic Drive opposite #130	30-50 plants
Scenic Drive opposite #150	1 plant

Trinidad Head
November 4, 2010 afternoon
Marie Kelleher-Roy
Kim Tays Binnie

North side of head on steep cliff	8 plants
" " " " ", farther west	1 plant
Edwards St near south sidewalk	18-20 plants
Edwards St on south bank	2-3 plants
In parking lot near start of trail	1 plant
Vacation rental	3 plants
Cliff behind Seascape	30-40 plants
(continues up side of head)	6-7 plants
Beside trail after first switchback	31 small plants
At four benches	2 plants
Along trail to the top	6 small plants

Wooden overlook	1 plant
By restricted trailer	1 plant

Page two

Inside HV	1 plant
Road to cell tower	1 plant
Seascape parking lot	30-40 plants
Seascape parking lot	1 or 2 by themselves
Beach at end of parking lot to large rock Outcropping	30-40 plants
Trinidad Beach west to large rocks	over 100? Plants
Third house facing the ocean (Maybe 576 Pacific or next door)	2-3 plants
Southern tip of head	20-30 plants

Edges of city and beach
November 6, 2010
Marie Kelleher-Roy
Virginia Waters

West side of hill on trail to beach	4 plants
Outside school fence	1 plant
Junction of Parker Creek Trail and Indian Beach trail	20-25 plants
Beach below Van Wycke in two clumps	40-50 per clump
335 Wagner St.	3 plants
at beginning of Van Wycke, south side	2 plants
corner of Edwards and V.W. in yard	1 plant
across road from Marine lab	4 large, some small

City Streets
November 10, 2010
Marie Kelleher-Roy
Julie Fulkerson

Across from 770 Underwood 4to 6 plants

AGENDA ITEM #5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

5. Report on Van Wycke Trail Improvements

DISCUSSION/ACTION AGENDA ITEM X.5
Date: January 12, 2011

Item: **REPORT ON THE VAN WYCKE TRAIL IMPROVEMENTS**

Background: City staff is investigating how best to improve the Van Wycke Trail. It has been closed temporarily because there has been continued slippage and erosion of the ground beneath the trail. , creating a potentially dangerous condition. The entire trail is part of the original right–of-way of the City that was Van Wycke Street.

Since the Council last meeting, Bush Geotechnical Consultants has been retained to evaluate the land under the trail to determine its long-term stability. If both the existing drainage line and the foot path need to be relocated further from the edge of the embankment onto private property (a new easement), then the cost of this action needs to be supported by factual information that would justify the expense.

The geotechnical analysis will be available to present to the Council at the February meeting.

Staff Recommendation: Receive and File the report, or take whatever other action is deemed appropriate by the members of the Council.

Attachments: Professional Services Agreement with Bush Geotechnical Consultants.

BUSCH GEOTECHNICAL CONSULTANTS

December 23, 2010

Steve Albright
City of Trinidad
Trinidad City Manager CityManager@trinidad.ca.gov

RE: Limited-scope geotechnical evaluation of failing section of Van Wycke Trail for drain and water replacement or repair

Hello Steve,

Based on my reconnaissance inspection of the site with W&K engineer Josh Wolf and Public Works Director Brian Buckman on December 7, I am happy to provide you with a proposal. **I will provide the following tasks, plus all associated administrative fees, for a flat-fee of $1375.**

- ☐ Make a reconnaissance inspection of the site, discuss the issues and concerns, and take digital file photographs;
- ☐ Provide a written proposal;
- ☐ Return to the site. While there:
  - Hand-auger two (2) boreholes in a yard above the trail, near the trail, logging them per the USCS.
  - Inspect the ground at and below the trail to the beach to determine the type of slope failure(s) that is (are) occurring and what the level of risk of future failures is.
  - Take additional file photographs.
- ☐ Write a short form report that explains the site geology, classifies the types of ground movements that are occurring, presents a risk assessment, includes borehole logs and a figure (prepared by W&K) that shows the hole locations on the W&K topographic base map; and provides geotechnical recommendations for the proposed repairs.

I thank you for asking me to help with the project.

Cordially,

Busch Geotechnical Consultants

Bob Busch

R. E. Busch, Jr.
C.E.G. #1448

No attachments
Cc: joshwolf@w-and-k.com

Accepted: _____
Steve Albright, City of Trinidad, Trinidad City Manager date

AGENDA ITEM #6

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

6. Options for Animal Control Functions in Trinidad

DISCUSSION/ACTION AGENDA ITEM X.6
Date: January 12, 2011

Item: **OPTIONS FOR ANIMAL CONTROL FUNCTIONS IN TRINIDAD**

Background: Some Council members and residents have questioned whether the City needs to have access to animal control services. While this need is infrequent, it is an important function to address when the need arises.

Currently there is no animal control function in the City of Trinidad. The City does pay a minimal monthly cost to the County so that its residents can personally stake in stray animals or pick up lost dogs, but there is no allowance in that agreement for the County to send its trained personnel to pick up sick or dangerous animals.

