



Posted: Friday, May 04, 2012

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

The Trinidad City Council will hold its regular monthly meeting on  
**WEDNESDAY, MAY 09, 2012 at 7:00 PM**  
in the Town Hall at 409 Trinity Street

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- I. **CALL TO ORDER/ROLL CALL**
  - II. **PLEDGE OF ALLEGIANCE**
  - III. **ADJOURN TO CLOSED SESSION** - No closed session scheduled.
  - IV. **APPROVAL OF AGENDA**
  - V. **APPROVAL OF MINUTES** - April 11, 2012 cc
  - VI. **COUNCIL MEMBER REPORTS, INCLUDING COMMITTEE ASSIGNMENTS**
  - VII. **ORAL STAFF REPORTS** - Specific Department Reports, Planning Commission
  - 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 for April 2012
    2. Financial Status Reports for March 2012
    3. Proclamation 2012-03; May 2012 as National Bike Month.
    4. Proclamation 2012-04; Week of May 20, 2012 as Trinidad Library Week.
    5. Sale of Surplus Fire Engine 41.
    6. Assignment of City's Contract with Winzler & Kelly to GHD, Inc.
    7. Second reading of Accessory Dwelling Unit Ordinance (ADU) #2012-01 & Vacation Dwelling Unit Ordinance(VDU) #2012-02, and adoption of Resolution #2012-06 (ADU) and Resolution #2012-07 (VDU) for submittal of plan amendment to the Coastal Commission.
  
  - X. **DISCUSSION/ACTION AGENDA ITEMS**
    1. Discussion/Decision regarding award of Main Street and Trinity Street Gateway Project.
    2. Discussion/Decision regarding State Parks proposal to consolidate the Coastal Development Permit process for installation of tsunami warning signage in coastal State Parks in Mendocino, Humboldt, and Del Norte Counties.
    3. Discussion/Decision regarding Verizon proposal for antenna swap of Trinidad Head.
    4. Discussion/Decision regarding agreement for planning services and General Plan Update Project Schedule.
    5. Discussion/Decision regarding Resolution 2012-04; Calling for an election to propose extension of the sales tax increase, and Resolution 2012-05; Election Consolidation.
  
  - XI. **COUNCIL, STAFF, or PUBLIC REQUESTS FOR FUTURE AGENDA ITEMS**
  - XII. **ADJOURNMENT** - *Adjourn to budget study session on Wednesday May 16 at 4:00 p.m.*

**APPROVAL OF MINUTES FOR:**

**APRIL 11, 2012CC:**

**Supporting Documentation follows with: \_\_\_\_\_ 5 PAGES**

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, APRIL 11, 2012**

**I. CALL TO ORDER/ROLL CALL**

- Mayor Pro-Tem Fulkerson called the meeting to order at 7:00PM. Council members in attendance: Morgan, Davies, Fulkerson. **Bhardwaj was absent.**
- City Staff in attendance: City Clerk Gabriel Adams, City Manager Karen Suiker, City Engineer Steve Allen, City Attorney Andy Stunich attended the closed session.

**II. PLEDGE OF ALLEGIANCE**

**III. ADJOURNMENT TO CLOSED SESSION**

1. Government Code section 54956.95: Liability Claims for Damages, etc. against the City of Trinidad

**IV. RECONVENE TO OPEN SESSION**

No action to report.

**V. APPROVAL OF AGENDA**

- Pull Consent #6 for discussion.  
*Motion (Davies/Morgan) to approve the agenda as amended. Passed 4-0.*

**VI. APPROVAL OF MINUTES – March 14, 2012 cc**

*Motion (Davies/Morgan) to approve the minutes as written. Passed 3-0.*

**VII. COMMISSIONERS REPORTS**

Fulkerson: **RREDC**: Hired new Director. Discussed American Airline deal and attended the Prosperity meeting.

Davies: Fire Department purchased a new response vehicle from Blue Lake.

Morgan: **HCAOG** – Will be attending this month's meeting as alternate.

**VIII. STAFF REPORTS**

Karen Suiker – City Manager

- Summarized staff report included in the Council meeting packet. Announced that No Skateboarding will be more actively enforced at the Museum/Park site. Deputy Hicks will be responding. Hoping for cooperation from the community.
- Miller complimented Suiker on grant management success.
- Morgan asked about Van Wyke trail status. Suiker explained that a sign is on order warning users of trail hazards, and that TPW will make best efforts to maintain safe passage along the trail.

**IX. ITEMS FROM THE FLOOR**

**Danny O'Shea – Trinidad Area Resident**

Read a letter on behalf of the Trinidad Westhaven Watershed Council in support of the Luffenholtz Creek sediment reduction grant that the City is pursuing.

**X. CONSENT AGENDA**

1. Staff Activities Report for March 2012
2. Financial Status Reports for February 2012
3. Authorize the City Manager to sign an amended contract for services with GHD for the Water System Turbidity Monitoring Project.
4. Authorize the City Manager to sign Prop 50 Funding Notices of Intent to Apply for Funding for Water System Improvements.
5. Repeal of Accessory Dwelling Unit Ordinance (ADU 2010-04, and Vacation Dwelling Unit Ordinance (VDU 2011-02, and Adoption of Amended ADU Ordinance 2012-01 and VDU Ordinance 2012-02.

- *Motion (Miller/Davies) to approve consent agenda items 1-5, and pull #6 for discussion. Passed 4-0*

6. Authorize the City Manager to sign the Agreement Protecting the Public Interest in Certain Improvements Funded by the California State Coastal Conservancy contingent upon Rancheria execution of Harbor Lease Agreement. City Manager Suiker explained that the Trinidad Rancheria owns and is reconstructing the public Trinidad Pier. The Rancheria was awarded funding from the California Coastal Conservancy (Conservancy) for the Pier Reconstruction Project. As a condition of this grant, the Rancheria has agreed to execute an agreement to protect the public interest in the improvements constructed with Conservancy funds. The City owns and leases to the Rancheria the Harbor tidelands below the Pier. The Trinidad Rancheria and the Conservancy have requested the city enter into this 20 year agreement to ensure the public interest in the pier and harbor area be protected. The lease agreement between the city and the Rancheria expired on January 19, 2011. The City attorney has a concern that signing the Public Interest Agreement without a Harbor Lease in force could be seen as an implicit right regardless of whether there is a lease or the annual \$5000 rent has been paid. He recommends that the Public Interest Agreement be signed by the city manager following execution by the Rancheria of a renegotiated lease agreement with a 20 year term.

Public comment included:

**Jacque Hostler** – Trinidad Rancheria CEO

Presented 4 documents to the Council; 1) Letter requesting government-to-government meetings, 2) The City Manager's response to that letter, 3) Letter from Coastal Conservancy urging the council to approve the Public Interest Agreement, and 4) Letter from Rancheria expressing good faith in completing the Harbor Lease Agreement.

Hostler explained that as part of the Pier project, the Rancheria's Attorney has been reviewing many documents and agreements. He expressed concern with certain language in the draft lease agreement. Also, in reviewing the lease history, we've noticed that Hallmark paid only \$1000 annually, and was required to only carry a 1 million dollar liability policy. We're piecing all the details together and thoughtfully reviewing the lease with intent to renew. She asked the city to read the letter of intent to negotiate in good faith and consider signing the Public Interest Agreement tonight.

City Manager Suiker expressed support for the letter upon review and approval by the City Attorney.

Hostler introduced James, the Pier Construction Manager from Trinity Valley Engineers to answer any questions that the Council had regarding construction process.

There was no further comment from the Council or public.

*Motion (Miller/Davies) to approve the Public Interest Agreement subject to the City Attorney's review of the "Letter of Intent to Negotiate in Good Faith" submitted by the Trinidad Rancheria. Passed 4-0.*

## XI. AGENDA ITEMS

1. Discussion/Decision regarding Artistic Enhancement proposed for Highway 101 Overpass in Trinidad. City Manager Suiker explained that the City of Trinidad has been asked by CalTrans to provide input and suggestions on the design for an artistic rendering on the concrete walls to be installed as part of the overpass seismic retrofit project tentatively planned for construction next year. The Gateway Committee was established several years ago to plan for the City's Gateway Improvement Project, and it was thought this committee would also be appropriate to provide input on this proposed artistic rendering. The renderings have incorporated a number of changes as a result of those meetings, all of which have been open to the public and posted accordingly. The Council is now requested to consider and comment on the proposed project design in order for CalTrans to proceed accordingly.

Suiker introduced **Kim Floyd**, Caltrans project director. Floyd presented and reviewed the renderings with the Council.

Public comment included:

**Janine Volkmar** – Trinidad Area Resident

Questions about transients sleeping beneath the bridge and if the new walls will make it more encouraging to camp out there.

Council comments included:

**Fulkerson:** Thanked Floyd and the Gateway Committee for their hard work and guidance.

*No action was required. By consensus, the Council supported the design and encouraged Caltrans to proceed.*

2. Discussion/Decision regarding deadlines for consideration of Sales Tax Extension

City Manager Suiker explained that at the March 14 meeting, staff reminded Council that a decision to continue the ¾% sales tax increase would be required to either sunset the current tax or continue it without penalty. The current tax increase is scheduled to expire in April 2013.

It is also a Council member election year. There are deadlines shared with the Sales Tax election decision, but others that are independent from the Sales Tax election schedule. Our priority now is simply to not miss the most critical ones. There are multiple agencies involved in the process, and strict deadlines that must be adhered to in order to successfully re-implement or sunset the tax.

**FIRST DEADLINE: June 13, 2012 Council meeting:**

1. Decision to proceed or sunset the Sales Tax Increase must be made.

**SECOND DEADLINE: July 11, 2012 Council meeting:**

1. If a decision is reached to continue the sales tax increase, the wording must be drafted and approved in a resolution. Staff will draft the resolution based upon the decision reached at the June meeting and include it for adoption at the July 11 Council meeting.
2. A second resolution will be required at this meeting to approve requesting that the City and County consolidate their elections. Clerk will have the resolution prepared for discussion/approval at this meeting regardless of the Sales Tax election decision.

The next steps following the July 11 Council meeting deadline will be advised after each benchmark decision is reached. The Clerk's office will provide monthly updates and announcements to the Council regarding publishing deadlines and required notifications for both elements of the election.

Council questions included:

**Fulkerson:** Recap: \$100,000 additional revenue received by the City, and action must be taken by June 13.

**Miller:** Asked about current year revenues vs. expenditures. **Suiker** explained that revenues this year will likely exceed expenditures. Further, Chevron is the City's highest generator of sales tax revenue next to lodging establishments.

Public comment included:

**Miller:** The additional income generated by the increased sales tax essentially pays the City Manager's salary. Do we want to lose this position? The remaining 40% goes to public safety.

**Morgan:** The ¾% sales tax initiative barely passed. The City also promised to sunset the tax after its four year term was up. Public Safety was supposed to be the priority of this tax. I support a lower tax rate proposed, and a tighter budget. Let's find out if the BOE will charge to change the tax rate, and make a decision in May.

**Davies:** I'd like to see it proposed as-is. A significant amount of revenue is generated with a small impact on residents. It's a visitor tax. They pay the tax and the City benefits from it. The City, in turn, maintains the trails & streets, makes significant infrastructure improvements, and provides many public services.

**Fulkerson:** I agree with Morgan. We shouldn't get complacent. A list of successful projects should be generated and promoted with the new tax proposal. We don't want to lose the advantage of maintaining such a fine city. I haven't heard any complaints about the tax, and support continuation of it as-is.

*Motion Davies/Miller to direct staff to prepare necessary documents to place the current sales tax rate back on the ballot in November. Passed 3-0-1. No, Morgan.*

3. Discussion/Decision regarding formation of the Humboldt County Tourism Business Improvement District. City Manager Suiker introduced Tony Smithers from the HCCVB. Smithers explained that a tourism business improvement district levies assessments on lodging businesses, customarily passed along to overnight guests and collected on the guests' bills in a manner similar to the transient occupancy tax, that are used to promote tourism in the area and thereby attract additional guests to the lodging businesses. Tourism business improvement districts are currently in existence in several nearby counties, including Mendocino, Sonoma, Napa and Marin.

This past year the City Council received a presentation from the Humboldt County Convention and Visitors Bureau (CVB) about the process of forming a tourism business improvement district (TBID) in Humboldt, and the CVB has since been working with the local lodging industry to sign petitions in support of creating the TBID. Property or business owners who will pay more than 50 percent of the assessments must sign written petitions requesting the formation of the district in order to proceed. The County's Treasurer-Tax Collector has tallied the written petitions. According to this tally, the signed petitions have met the threshold necessary to allow consideration of forming a TBID to proceed.

On March 13, 2012, the County Board of Supervisors adopted a Resolution declaring their intention to establish the TBID and further adopted a resolution requesting the consent of the cities of Arcata, Eureka, Ferndale, Fortuna and Trinidad to create the TBID. The cities of Blue Lake and Rio Dell are not included because the City of Blue Lake lacks a process for collecting transient occupancy taxes and the City of Rio Dell has expressed a desire to be excluded. Should the Council wish Trinidad to participate in this program, adoption of a Resolution is required. Once the cities have provided their consent, the Board of Supervisors will be required to hold two public meetings on the topic of the TBID, which are set for May 15 and May 22, which dates would allow for the TBID to become operational by July 1, 2012.

Smithers also highlighted the following:

- 12% Bed Tax is reasonable.
- The local vacation rental industry has shown great support of the TBID.
- 25% of TBID revenue generated will be available for local community groups.
- Humboldt Lodging Alliance Board will be in charge of spending the money. Trinidad will get one representative.

Public comment included:

**Richard Johnson** – Trinidad Area Resident

We should select our representative for the Board. The local Chamber also depends on support from the City.

Council comments included:

**Fulkerson:** How will the Board member be selected, and what is the current HCCVB budget? **Smithers** explained that there will be 19 Board members, one from Trinidad. The current HCCVB budget is approximately \$700,000. **Fulkerson** expressed concern that the County may not be as generous with T.O.T. if the TBID is implemented. **Smithers** explained that the HCCVB has a contract with the County and the City of Eureka.

*Motion (Morgan/Miller) to adopt Resolution 2012-03; Granting consent to the County of Humboldt to form the Humboldt County Tourism Business Improvement District (HCTBID). Passed 4-0.*

4. Conduct Unmet Transit Needs Hearing.

City Manager Suiker explained that each year the City of Trinidad conducts a citizen participation process to assess unmet transit needs within Humboldt County on behalf of HCAOG. Anyone is invited to provide the City Council with feedback regarding public transportation in our area during this hearing. Comments will be collected and forwarded to HCAOG.

Public comment included:

**John Webb** – Trinidad Area Resident, Representative of HumBus

Submitted a 5 page proposal to provide expanded intercity ground public transportation service to and from Humboldt County. Summarized the need for such transportation, and provided a detailed solution for connectivity between larger transportation hubs in neighboring counties. Requested that the proposal be submitted to HCAOG.

**Jacque Hostler** – Trinidad Rancheria VP.

Update on the unmet transit needs of the Trinidad Rancheria, and how they are still working on a transportation planning grant that will provide students safe transportation to school, and disabled members transportation to tribal health facilities.

**Janine Volkmar** – Trinidad Area Resident

I'm a frequent user of the bus service. Trinidad needs an evening bus. The last bus arrives at 7:00pm. Anyone wanting to use the bus service to attend a public meeting, cultural event, class, or do anything in a neighboring city can't because the last bus arrives in Trinidad at 7pm. HTA has great drivers, and the ride is affordable and pleasant.

**Danny O'Shea** – Trinidad Area Resident

I'm a non-frequent bus user, but would if it was more convenient. It takes too long to get to Eureka. We need an express shuttle to Arcata and Eureka. Also, it would be much easier to take the bus if the schedule was more predictable and methodical, for example, arrivals at the top of the hour.

**Richard Johnson** – Trinidad Area Resident

Encouraged public to take survey that HCAOG has distributed to each community. Online or paper versions are available.

Council comments included:

**Miller:** I support this process, and also support Mr. Webb's proposal. I would like to endorse it if I can. Also, night service would be greatly appreciated.

**Fulkerson:** Encouraged participants to write follow up letters directly to HCAOG and attend the hearing on May 17. The more voices the better.

*City Clerk will forward all comments to HCAOG for consideration.*

5. Discussion/Decision regarding consideration of updating the Joint Powers Agreement to Reflect Data from 2010 Census.

Councilmember Fulkerson explained that HTA is considering updating the Joint Powers Agreement to reflect data from the 2010 Census. The Service Coordination and Technical Advisory Committees of the HCAOG have both recommended assessing the cities based on current population, but holding the County at 50%, to be reviewed every ten years.

Council comments included:

**Morgan:** Preferred table 2 on the attachments.

**Miller:** Preferred table 3.

There was no public comment. *No decision was made. Information item only.*

**XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS**

**XIII. ADJOURNMENT**

- Meeting ended at 9:00pm.

**Submitted by:**

**Gabriel Adams**  
City Clerk

**Approved by:**

**Julie Fulkerson**  
Mayor Pro-Tem



## **CONSENT AGENDA ITEM 1**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 7 PAGES**

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1. Staff Activities Report for April 2012



## **STAFF ACTIVITIES REPORT**

Through April 2012

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A Staff Activities Report is provided to the City Council on a monthly basis, with additions to the previous report indicated in **bold type face**. Old information will be left on this report for a period of time and then removed or updated.

### **City Administration:**

1. Code Analysis. The City has received the first draft analysis of its existing municipal codes as per its 2010 contract with Code Publishing Company from Seattle. There are some 47 questions and comments that the city needs to respond to within a 90 day period in order for Code Publishing to finalize the analysis. **Progress continues to be made on responding to the draft.**
2. Town Hall Rental. Based on earlier Council action, town hall fees have now been adjusted, including the incorporation of a maintenance reserve fund. In addition, rental rates for Saunders Park were established.
3. On-Site Waste Water Treatment (OWTS) Ordinance. A public education proposal from Streamline Planning to implement this ordinance was approved by the Council at its August 2011 meeting. Streamline is working on putting together public education materials to be mailed out to property owners. This is a prelude to requiring implementation of the Ordinance.
4. Library. **Progress continues to be made on addressing plan check issues with the City's plan check firm, and the project is now far enough along in securing approvals and successful fund raising milestones, that a ground breaking ceremony has been set for Sunday, May 20 at noon. In honor of that event, a Proclamation declaring the week of May 20 as Trinidad Library Week is a separate agenda item for this meeting.**
5. Water Rates. The water rate increases as approved at the public hearing on February 8 following the process as required under California's Proposition 218 have been incorporated.
7. Town Hall Sound System. **We believe we have arrived at an acceptable microphone model to improve both sound and recording clarity. Funds will be recommended in the 2012-13 budget to address sound system improvements.**

8. **Budget Preparation.** A special council meeting/study session to receive a proposed preliminary budget has been set for WEDNESDAY, MAY 16 AT 4:00 P.M., TOWN HALL.

9. **Sales Tax Add On.** The current .75% sales tax add on is scheduled to expire on March 31, 2013. Proposed resolutions to extend this tax and request consolidation with the County's election in November are separate agenda items for this meeting.

10. **Indian Gaming Fund Grants.** The city was successful in securing two grant submittals under this funding source: (1) \$400 for purchase of visibility cones and (2) \$10,000 for grinding and replacing a section of failed asphalt roadway on Scenic Drive near Langford Road. We were pleased with the outcome of the grant distributions given the total amount available for this funding cycle was only \$37,202 (compared to \$145,975 the prior year).

11. **Cultural Monitor Procedure/Protocol** The city occasionally needs to seek services of a cultural monitor when engaging in ground disturbing activities, and city staff is working to develop the proper/procedure for doing so.

12. **Cemetery Instruction Handout** Staff has developed a handout to be provided to plot purchasers to give detailed instructions on procedures and processes necessary to properly carry out the burial function.

13. **Cell Tower Lease Update.** The 20 year ground lease for the cell facility on Trinidad Head will expire April 16, 2017, although there is a five year option followed by a year to year continuation option. Verizon is aware of potential controversy with any renewal beyond the initial 20 year period and is reviewing options, but until a site plan is made public with a planning application and resulting public hearing, site specifics are kept as proprietary information. Verizon has indicated they will do what they need to do to continue service in this area. T-mobile is also exploring coverage options for this area.

14. **Harbor Lease.** The lease agreement for the submerged lands between the City and the Rancheria expired in January 2011, and staff is awaiting response from the Rancheria on suggested revisions to be able to bring forward a recommended new or extended lease. The Rancheria has indicated their intent to renew, but has not yet been able to consider the specific proposed revisions because of other priorities. **The City continues to await response from the Rancheria on renewal of this lease.**

## PLANNING ISSUES

1. **General Plan.** The City's Planner has put together a project schedule leading to Completion of the General Plan Update. Discussion on the components of this process is a separate agenda item for this meeting.