There appear to be two possible options. First, the City could negotiate a contract for the County for these services. It would be some type of "payment for services" contract. The City of Blue Lake now has this type of an agreement. Second, the City could investigate some form of agreement with the Trinidad Rancheria. The Rancheria apparently has a trained person and a properly equipped vehicle. At this time, it is unknown what services could be performed or if the Rancheria would be willing to entertain and agreement with the City of Trinidad.

Staff Recommendation: Give direction to the staff on how to proceed regarding this matter.

Attachments: Sample contract between the City of Blue Lake and the County Sheriff's Office.

Agreement Between
The County Of Humboldt Sheriff's Office,
And
City of Blue Lake

NOW THEREFORE, we agree as follows:

1. The term of this Agreement shall be for a period of (5) months commencing on the date of February 1, 2009 through June 30, 2009.
2. The City of Blue Lake will generally be responsible for Animal Control with in the City of Blue Lake, with an employee designated as the city Animal Control Officer.
3. The Humboldt County Sheriff's Office Animal Control Division agrees to respond to calls for service, generated by the City of Blue Lake, for animal control issues. These will generally be in assistance, advisory or back up role.
4. The Humboldt County Sheriffs Office agrees to provide two hours of basic Animal Control training to the " designated " City of Blue Lake Animal Control Employee.
5. This agreement is between the City of Blue Lake and the Humboldt County Sheriff's Office. No calls for services will be accepted from the general public, unless such call constitutes a danger to life or serious bodily injury could occur and demands immediate response.
6. The City of Blue Lake will deal with general Animal Control issue and will only call for assistance, from the Sheriff's Office, when deemed necessary by the City Manager or his designee.

7. COSTS

a. The City of Blue Lake will be billed for the services provided when an animal control officer responds to a call for service within the jurisdictional boundaries of the City. These costs will include the call for service, transportation of the animal, securing the animal and any court or other procedural issues requiring the officer to appear. Billing for such services will be provided to the City of Blue Lake, on a monthly basis, by the first of each month. Payment for each monthly invoice's will be expected within 15 days of the receipt of the invoice of services rendered. The rate for such services will be based upon the County of Humboldt's Published fee schedule, which is currently $70.00 per hour/per Animal Control Officer. At the conclusion of the call for service, the time will be calculated by rounding off to the nearest one half hour; a minimum of one hour (1) will be charged for all calls for service, regardless of the duration of the call/service provision.

8. COMPLIANCE WITH LAWS AND ORDINACES

a. All services to be performed by the Humboldt County Sheriff's Office pursuant to this Agreement shall be performed in accordance with all applicable federal, state county and municipal laws, ordinances, regulations, titles and departmental procedures.

b. COMPLIANCE WITH NUCLEAR FREE ORDINANCE: In recognition of the Humboldt County Nuclear Free Ordinance, the CITY certifies by its signature below that it is not a nuclear weapons contractor, in that CITY is not knowingly or intentionally engaged in the research, development, production or testing of nuclear warheads, nuclear weapons systems or nuclear weapons components as defined by the Nuclear Free Ordinance in Humboldt County, CITY agrees to notify COUNTY via HCSO immediately if it becomes a nuclear weapons provider, as defined above. CITY acknowledges that, per the terms of the Humboldt County Nuclear Free Ordinance, COUNTY via HCSO may immediately terminate this agreement if it determines that the foregoing certification is false or if CITY becomes a nuclear weapons provider.

9. NON-DISCRIMINATION: All services rendered under this agreement shall be provided without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, ancestry or handicap/disability.

10. HOLD HARMLESS & INDEMNIFICATION: COUNTY shall hold harmless, defend and indemnify CITY and its officers, officials, employees and volunteers from and against any and all liability, loss, damage, expense, costs (including without limitation costs and fees of litigation) of every nature arising out of or in connection with COUNTY'S performance of work hereunder or its failure to comply with any of its obligations contained in the agreement, except such loss or damage which was caused by the willful misconduct or the gross negligence of the CITY, its officers, officials, employees and volunteers. The COUNTY shall

waive its rights of subrogation against the City, its officer, officials, employees and volunteers. The CITY shall indemnify and hold harmless the COUNTY, its officers, officials, employees and volunteers from any claim or liability, based or asserted upon the illegality or unconstitutionality of any CITY ordinance that the COUNTY has enforced under this contract. This indemnification shall extend beyond the term of this agreement, including any extension thereof, as to claims, actions or judgments arising from the conduct or inaction of any such personnel during the term of this agreement.

11. TERM OF AGREEMENT/TERMINATION: The term of this Agreement shall be for a period of (5) months commencing on the date of February 1, 2009 through June 30, 2009, however that COUNTY or The City Blue Lake may terminate this agreement for any reason by giving written notice to the other party at least five days in advance of the effective date of such termination. Both parties may also extend this agreement past June 30th, 2009, if it is mutually agreeable. Any modification to this agreement, or extension, will be deemed invalid unless created in writing, signed by both parties.

_____

L. Jeff Butzlaff
Interim City Manager, City of Blue Lake

_____

Gary Philp, Sheriff

Humboldt County Sheriff's Office