**2. Accessory Dwelling Unit (ADU)/Vacation Dwelling Unit (VDU) LCP Amendment.** As a separate agenda item this meeting, the Council will consider the second reading of the ordinances which is a necessary prelude to adoption of Resolutions to submit the application packet on the ADU and VDU regulations to the Coastal Commission. This includes analyzing the ordinances in terms of the City's general plan and Coastal Act policies and requires an environmental analysis.

**3. Moss Subdivision.** At a special meeting held November 10, 2011, the Council directed staff to appeal the decision by the Humboldt County Planning Commission to approve the Moss Subdivision on Fox Farm Road in Westhaven. A timely appeal was subsequently filed together with payment of the appeal fee of \$2,322.65. The County Board of Supervisors approved an \$18,500 contract amendment for their EIR consultant to address the appeal issues at their meeting of March 20, 2012. The consultant can now begin work on addressing the appeal, followed by county staff drafting a report to the Board of Supervisors, and then scheduling a Board hearing. The county's internal Board hearing process takes a minimum of 38 calendar days.

## Status of Grant Funded Programs

1. Project Name: Gateway Project

Source of Funds: Combination of Transportation Enhancement Funds, Federal High Risk Rural Roads Funds and local Proposition 1B funds

Status: **The streetlight replacement component of this project is currently underway. Construction award is being considered as a separate agenda item for this meeting, with construction to commence around May 29 and to be completed by mid-July. In an attempt to mitigate the impact to the businesses in the project area, the first item of work will be the area between Ocean and View, with 15 working days allowed to complete the work. The sidewalks/driveways in that area will be allowed to be closed for up to 7 consecutive days, but access to businesses will be maintained at all times (although it will not be ideal as people will be routed through the construction area). Construction is limited to between the hours of 8a.m. and 6p.m. week days. We are under an ambitious schedule to complete and be invoiced for that portion of the project paid with Proposition 1B funding, in order to meet the expenditure deadline of June 30, 2012.**

2. Project Name: Town Hall Heating System

Source of Funds: Energy Efficiency Block Grant (\$25,000)

Status: **All work on the installation of the furnaces and insulation has now been completed, and we are awaiting reimbursement from the county for the \$24,000 originally awarded. Due to extra work required to make one of the two furnace units functional, an unanticipated expenditure of \$1,598 over the grant allocation**

was required. At this time, no funds have been identified to reimburse the city for this additional expense as all the other jurisdictions have fully expended their allocations.

3. Project Name: Turbidity Monitoring (SCADA upgrade)

Source of Funding: CA State Proposition (\$113,628)

Status: **GHD is acting as the project manager. Equipment is finally going to be installed towards the end of May. There were significant delays due to our inability to get clarification from the California Department of Public Health (CDPH) on the need to hire a third party labor compliance officer. This was particularly confusing due to labor codes in effect at the time the contract was executed, and subsequent amendments and repeal of certain sections of those codes. The end result of dozens of e-mails and inquiries and referrals to numerous individuals over several weeks is that the City's project is not subject to labor compliance monitoring as the laws referenced in the City's funding agreement with CDPH no longer exist.**

4. Project Name: Water Plant Improvement Project

Source of Funding: Safe Drinking Water Revolving Fund (\$193,100)

Status: **GHD continues to work on the final improvement project approach. The City submitted Notice of Intent to apply for Proposition 50 funds through the California Department of Public Health to complete the project. If this project is awarded, it would completely grant fund the construction of the improvement project. The funds are being distributed on a first ready to construct, first awarded basis.**

5. Project Name: Luffenholtz Creek Sediment Reduction

Source of Funding: California Department of Public Health ( up to \$1.875 million)

Status: **The California Department of Public Health anticipates issuing a letter of commitment of funds within the next month for watershed improvements to reduce turbidity into the City's drinking water source, Luffenholtz Creek. We have recently learned that design, specifications and CEQA must be complete before the final funding agreement with the City will be issued. This means a substantial cash outlay will be necessary before being able to apply for reimbursement. The City has requested the cooperating project partners, GHD, RCAA and Green Diamond coordinate to complete these items prior to payment of City funds to facilitate the funding agreement and to avoid cash flow issues due to reimbursement delays. Those entities have agreed to carry their costs until the grant funds are available. The cost the city will be expected to carry would be about \$25,000 for the geotech and survey work as well as city staff. A contract with GHD will be presented for consideration once the letter of commitment has been received.**

6. Project Name: Trinidad Pier Reconstruction (ASBS Project)

Source of Funding: CA State Proposition 84 (\$2,500,000)

Background: This is a Trinidad Rancheria project, in partnership with the City of Trinidad. The City has a grant from State Water Resources Control Board that will fund \$2.5 million of the estimated total cost of \$10 million for reconstruction of the Pier.

**Status: The pier reconstruction is nearing completion. The last major component is the stormwater treatment system, which will be constructed as soon as we receive approvals from the State Water Resources Control Board and Coastal Commission. These agencies will be coming to Trinidad for a site visit on May 22. Following completion of the pier, there will be post project water quality monitoring and reporting needed to complete the grant in 2013.**

7. Project Name: Storm Water Management Improvement

Source of Funding: CA State Proposition 84 (\$2,500,000)

**Status: This project is currently in design phase, and this phase should be completed in September of this year. Construction is scheduled for spring and summer of 2013, with the project completed in 2014.**

8. Project Name: Trinidad to Humboldt Bay Coastal Watershed Program

Source of Funding: Department of Conservation Watershed Coordinator Grant (\$293,910)

**Status: The Trinidad to Humboldt Bay Watershed Coordinator has been working with the Trinidad Bay Watershed Council to plan the upcoming Trinidad Bay Watershed Night which will be held May 18 from 6 – 9 p.m. at Trinidad Town Hall. The Coordinator has been participating in the North Coast Stormwater Coalition to develop educational brochures such as the “Humboldt’s Dog Friendly Areas” and drafting “Trinidad Bay Starts on your Street”, plus assisting with securing grant funding for projects such as the Luffenholtz Creek Sediment Reduction Project.**

9. Project Name: Azalea & Pacific

Source of Funding: Proposition 1B (\$55,000)

**The design is now being finalized on this project to widen and pave Azalea Way and portions of Pacific Street in order to bring the roads up to city standards, provide improved emergency vehicle access and improve the road drainage facilities. An open meeting geared specifically for property owners and/or tenants (but open to**

**all) to discuss project specifics has been scheduled for Wednesday, May 9 from 4:00 to 5:00 at town hall.**

## Public Works Department

1. Van Wycke Trail. **Warning signs have now been placed at both ends of the trail to warn users of the unstable bluffs, and that use of the trail is at one's own risk.** Staff continues to evaluate the water line and storm drain under the trail to consider alternative solutions in the event of line failure due to continued bluff erosion.

2. Trinidad Head Maintenance, At their meeting on February 21, 2012, the Planning Commission found the Trinidad Head Vegetation Guidelines consistent with the City's certified LCP and approved the project as submitted. This was the culmination of a project encompassing several months to define maintenance activities on specific road and trail segments in order to address a complaint regarding maintenance activities that had been carried out on the Head. Any work not consistent with the Guidelines will require a separate review process.

3. Town Hall Maintenance. Staff has made substantial progress on working through a list of maintenance/repair items, and can report successful completion of the following:

- Roof leak repaired
- Completed inspection for leaks around roof jacks
- Cleaned gutters
- Completed stage repairs, replacing molding and staining to match existing structure
- Sanded and repainted southern facing window sills
- Scrubbed windows and inner sills
- Cleaned light fixtures
- Completed quarterly inspection of septic system

**Although additional town hall improvement projects were anticipated (and budgeted) this fiscal year, the funds now need to be diverted to cover the unanticipated cost overrun on the furnace replacement project.**

4. Lead and Copper Testing. Public Works has recently completed sampling for lead and copper as is required every three years, and the numbers are down significantly from the previous test results, due to modifications in the treatment system process. The results produced a reduction of copper by 33% and a reduction of lead by 75% as compared to 2008 results.

5. Humboldt County Leadership Academy Though the cooperative efforts of Humboldt County, Public Works Director Bryan Buckman has been allowed to enroll and participate in a leadership academy that the County presents from time to time for its management personnel. Sessions include issues related to influencing

and negotiating skills for managers, coaching employees, driving organizational change, managing and resolving conflicts, managing oneself, and more. Participation involves five half day sessions over a five month period, plus various work assignments in between, and builds rapport and communication and cooperation between managers from different departments, and in our case, different entities. We are grateful to Humboldt County for expanding enrollment in this academy at no cost to the City.



## CONSENT AGENDA ITEM 2

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES**

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2. Financial Status Reports for March 2012

**City of Trinidad**  
**Statement of Revenues and Expenditures**  
**From 3/1/2012 Through 3/31/2012**

	Current Month	Year to Date	Total Budget - Original	% of Budget
<b>Revenue</b>				
41010	PROPERTY TAX - SECURED	0.00	39,716.88	115,000.00 (65.46)%
41020	PROPERTY TAX - UNSECURED	0.00	3,021.82	0.00 0.00%
41040	PROPERTY TAX-PRIOR UNSECURED	0.00	57.69	0.00 0.00%
41050	PROPERTY TAX - CURRENT SUPPL	0.00	209.34	0.00 0.00%
41060	PROPERTY TAX-PRIOR SUPPL	0.00	111.49	0.00 0.00%
41071	MOTOR VEHICLES	0.00	651.76	0.00 0.00%
41072	PROP TX - BOOKING FEES	0.00	154.98	0.00 0.00%
41110	PROPERTY TAX EXEMPTION	0.00	640.21	0.00 0.00%
41130	PUBLIC SAFETY 1/2 CENT	0.00	794.11	0.00 0.00%
41140	PROPERTY TAX - DOCUMENTARY RE	0.00	1,017.50	0.00 0.00%
41190	PROPERTY TAX ADMINISTRATION FE	0.00	(1,800.50)	0.00 0.00%
41200	LAFCD Charge	0.00	(585.09)	0.00 0.00%
41210	IN-LIEU SALES & USE TAX	0.00	11,809.20	0.00 0.00%
41220	IN LIEU VLF	0.00	13,257.50	0.00 0.00%
42000	SALES & USE TAX	31,244.10	114,390.23	180,000.00 (36.45)%
43000	TRANSIENT LODGING TAX	0.00	62,336.32	80,000.00 (22.08)%
47310	VEHICLE LICENSE COLLECTION	0.00	182.06	0.00 0.00%
47350	MOTOR VEHICLE LICENSE FEE GAP	0.00	704.32	0.00 0.00%
47600	BLUE BAG SALES	(16.00)	0.00	0.00 0.00%
49080	MOTOR VEHICLE FINES	0.00	0.00	3,500.00 100.00%
53010	COPY MACHINE FEE	0.00	27.50	100.00 (72.50)%
53020	INTEREST INCOME	2,542.32	15,737.82	15,000.00 4.92%
53060	DONATIONS	0.00	50.00	0.00 0.00%
53090	OTHER MISCELLANEOUS INCOME	200.00	55,971.04	24,375.00 129.62%
54020	PLANNER- APPLICATION PROCESSIN	0.00	5,770.27	8,500.00 (32.11)%
54040	ENGINEER-APPLICATION PROCESSIN	0.00	0.00	500.00 100.00%
54050	BLDG. INSP-APPLICATION PROCESSI	11,458.89	42,872.07	30,000.00 42.91%
54100	ANIMAL LICENSE FEES	0.00	80.00	100.00 (20.00)%
54130	FARMERS MARKET BUSINESS LICENS	0.00	30.00	0.00 0.00%
54150	BUSINESS LICENSE TAX	80.00	8,506.00	7,500.00 13.41%
54300	ENCROACHMENT PERMIT FEES	200.00	300.00	400.00 (25.00)%
56150	FRANCHISE FEES	3,000.86	15,945.84	12,944.00 23.19%
56400	RENT - VERIZON	1,733.79	15,285.45	19,620.00 (22.09)%
56500	RENT - HARBOR LEASE	0.00	5,000.00	5,000.00 0.00%
56600	RENT - OTHER TENNIS COURT	20.00	70.00	0.00 0.00%
56650	RENT - SUDDENLINK	0.00	2,935.41	4,200.00 (30.11)%
56700	RENT - TOWN HALL	240.00	8,960.00	8,500.00 5.41%
56800	RENT - MISC	0.00	0.00	500.00 100.00%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	5,000.00 100.00%
	<b>Total Revenue</b>	<b>50,703.96</b>	<b>424,211.22</b>	<b>520,739.00 (18.54)%</b>

**City of Trinidad**  
**Statement of Revenues and Expenditures**  
 201 - GFAdmin  
 From 3/1/2012 Through 3/31/2012

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	250.00	2,250.00	3,000.00	25.00%
61000	EMPLOYEE GROSS WAGE	5,526.66	55,159.99	72,615.00	24.04%
61250	OVERTIME	0.00	0.00	1,500.00	100.00%
61470	FRINGE BENEFITS	46.16	432.75	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	8,746.00	100.00%
65100	DEFERRED RETIREMENT	769.00	2,543.28	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	344.82	3,514.89	6,384.00	44.94%
65300	WORKMEN'S COMP INSURANCE	0.00	4,485.68	0.00	0.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	26.00	558.00	1,200.00	53.50%
65600	PAYROLL TAX	446.08	4,401.40	0.00	0.00%
68090	CRIME BOND	0.00	700.00	0.00	0.00%
68100	FIDELITY BOND	0.00	0.00	770.00	100.00%
68200	INSURANCE - LIABILITY	0.00	5,210.70	10,908.00	52.23%
68300	PROPERTY & CASUALTY	0.00	3,747.60	4,387.00	14.57%
71100	ATTORNEY-MEETINGS	0.00	646.50	15,000.00	95.69%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	4,170.67	8,000.00	47.87%
71130	ATTORNEY-LITIGATION	676.50	8,757.00	10,000.00	12.43%
71210	CITY ENGINEER-ADMIN. TASKS	942.50	1,712.25	2,000.00	14.39%
71220	CITY ENG-APPLICATION PROCESS	0.00	0.00	2,000.00	100.00%
71300	CITY PLANNER-MEETINGS	666.00	3,000.00	4,200.00	28.57%
71310	CITY PLANNER-ADMIN. TASKS	786.50	10,695.93	7,000.00	(52.80)%
71320	CITY PLANNER-APPL. PROCESS	1,200.00	9,084.00	7,000.00	(29.77)%
71330	CITY PLANNER-ENFORCEMENT	0.00	201.50	0.00	0.00%
71340	CITY PLANNER - SPECIAL PROJECT	1,332.00	7,647.00	25,000.00	69.41%
71400	BLDG.INSPECTOR-MEETINGS	826.51	4,724.33	0.00	0.00%
71410	BLDG INSPECTOR-ADMIN TASKS	0.00	4.69	0.00	0.00%
71420	BLDG INSPECTOR-PERMIT PROCESS	0.00	14,507.52	25,000.00	41.97%
71430	BLDG INSPECTOR-ENFORCEMENT	0.00	90.00	0.00	0.00%
71510	ACCOUNTANT-ADMIN TASKS	698.91	10,296.04	20,000.00	48.52%
71620	AUDITOR-FINANCIAL REPORTS	3,876.00	11,067.00	11,913.00	7.10%
72000	CHAMBER OF COMMERCE	0.00	4,000.00	4,500.00	11.11%
72100	BAD DEBTS	0.00	109.98	0.00	0.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	233.75	769.75	1,200.00	35.85%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	0.00	1,500.00	100.00%
75170	RENT	650.00	5,850.00	7,800.00	25.00%
75180	UTILITIES	1,202.70	3,651.37	4,000.00	8.72%
75190	DUES & MEMBERSHIP	0.00	357.08	1,000.00	64.29%
75200	MUNICIPAL/UPDATE EXPENSE	6,534.75	8,871.38	9,822.00	9.68%
75220	OFFICE SUPPLIES & EXPENSE	719.20	4,469.18	4,500.00	0.68%
75240	BANK CHARGES	3.60	109.60	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	600.00	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	1,900.00	100.00%
76110	TELEPHONE	107.32	1,372.91	2,500.00	45.08%
76130	CABLE & INTERNET SERVICE	160.95	1,448.55	2,000.00	27.57%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	2,032.45	3,500.00	41.93%
78190	MATERIALS, SUPPLIES & EQUIPMEN	50.92	1,673.70	5,000.00	66.53%
<b>Total Expense</b>		<b>28,076.83</b>	<b>204,924.67</b>	<b>297,345.00</b>	<b>31.08%</b>

**City of Trinidad**  
Statement of Revenues and Expenditures  
301 - Police  
From 3/1/2012 Through 3/31/2012

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
61000	EMPLOYEE GROSS WAGE	1,211.24	13,585.87	19,585.00	30.63%
61470	FRINGE BENEFITS	0.00	1.15	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	2,359.00	100.00%
65300	WORKMEN'S COMP INSURANCE	0.00	603.62	0.00	0.00%
65600	PAYROLL TAX	92.84	1,041.02	0.00	0.00%
71620	AUDITOR-FINANCIAL REPORTS	0.00	846.00	0.00	0.00%
75170	RENT	650.00	5,850.00	7,800.00	25.00%
75180	UTILITIES	138.70	1,699.45	1,200.00	(41.62)%
75190	DUES & MEMBERSHIP	0.00	122.00	0.00	0.00%
75220	OFFICE SUPPLIES & EXPENSE	0.00	72.60	300.00	75.80%
75300	CONTRACTED SERVICES	37,058.75	37,058.75	82,745.00	55.21%
75350	ANIMAL CONTROL	113.00	1,017.00	1,396.00	27.15%
75990	MISCELLANEOUS EXPENSE	0.00	44.76	0.00	0.00%
76110	TELEPHONE	77.59	715.51	1,800.00	60.25%
78150	VEHICLE REPAIRS	0.00	882.45	883.00	0.06%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	39.00	0.00	0.00%
78210	Advertising Outreach & Project	0.00	61.50	0.00	0.00%
<b>Total Expense</b>		<u>39,342.12</u>	<u>63,640.68</u>	<u>118,068.00</u>	<u>46.10%</u>

**City of Trinidad**  
**Statement of Revenues and Expenditures**  
**401 - Fire**  
**From 3/1/2012 Through 3/31/2012**

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
60900	HONORARIUMS	150.00	1,350.00	1,800.00	25.00%
75180	UTILITIES	79.46	2,299.36	2,638.00	12.84%
75190	DUES & MEMBERSHIP	0.00	10.00	10.00	0.00%
75260	BACKGROUNDS / EDUCATION	0.00	0.00	1,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	175.00	100.00%
75990	MISCELLANEOUS EXPENSE	0.00	150.00	0.00	0.00%
76110	TELEPHONE	5.06	42.39	175.00	75.78%
76140	RADIO & DISPATCH	0.00	1,602.26	0.00	0.00%
78140	VEHICLE FUEL & OIL	0.00	68.22	750.00	90.90%
78150	VEHICLE REPAIRS	0.00	3,715.74	6,400.00	41.94%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	1,207.02	500.00	(141.40)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	78.79	6,981.56	7,500.00	6.91%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,500.00	100.00%
90000	Capital Reserves	0.00	0.00	50,000.00	100.00%
96200	TRANSFER OUT	0.00	50,000.00	0.00	0.00%
Total Expense		<u>313.31</u>	<u>67,426.55</u>	<u>72,448.00</u>	<u>6.93%</u>

**City of Trinidad**  
**Statement of Revenues and Expenditures**  
**501 - PW (Public Works)**  
**From 3/1/2012 Through 3/31/2012**

	Current Month	Year to Date	Total Budget - Original	% of Budget	
Expense					
61000	EMPLOYEE GROSS WAGE	3,057.14	28,996.50	39,180.00	25.99%
61250	OVERTIME	0.00	188.20	3,000.00	93.73%
61470	FRINGE BENEFITS	0.00	2,31	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	4,720.00	100.00%
65100	DEFERRED RETIREMENT	249.80	2,587.97	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	1,462.56	13,198.40	21,113.00	37.49%
65300	WORKMEN'S COMP INSURANCE	0.00	1,846.76	0.00	0.00%
65600	PAYROLL TAX	253.08	2,350.24	0.00	0.00%
68200	INSURANCE - LIABILITY	0.00	473.70	992.00	52.25%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	4,077.75	5,000.00	18.45%
71250	CITY ENGINEER - PROJECT FEES	0.00	4,596.25	2,500.00	(83.85)%
71510	ACCOUNTANT-ADMIN TASKS	0.00	0.00	1,100.00	100.00%
75180	UTILITIES	0.00	35.52	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	1,500.00	100.00%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	81.77	0.00	0.00%
78100	STREET MAINT/REPAIR/SANITATION	511.92	43,318.38	114,700.00	62.23%
78120	STREET LIGHTING	333.99	2,902.23	4,800.00	39.54%
78125	Street Lighting - Improvements	0.00	0.00	40,000.00	100.00%
78130	TRAIL MAINTENANCE	0.00	96.28	1,000.00	90.37%
78140	VEHICLE FUEL & OIL	344.01	3,210.11	3,000.00	(7.00)%
78150	VEHICLE REPAIRS	59.53	2,272.40	4,300.00	47.15%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	265.07	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	273.14	4,225.01	5,500.00	23.18%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	227.73	0.00	0.00%
	<b>Total Expense</b>	<u>6,545.17</u>	<u>114,952.58</u>	<u>252,405.00</u>	<u>54.46%</u>

**City of Trinidad**  
**Statement of Revenues and Expenditures**  
**204 - IWM**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget	
<b>Revenue</b>					
46000	GRANT INCOME	0.00	5,000.00	5,000.00	0.00%
47600	BLUE BAG SALES	296.00	2,423.00	3,500.00	(30.77)%
47650	RECYCLING REVENUE	0.00	22,040.95	32,000.00	(31.12)%
	<b>Total Revenue</b>	<u>296.00</u>	<u>29,463.95</u>	<u>40,500.00</u>	<u>(27.25)%</u>
<b>Expense</b>					
61000	EMPLOYEE GROSS WAGE	1,040.43	9,744.54	13,265.00	26.54%
61250	OVERTIME	0.00	57.51	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	1,598.00	100.00%
65100	DEFERRED RETIREMENT	108.18	1,105.20	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	417.95	3,761.00	6,461.00	41.79%
65300	WORKMEN'S COMP INSURANCE	0.00	591.62	0.00	0.00%
65600	PAYROLL TAX	87.86	812.56	0.00	0.00%
75120	WASTE RECYCLING PICKUP/DISPOSA	1,440.00	12,640.00	16,000.00	21.00%
75130	GARBAGE	0.00	556.99	0.00	0.00%
75140	BLUE BAG PURCHASES	795.00	2,385.00	3,500.00	31.86%
78100	STREET MAINT/REPAIR/SANITATION	(390.05)	3,628.64	7,000.00	48.16%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	325.16	1,000.00	67.48%
78210	Advertising Outreach & Project	0.00	88.80	0.00	0.00%
85000	CAPITAL OUTLAY	0.00	4,719.45	4,800.00	1.68%
	<b>Total Expense</b>	<u>3,499.37</u>	<u>40,416.47</u>	<u>53,624.00</u>	<u>24.63%</u>
	<b>Net Income</b>	<u>(3,203.37)</u>	<u>(10,952.52)</u>	<u>(13,124.00)</u>	<u>(16.55)%</u>

**City of Trinidad**  
**Statement of Revenues and Expenditures**  
**601 - Water**  
**From 3/1/2012 Through 3/31/2012**

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget	
<b>Revenue</b>					
53020	INTEREST INCOME	0.00	0.00	20,000.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	90.00	650.00	1,000.00	(35.00)%
57100	WATER SALES	21,916.51	168,146.30	221,000.00	(23.92)%
57300	NEW WATER HOOK UPS	0.00	0.00	9,000.00	(100.00)%
57500	WATER A/R PENALTIES	(1,938.30)	6,146.73	6,000.00	2.45%
	<b>Total Revenue</b>	<u>20,068.21</u>	<u>174,943.03</u>	<u>257,000.00</u>	<u>(31.93)%</u>
<b>Expense</b>					
61000	EMPLOYEE GROSS WAGE	6,572.63	61,477.52	83,354.00	26.25%
61250	OVERTIME	0.00	271.86	5,000.00	94.56%
61470	FRINGE BENEFITS	0.00	2.31	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	10,040.00	100.00%
65100	DEFERRED RETIREMENT	650.68	6,522.40	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	2,854.59	25,689.12	43,590.00	41.07%
65300	WORKMEN'S COMP INSURANCE	0.00	3,877.88	0.00	0.00%
65600	PAYROLL TAX	552.97	5,120.00	0.00	0.00%
68200	INSURANCE - LIABILITY	0.00	3,789.60	7,933.00	52.23%
68300	PROPERTY & CASUALTY	0.00	2,498.40	2,925.00	14.58%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	201.50	4,500.00	95.52%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	43,620.00	100.00%
71230	ENGINEER-SPECIAL PROJECTS	0.00	14,785.50	14,848.00	0.42%
71510	ACCOUNTANT-ADMIN TASKS	376.34	5,544.01	9,000.00	38.40%
71620	AUDITOR-FINANCIAL REPORTS	2,924.00	8,987.00	9,000.00	0.14%
72100	BAD DEBTS	0.00	80.72	0.00	0.00%
75180	UTILITIES	1,367.39	8,939.05	14,000.00	36.15%
75190	DUES & MEMBERSHIP	90.00	556.68	900.00	38.15%
75220	OFFICE SUPPLIES & EXPENSE	215.60	1,836.02	2,000.00	8.20%
75230	INTEREST EXPENSE	539.34	1,363.50	1,935.00	29.53%
75240	BANK CHARGES	0.00	20.00	0.00	0.00%
75280	TRAINING / EDUCATION	0.00	315.00	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	52.08	250.00	79.17%
76110	TELEPHONE	83.74	635.84	1,500.00	57.61%
76130	CABLE & INTERNET SERVICE	49.00	441.00	588.00	25.00%
76160	LICENSES & FEES	0.00	2,245.01	2,200.00	(2.05)%
78140	VEHICLE FUEL & OIL	174.89	1,436.76	3,000.00	52.11%
78150	VEHICLE REPAIRS	59.53	1,408.34	1,500.00	6.11%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	1,110.10	2,000.00	44.49%
78170	SECURITY SYSTEM	0.00	1,743.60	276.00	(531.74)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	801.45	5,064.15	5,000.00	(1.28)%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	512.27	500.00	(2.45)%
79100	WATER LAB FEES	305.00	1,935.00	5,500.00	64.82%
79120	WATER PLANT CHEMICALS	424.87	6,051.43	16,000.00	62.18%
79130	WATER LINE HOOK-UPS	0.00	0.00	4,000.00	100.00%
79150	WATER LINE REPAIR	187.50	1,123.73	20,000.00	94.38%
79160	WATER PLANT REPAIR	0.00	2,399.40	10,000.00	76.01%
	<b>Total Expense</b>	<u>18,229.52</u>	<u>178,036.78</u>	<u>324,959.00</u>	<u>45.21%</u>
	<b>Net Income</b>	<u>1,838.69</u>	<u>(3,093.75)</u>	<u>(67,959.00)</u>	<u>(95.45)%</u>

**City of Trinidad**  
**Statement of Revenues and Expenditures**  
**701 - Cemetery**  
**From 3/1/2012 Through 3/31/2012**

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
<b>Revenue</b>					
53020	INTEREST INCOME	0.00	0.00	3,000.00	(100.00)%
58100	CEMETERY PLOT SALES	575.00	4,325.00	9,000.00	(51.94)%
58150	Cemetery Plot Refunds	0.00	(2,820.00)	0.00	0.00%
	<b>Total Revenue</b>	<u>575.00</u>	<u>1,505.00</u>	<u>12,000.00</u>	<u>(87.46)%</u>
<b>Expense</b>					
61000	EMPLOYEE GROSS WAGE	691.34	6,438.27	8,727.00	26.23%
61250	OVERTIME	0.00	57.51	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFIT	0.00	0.00	1,051.00	100.00%
65100	DEFERRED RETIREMENT	66.25	708.40	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	352.70	3,173.75	5,184.00	38.78%
65300	WORKMEN'S COMP INSURANCE	0.00	430.44	0.00	0.00%
65600	PAYROLL TAX	57.93	529.07	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	500.00	100.00%
78180	OTHER REPAIR & MAINTENENCE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	88.80	500.00	82.24%
	<b>Total Expense</b>	<u>1,168.22</u>	<u>11,426.24</u>	<u>16,462.00</u>	<u>30.59%</u>
	<b>Net Income</b>	<u>(593.22)</u>	<u>(9,921.24)</u>	<u>(4,462.00)</u>	<u>122.35%</u>



## CONSENT AGENDA ITEM 3

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES**

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3. Proclamation 2012-03; May 2012 as National Bike Month.

## City of Trinidad

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**From:** Bauman, Maria [MBauman@co.humboldt.ca.us]  
**Sent:** Wednesday, April 18, 2012 1:35 PM  
**To:** City of Trinidad  
**Subject:** RE: Trinidad 2011 Proclamation (proclamation and cover letter)  
**Attachments:** 2012 Trinidad Proclamation\_Bike Month.doc

Hello Trinidad City Council,

My name is Maria and I am a Trinidad resident; the program director of the Humboldt County Bicycle and Pedestrian Safety Program; and a member of the Humboldt County Bike Month Coalition.

May is National Bike Month and Humboldt County will be celebrating the bicycle and promoting it as a great choice for transportation and recreation. On behalf of the Bike Month Coalition I would like to ask the City of Trinidad to again participate in and support National Bike Month in Humboldt County with a proclamation. I can be at the next City Council meeting to accept.

I was happy to see that Trinidad has supported Bike Month in the past. I appreciate living in a bicycle friendly community and invite any of you to come for a spin...or even a commute to work sometime!

See you around town,

**Maria Bauman**  
Health Education  
Humboldt County DHHS - Public Health Branch  
908 7th Street Eureka CA 95501  
office: 707-441-5549  
cell: 707-362-6493

---

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

**Kathy Bhardwaj, Mayor**  
**Gabriel Adams, City Clerk**



**CITY OF TRINIDAD PROCLAMATION 2012-03**

**MAY 2012 - NATIONAL BIKE MONTH**

**WHEREAS**, bicycle commuting is an effective means to improve air quality, reduce traffic congestion and noise, increase physical activity, as well as conserve energy;

**WHEREAS**, bicycling is part of the solution for addressing transportation needs, limiting climate change, conserving energy, and improving public health; and

**WHEREAS**, bicycle commuting can help us achieve the Global Warming Solutions Act of 2006, which requires California to reduce our greenhouse gas emissions 30 percent by 2020, and by 80 percent by 2050;

**WHEREAS**, bicycle commuting benefits both employees and employers through better employee health and fitness; reduced commuting, parking, and health care costs; lower employee absenteeism and turnover; and increased employee productivity;

**WHEREAS**, Trinidad supports all efforts that encourage and enhance bicycling because a bicycle friendly community has increased property values, business growth, increased tourism and more transportation choices for everyone;

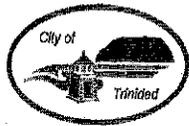
**WHEREAS**, the month of May is "National Bike Month" which promotes the bicycle as a means of transportation and recreation and May is also "Clean Air Month" which promotes air quality;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Trinidad:

- I. Believes that achieving increased levels of bicycling and bicycle commuting is in the local, state, national and global interest; and
- II. Proclaims May 2012 as NATIONAL BIKE MONTH throughout Trinidad;
- III. Encourages adjacent jurisdictions to adopt similar proclamations in support of Bike Month.
- IV. Urges all citizens to support and participate in these and other activities that contribute to the health of the community and the environment.

\_\_\_\_\_  
**Gabriel Adams**  
Trinidad City Clerk

\_\_\_\_\_  
**Kathy Bhardwaj**  
Mayor, City of Trinidad



## **CONSENT AGENDA ITEM 4**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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4. Proclamation 2012-04; Week of May 20, 2012 as Trinidad Library Week.

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

**Kathy Bhardwaj, Mayor**  
**Gabriel Adams, City Clerk**



**PROCLAMATION 2012-04**

**DECLARING THE WEEK OF MAY 20, 2012 AS TRINIDAD LIBRARY WEEK**

**Whereas**, the Trinidad Library has been a vital part of our community since 1915 and has been enjoyed and used by thousands of library patrons for more than 97 years; and

**Whereas**, our library continues to provide free recreational, educational, cultural, and informational resources to all elements of our community; and

**Whereas**, a public library is an invaluable, traditional and essential community resource; and

**Whereas**, children, families, seniors, and visitors deserve a modern, well-equipped library for reading, learning, research, and study; and

**Whereas**, the people of Trinidad have demonstrated their support for library services by maintaining consistently high circulation figures relative to their population; and

**Whereas**, many local citizens have committed time and money toward building a new library on a site owned by the Humboldt North Coast Land Trust through the generous land donation by Glenn and Janis Saunders; and

**Whereas**, sufficient private funds have now been raised to finally make this dream a reality, and a ground breaking ceremony has been set for Sunday, May 20, 2012.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Trinidad City Council proclaims the week of May 20, 2012 as "Trinidad Library Week" and congratulates its citizens on successful fund raising efforts and encourages all to attend the ground breaking ceremony.

**PASSED, APPROVED, AND ADOPTED** by the Trinidad City Council on May 9, 2012

Attest:

\_\_\_\_\_  
**Gabriel Adams**  
City Clerk

\_\_\_\_\_  
**Kathy Bhardwaj**  
Mayor



## CONSENT AGENDA ITEM 5

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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5. Sale of Surplus Fire Engine 41.

## **CONSENT AGENDA ITEM**

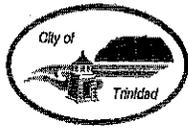
Date: May 9, 2012

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Item: Sale of Surplus Fire Engine

Background: The Fire Department has taken delivery of the engine purchased from Blue Lake Fire Department as was authorized by the Council, and that engine is now in service. The old fire truck can be declared surplus, and the Fire Chief recommends it be sold to Dick Kieselhorst. Mr. Kieselhorst purchased the City's surplus truck in 2008 and is working to form a fire protection unit up near Denny.

Proposed Action: Declare the old fire engine surplus and authorize sale to Dick Kieselhorst in the amount of \$700, and further direct these funds be placed in the Fire Department capital reserve account.



## CONSENT AGENDA ITEM 6

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES**

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6. Assignment of City's Contract with Winzler & Kelly to GHD, Inc.

CONSENT AGENDA ITEM

Date: May 9, 2012

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Item: Assignment of City's Contract with Winzler & Kelly to GHD, Inc.

Background: Winzler & Kelly's merger with GHD Inc. has now been completed, and it is necessary to sign an agreement to transfer control of the City's Contract with Winzler & Kelly to GHD Inc.

Proposed Action: Authorize the City Manager to execute the Assignment, Novation and Consent Agreement.

Attachment: Assignment, Novation and Consent Agreement

## ASSIGNMENT, NOVATION AND CONSENT AGREEMENT

This ASSIGNMENT, NOVATION AND CONSENT AGREEMENT is made as of the \_\_\_\_ day of \_\_\_\_\_ ("Agreement") by and among Winzler & Kelly, with an address of 718 Third Street, Eureka, CA 95501, ("Assignor"), GHD Inc., a California Corporation, with an address of 16451 Scientific Way, Irvine, CA 92618, ("Assignee"), and the City of Trinidad, with an address of P.O. Box 390, Trinidad, CA 95570.

WHEREAS, Assignor and City of Trinidad entered into Winzler & Kelly Master Services Agreement for Professional Consulting Services, effective 5/20/2008 (the "Contract"); and

WHEREAS, Assignor, Assignor's parent (GHD Group Pty Ltd), and Assignee (whose parent is also GHD Group Pty Ltd) have entered into an agreement whereby Assignor is to be merged with and into Assignee, who will be the surviving corporation from the merger; and

WHEREAS, Assignee wishes to acquire the Contract and to continue to provide such Services to City of Trinidad in accordance with the terms and conditions of the Contract; and

WHEREAS, City of Trinidad is willing to release Assignor from the obligations under the Contract and to consent to Assignee assuming such obligations under the Contract; and

WHEREAS, the parties desire to substitute Assignee in place of Assignor with respect to the Contract;

NOW, THEREFORE, in consideration of the premises hereto and the mutual covenants and agreements herein set forth, the parties agree as follows:

1. Assignor does hereby assign, transfer, and convey to the Assignee as of January 1, 2012 (the "Effective Date") all of Assignor's title, right, obligations, and interest in, to and under the said Contract.
2. Assignee hereby accepts such assignment of the Contract as of the Effective Date, and agrees to assume all of Assignor's duties and obligations in, to and under the Contract from and after the Effective Date. Such assignment shall not hinder or preclude Assignee from participating in any future City of Trinidad opportunities.
3. City of Trinidad further consents to the substitution and novation of Assignee in place and instead of Assignor from and after the Effective Date.
4. City of Trinidad and Assignee each consent to fully release Assignor from any and all obligations, responsibilities, and duties under the Contract from and after the Effective Date.

5. Assignor agrees that it shall cooperate with Assignee in effectuating an orderly transition of the City of Trinidad information to the Assignee in order for Assignee to fulfill its obligations, responsibilities, and duties under the Contract from and after the Effective Date.

6. Assignee agrees to indemnify Assignor from any and all claims, actions, judgments, liabilities, proceedings and costs, including reasonable attorneys' fees and other costs of defense and damages, resulting from and related to the Contract from and after the Effective Date.

7. Assignor agrees to indemnify City of Trinidad and Assignee from any and all claims, actions, judgments, liabilities, proceedings and costs, including reasonable attorneys' fees, resulting from and related to Assignor's performance under the Contract to the extent of Assignor's existing obligations to the City of Trinidad under the Contract, and subject to the terms of the Contract prior to the Effective Date.

8. This Agreement constitutes the entire agreement concerning the assignment between the parties and it may not be modified, altered or amended other than in writing executed by the party sought to be charged thereby.

9. This Agreement may be executed in faxed counterparts, and in such event, the counterpart signatures shall be assembled and shall together constitute a complete agreement.

IN WITNESS WHEREOF, THE PARTIES ACKNOWLEDGE THAT THEY HAVE READ THE ASSIGNMENT, NOVATION AND CONSENT, UNDERSTAND IT AND AGREE TO BE BOUND BY ITS TERMS. EACH PARTY HAS FULL POWER AND AUTHORITY TO ENTER INTO AND PERFORM THIS ASSIGNMENT, NOVATION AND CONSENT, AND THE PERSON SIGNING THIS ASSIGNMENT, NOVATION AND CONSENT ON BEHALF OF EACH HAS BEEN PROPERLY AUTHORIZED AND EMPOWERED TO ENTER INTO THIS ASSIGNMENT, NOVATION AND CONSENT.

GHD Inc.

By: \_\_\_\_\_

Name: STEVEN McJANEY

Title: PRINCIPAL

Winzler & Kelly

By: \_\_\_\_\_

Name: Steven Allen

Title: Principal

City of Trinidad

By: \_\_\_\_\_

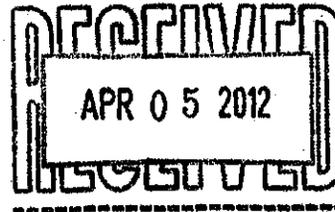
Name: \_\_\_\_\_

Title: \_\_\_\_\_



April 2, 2012

Karen Suiker  
City of Trinidad  
P.O. Box 390  
Trinidad, CA 95570



Dear Ms. Suiker:

I am writing to inform you that Winzler & Kelly's merger with GHD Inc. has been completed and we are now GHD Inc., a California Corporation. On October 4, 2011 Winzler & Kelly became part of the GHD Global family of companies and as of January 1, 2012 we have completed the final steps of the process. With this merger City of Trinidad will have access to an international network of engineers, architects and environmental scientists while still enjoying the high quality service and attention you've received locally for the past 60 years through Winzler & Kelly.

For existing projects you will continue to be served by the same team of professionals that you have been working with under our current agreement(s). However, there are some changes that are necessitated by our merger including the following:

- Assignment, Novation and Consent Agreement(s)
- Insurance Certificates
- IRS Form W-9
- New name and logo

Attached is the completed Assignment, Novation and Consent agreement, signed by Winzler & Kelly and by GHD Inc, for the contract (Master Services Agreement) we have with City of Trinidad. Please execute and then return completed copies to me for our files. You were notified late last year before the merger was completed and the enclosed agreement provides for the legal transfer of control from Winzler & Kelly (assignor) to GHD Inc. (assignee). We have also arranged for you to receive updated insurance certificates from our new carrier ACE. You will find that we are providing the same coverage we had as Winzler & Kelly and in accordance with the terms of our agreement and there will be no lapse in coverage.

Our invoices will remain in the same format that you are accustomed to, the only change being our new name and logo. The first invoice sent after January 1<sup>st</sup> will include all information needed for IRS Form W-9. If you need us to send a completed W-9 form please let me know; otherwise we will assume the information provided is adequate for your use.



And lastly, going forward we are legally GHD Inc. and we will no longer use Winzler & Kelly in our correspondence with clients. We have issued new business cards and I encourage you to change our name and my email address within your contact databases to reflect this change. We will be able to receive emails and postal deliveries as Winzler & Kelly for a period of time but eventually that will cease to occur. If there is anything we can do on our end to assist with this process please let us know.

We appreciate your business and look forward to working with you as GHD Inc.!

Yours Sincerely,  
GHD Inc.

A handwritten signature in black ink, appearing to be "S. Allen", written in a cursive style.

Steve Allen  
Project Manager  
707-443-8326

Enclosure

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## CONSENT AGENDA ITEM 7

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 12 PAGES**

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7. Second reading of Accessory Dwelling Unit Ordinance (ADU) #2012-01 & Vacation Dwelling Unit Ordinance (VDU) #2012-02, and adoption of Resolution #2012-06 (ADU) and Resolution #2012-07 (VDU) for submittal of plan amendment to the Coastal Commission.

## **CONSENT AGENDA ITEM**

**Date: May 09, 2012**

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**Item:** Second reading of Accessory Dwelling Unit Ordinance (ADU) #2012-01 & Vacation Dwelling Unit Ordinance (VDU) #2012-02, and adoption of Resolution #2012-06 (ADU) and Resolution #2012-07 (VDU) for submittal of plan amendment to the Coastal Commission.

**Background:** This agenda item has two components. At the April meeting, Council adopted both the ADU and VDU ordinances. They both must now be certified by the Coastal Commission before the City can start implementing them. Each of these new ordinances (ADU and VDU) will add an additional chapter to the City's zoning ordinance.

The City Planner has prepared the application to submit the ordinances to the Coastal Commission. The ordinances also require a resolution from the governing body authorizing submittal. Two separate resolutions have been drafted so that the ordinances can be processed separately. The reason for this is in case one becomes controversial, or has additional issues that must be addressed, it will not hold up the other ordinance from continuing through the process.

This agenda item also includes the second reading of the ADU and VDU ordinances with a numbering system that will be recognized by the Coastal Commission. The Coastal Commission has not certified the City's 1990 codification of its ordinances. Therefore the Coastal Commission does not recognize the numbering system used in adopting these ordinances (Chapters 17.53 and 17.54 of the zoning ordinance). Both numbering systems are included in the ordinances.

***No changes are proposed to the text or content of the ordinances themselves from what was already approved and adopted by the City Council.***

**Staff Recommendation:** *Approve the second reading of Accessory Dwelling Unit Ordinance (ADU) #2012-01 & Vacation Dwelling Unit Ordinance (VDU) #2012-02, and adopt Resolution #2012-06 (ADU) and Resolution #2012-07 (VDU) for submittal to the Coastal Commission.*

**Attachments:**

1. ADU Ordinance #2012-01
2. VDU Ordinance #2012-02
3. ADU Resolution #2012-06
4. VDU Resolution #2012-07

**TRINIDAD CITY HALL**

P.O. BOX 390

409 Trinity Street  
Trinidad, CA 95570  
(707) 677-0223

**STAN BINNIE, MAYOR**  
**GABRIEL ADAMS, CITY CLERK**



**ORDINANCE NO. 2012-01**

**AN ORDINANCE OF THE CITY OF TRINIDAD  
THAT REPEALS IN ITS ENTIRETY THE PREVIOUS VERSION OF THIS ORDINANCE, 2010-04, AND  
ADDS CHAPTER 17.54 TO TITLE 17 OF THE TRINIDAD MUNICIPAL CODE (ADDING ARTICLE 5.6  
TO THE COASTAL COMMISSION CERTIFIED ZONING ORDINANCE).**

The City Council of the City of Trinidad does hereby ordain as follows:

**ORDINANCE 2012-02, SECTION 1:**

There is hereby added to the Trinidad Municipal Code a new Chapter, Chapter 17.54, (and hereby added to the Coastal Commission certified Zoning Ordinance a new Article 5.3), "City of Trinidad Accessory Dwelling Unit Ordinance," which shall read as follows:

**CHAPTER 17.54 (ARTICLE 5.6)**

**REGULATIONS FOR ACCESSORY DWELLING UNITS**

**FINDINGS**

1. Government Code §65852 encourages accessory dwelling units (ADUs) and limits jurisdictions' ability to restrict them.
2. Government Code §65852.2.a.1.A allows jurisdictions to limit ADUs to certain areas based on limitations such as water and sewer service or traffic.
3. Government Code §65852.2.a.3 requires applications for ADUs to be considered ministerially without discretionary review or a public hearing if they meet adopted, standard, objective criteria or development standards
4. These State housing regulations do not supersede the CA Coastal Act except that public hearings are not required in issuing a Coastal Development Permit for an ADU.
5. Trinidad has a Local Coastal Plan certified by the CA Coastal Commission in 1980.
6. Trinidad is a very small City, with only around 300 residents and encompassing an area of approx. 0.5 sq. mi with only approx. 200 parcels, most of which are already developed.
7. The ocean waters surrounding Trinidad are a State designated Area of Special Biological Significance. The CA Ocean Plan prohibits all discharges into these areas unless an Exception is granted by the State Water Resources Control Board.
8. The entire City is served by onsite wastewater treatment systems (OWTS) on average urban lot sizes of 8,000 sq. ft.
9. There is enough evidence of, and concern over, OWTS pollution that the City has / will adopted an OWTS Management Program to ensure all systems are inspected, maintained and functioning properly.
10. There are many existing ADUs, both illegal and legal nonconforming
11. Trinidad desires to promote ADUs as affordable housing, while protecting the environment and community values.
12. Trinidad General Plan and Zoning Ordinance place a strong emphasis on private coastal view protection.
13. The Coastal Act and Trinidad LCP protect public views.

**Sections:**

17.54.010 (5.6.01)	Purpose and Intent
17.54.020 (5.6.02)	Definitions
17.54.030 (5.6.03)	Location
17.54.040 (5.6.04)	Permits Required
17.54.050 (5.6.05)	Permitting Procedures
17.54.060 (5.6.06)	Existing ADUs
17.54.070 (5.6.07)	Development Standards
17.54.080 (5.6.08)	Deed Restrictions

**Section 17.54.010 (5.6.01) – PURPOSE AND INTENT**

The City recognizes the importance of a suitable living environment for all residents. The State Legislature has declared that accessory dwelling units (ADUs) are a valuable form of housing in California. It is the intent of the City to permit ADUs, in conformance with state law, subject to standards that will ensure the units contribute to a safe living environment for all residents while protecting the water quality in and around Trinidad. The purpose is to provide flexibility in housing options, an opportunity for the development of small rental units, to provide relatively affordable housing for low- and moderate-income individuals and families, to provide economic support for resident property owners and to provide rental units for the elderly or disabled while still maintaining the small town, residential character of the City.

**Section 17.54.020 (5.6.02) – DEFINITIONS**

- A. "Accessory dwelling unit" or ADU means any residential dwelling unit which provides complete independent living facilities on the same building site as a legal single-family residence, including permanent provisions for living, sleeping, cooking, eating, and sanitation, as defined in Government Code Section 65852.2(i)(4).
- B. "Primary unit" means the primary, existing legal single-family residential dwelling unit which provides complete independent living facilities for one or more persons.

**Section 17.54.030 (5.6.03) – LOCATION**

One ADU may be located on any residentially zoned site which either contains a primary unit or which is undeveloped, but there is a concurrent application for a primary unit. ADUs are not required to meet the density requirements of the General Plan or zoning ordinance. A detached ADU is not considered an accessory building or accessory use.

**Section 17.54.040 (5.6.04) – PERMITS REQUIRED**

- A. Establishment of an ADU requires a permit from the City
- B. Any application for an ADU that meets all standards in §17.54.070 (5.6.07) of this chapter shall be approved ministerially without discretionary review or public hearing.
- C. A use permit shall be required in accordance with this Chapter and Chapter 17.72 (Article 7) of the Trinidad Zoning Ordinance for establishment of an ADU which does not meet all the development standards contained or referenced in this chapter.

**Section 17.54.050 (5.6.05) – PERMITTING PROCEDURES**

- A. Step One – Submittal. Applications for ADUs shall be submitted to the City Clerk's Office on a City of Trinidad ADU Application. The City shall provide information on submittal requirements along with the Application.
- B. Step Two – Noticing. Notification for any pending ADU permit shall be provided to neighboring properties and interested persons in accordance with §17.72.130 (7.17). Notice shall be provided at least seven days prior to any determination by the City Planner on a ministerial permit or Planning Commission on a use permit. If anyone submits evidence that shows that the project will not meet the

development standards of §17.54.070 (5.6.07) herein to the satisfaction of the City Planner, then a use permit shall be required to be granted by the Planning Commission.

- C. Step Three – Issuance. A ministerial permit shall only be issued for an ADU if the application conforms to all the specific standards contained in Section 17.54.070 (5.6.07) and only after making the three findings below. For ADUs that do not meet the standards contained in §17.54.070 (5.6.07), in addition to the findings required for granting a use permit in §17.72.040 (7.09) of the Trinidad Zoning Ordinance, the following findings shall also be required from the Planning Commission. The decision of the City Planner and / or Planning Commission may be appealed in accordance with §17.72.100 (7.14) of the Trinidad Zoning Ordinance.
1. The ADU is compatible with the design of the main unit and the surrounding neighborhood in terms of landscaping, scale, height, length, width, bulk, lot coverage, and exterior treatment, and will not cause excessive noise, traffic, or other disturbances to the existing neighborhood or result in significantly adverse impacts on public services and resources.
  2. The ADU will not tend to change the character of or cause a concentration of such units sufficient to change the characteristic of the residential neighborhood in which it is located.
  3. The ADU is consistent with the Trinidad Zoning Ordinance and policies of the General Plan, including that it will not cause significant blockage of coastal views from public viewing points and has been designed to minimize view blockage from adjacent residences.

**Section 17.54.060 (5.6.06) – EXISTING ADU's**

**A. Nonconforming ADU's**

1. Legal, nonconforming ADU's, those established prior to the certification of the City's Zoning Ordinance in 1980, shall maintain their nonconforming status and shall be subject to all the nonconforming regulations in Chapter 17.64 (sections 6.20-6.25) of the Trinidad Zoning Ordinance, unless a permit application for an ADU is approved by the City Planner or Planning Commission for that unit. If such permit is granted, then the ADU shall no longer be considered nonconforming and shall be subject to all the regulations of this Chapter.
2. Units that can not meet all the development standards of §17.54.070 (5.6.07) may be granted an exception if, in the opinion of the Planning Commission, findings 1 and 2 of §17.54.050.C (5.06.5.C) can be made and all feasible measures to meet the development standards have been made. A use permit is required to be approved by the Planning Commission.
3. Legal, nonconforming ADU's are required to maintain their Onsite Wastewater Treatment System at a level of Satisfactory or better according to the City's OWTS Management Program. If the OWTS receives a performance rating of less than Satisfactory, then restrictions on water use and occupancy should be enacted through a formal agreement with the property owners. Monitoring wells shall be installed to ensure that effluent is being adequately treated to prevent water pollution.

**B. Illegal ADU's**

1. Owners of illegal ADU's, those that were constructed or converted after 1980 without Planning Commission approval, have a three year grace period in which to apply for an ADU permit from the City. In addition to meeting the development standards of §17.54.070 (5.6.07) or receiving approval of a use permit, they must also conform to the following requirements:
  - (a) Units must be inspected by the City Building Official for and upgraded to compliance with health and safety requirements, which may include building permits and fees.
  - (b) Registered ADU's are required to maintain their Onsite Wastewater Treatment System at a level of Satisfactory or better according to the City's OWTS Management Program. If the OWTS receives a performance rating of less than Satisfactory, then restrictions on water use and occupancy should be enacted through a formal agreement with the property owners.

Monitoring wells shall be installed to ensure that effluent is being adequately treated to prevent water pollution.

- (c) Units that can not meet all the development standards of §17.54.070 (5.6.07) may be granted an exception if, in the opinion of the Planning Commission, findings 1 and 2 of §17.54.050.C (5.6.05.C) can be made and all feasible measures to meet the development standards have been made.
2. If an illegal ADU is not registered within the timeframe set forth above, then when discovered, whether by an OWTS inspection or other means, the City may immediately begin Nuisance Abatement against the property.

#### **Section 17.54.070 (5.6.07) – DEVELOPMENT STANDARDS**

An ADU permit will be issued only if it complies with all the following development standards:

- (a) **Existing Development:** A single-family dwelling must exist on the site or shall be constructed on the site in conjunction with the construction of the ADU.
- (b) **Number per Building Site:** A maximum of one ADU shall be permitted on any one parcel or lot. ADU's may not be permitted on residential lots already having two or more dwelling units thereon.
- (c) **Unit Size:** The second unit must be either attached to the primary unit and located within the living area of the primary unit, or detached from the primary unit and located on the same lot as the primary unit. The floor area of an attached second unit shall not exceed 30% of the existing living area of the primary unit or 800 square feet, whichever is less, except that a minimum size of 150 sq. ft. shall be allowed. The total area of floor space of a detached second unit shall not exceed 1000 square feet.
- (d) **Setbacks:** The setback requirements of the zoning district in which the ADU is located shall apply; however, ADUs may be permitted in legally constructed structures located within required rear and side setbacks. A detached ADU shall be at least ten feet from any building. Rear yard setbacks for ADUs on alleys shall be measured from the centerline of the alley.
- (e) **Height:** An attached ADU shall not be greater in height than the primary unit. A detached ADU shall be no greater than 15 feet in height.
- (f) **Lot Coverage and Floor Area:** An ADU shall be included in the lot coverage and floor area requirements applicable to the site. Floor area is measured to the outside surface of exterior walls the walls of the living space. Total floor area of both units shall not exceed 2,600 sq ft. or 30% floor-to-area ratio and 25% lot coverage.
- (g) **Off-street Parking:** The ADU shall provide one off-street parking space per unit. The parking space may be covered or uncovered, must be of standard size. Required parking may be located within required setbacks, and can be tandem.
- (h) **Permanent Foundation:** A permanent foundation shall be required for all ADUs.
- (i) **Architectural Compatibility:**
  - (1) The ADU shall incorporate the same or similar architectural features and building materials as the main dwelling unit or dwellings located on adjacent properties and shall be consistent with the city of Trinidad Design Review and View Protection findings.
  - (2) Any exterior alteration or addition to a dwelling on the Historic Resources Inventory shall be consistent with the Secretary of the Interior's *Standards and Guidelines*.
- (j) **Privacy:** The entrance to the accessory unit shall face the interior of the lot unless the accessory unit is directly accessible from an alley or a public street, or if it utilizes the same entrance as the primary unit. Windows which face an adjoining residential property shall be designed to protect the privacy of neighbors; alternatively, fencing or landscaping shall be required to provide screening.

- (j) **Utilities.** All utilities for detached units shall be installed underground. All ADUs shall have separate utility meters from the primary residence.
- (k) **Onsite Wastewater Treatment System (OWTS):** Prior to issuance of a building permit, the applicant shall submit certification by the Health Department, that the existing OWTS is of adequate size and condition to support projected sewage flow for the primary unit and ADU. If the capacity or condition of the existing OWTS is found to be inadequate to serve the existing and proposed units on the property, OWTS shall be replaced or upgraded to meet current standards, at the expense of the applicant.
- (l) **Accessibility.** All newly constructed first-floor ADUs shall be adaptable for use by persons with ADA-defined disabilities as follows:
  - (1) The bathroom shall provide minimum clearances as specified for accessible units per California state accessibility requirements, and grab bar blocking shall be installed in the walls.
  - (2) Entry doors shall have a minimum width of three feet.
  - (3) Interior doors shall have a minimum width of 2 feet 10 inches
  - (4) Thresholds shall meet California state accessibility requirements
  - (5) The kitchen shall meet the minimum clearances specified in the California state accessibility requirements
- (m) **Occupancy.**
  - (1) The principal place of residence of the property owner shall be either the ADU or the primary unit.

**Section 17.54.080 (5.6.08) – DEED RESTRICTIONS**

Before obtaining an ADU building permit, the property owner shall file with the county recorder a declaration or an agreement of restrictions, which has been approved by the city attorney as to its form and content, containing a reference to the deed under which the property was acquired by the owner and stating that:

- (a) The ADU shall not be sold separately from the primary unit.
- (b) Any conditions required by the City's OWTS Ordinance.
- (c) The restrictions shall be binding upon any successor in ownership of the property and lack of compliance shall result in legal action against the property owner.

**ORDINANCE 2012-02, SECTION 2:**

This Ordinance shall take effect upon certification by the Coastal Commission.

**PASSED AND ADOPTED** by the Planning Commission of the City of Trinidad, State of California in March 2008.

**PASSED AND ADOPTED** by the City Council of the City of Trinidad, State of California, on **Wednesday, April 11, 2012**, by the following vote:

AYES: Morgan, Miller, Fulkerson, Davies  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Bhardwaj

**First Reading:** Wednesday, April 11, 2012

**Second Reading:** Wednesday, May 09, 2012

**Attest:**

\_\_\_\_\_  
**Gabriel Adams**  
 Trinidad City Clerk

\_\_\_\_\_  
**Kathy Bhardwaj**  
 Mayor

**TRINIDAD CITY HALL**  
**P.O. BOX 390**  
409 Trinity Street  
Trinidad, CA 95570  
(707) 677-0223

**KATHY BHARDWAJ, MAYOR**  
**GABRIEL ADAMS, CITY CLERK**



## **ORDINANCE 2012-02**

### **AN ORDINANCE OF THE CITY OF TRINIDAD THAT REPEALS IN ITS ENTIRETY THE PREVIOUS VERSION OF THIS ORDINANCE, 2011-02, AND ADDS CHAPTER 17.53 TO TITLE 17 OF THE TRINIDAD MUNICIPAL CODE (ADDING ARTICLE 5.3 TO THE COASTAL COMMISSION CERTIFIED ZONING ORDINANCE), AND AMENDING SECTIONS 3.20.030 AND 5.04.220 OF THE TRINIDAD MUNICIPAL CODE**

The City Council of the City of Trinidad does hereby ordain as follows:

#### **ORDINANCE 2012-01, SECTION 1:**

There is hereby added to the Trinidad Municipal Code a new Chapter, Chapter 17.53, (and hereby added to the Coastal Commission certified Zoning Ordinance a new Article 5.3), "City of Trinidad Vacation Dwelling Unit Ordinance," which shall read as follows:

### **Chapter 17.53 (Article 5.3)**

#### **REGULATIONS FOR VACATION DWELLING UNITS**

##### **Sections:**

17.53.010 (5.3.01)	Short Title
17.53.020 (5.3.02)	Definitions
17.53.030 (5.3.03)	Purpose
17.53.040 (5.3.04)	Requirements
17.53.050 (5.3.05)	Appearance and Visibility
17.53.060 (5.3.06)	Effect on Existing Vacation Dwelling Units
17.53.070 (5.3.07)	Location
17.53.080 (5.3.08)	Noise
17.53.090 (5.3.09)	Non-Permitted Uses
17.53.100 (5.3.10)	Number of Occupants
17.53.110 (5.3.11)	Visitors
17.53.120 (5.3.12)	Tenancy
17.53.130 (5.3.13)	Traffic
17.53.140 (5.3.14)	Tourist Occupancy Tax
17.53.150 (5.3.15)	Audit
17.53.160 (5.3.16)	Dispute Resolution
17.53.170 (5.3.17)	Violations—Penalty
17.53.180 (5.3.18)	Violations—Revocation
17.53.190 (5.3.19)	Ordinance Review

##### **17.54.010 (5.3.01) Short Title.**

This chapter (article) shall be known and may be cited as "City of Trinidad Vacation Dwelling Unit Ordinance."

##### **17.54.020 (5.3.02) Definitions.**

**Good Neighbor Brochure.** "Good Neighbor Brochure" means a document prepared by the City and approved by the City Manager that summarizes general rules of conduct, consideration, respect, and potential remedial actions. In particular provisions for parking and minimizing noise and quiet hours shall be included.

**Event.** "Event" means any use of a structure or land for a limited period of time. "Event" includes but is not limited to art shows, religious revivals, tent camps, concerts, fundraisers, and weddings or receptions. "Event" does not include small parties and social gatherings of 20 people or less consistent with normal residential use.

**Occupant.** "Occupant" within this Chapter is synonymous with the definition of "Tourist" in Trinidad Municipal Code section 3.20.020G. As used in this Chapter, "occupant" does not include children aged 5 or under.

**Transient Use.** "Transient use" means any contractual use of a structure or portion thereof for residential, dwelling or sleeping purposes, for any period of time which is less than 30 consecutive days.

**Vacation Dwelling Unit.** "Vacation Dwelling Unit" (VDU) means any structure, accessory structure, or portion of such structures, which is contracted for transient use.

As used in this chapter, the definition of "Vacation Dwelling Unit" falls within the definition of "Lodging House" found in Trinidad Municipal Code section 3.20.020A but does not include "inn" or "motel" within Section 3.20.020A.

**Visitor.** "Visitor" means someone staying temporarily at a VDU, but that is not an "occupant" and not staying at the VDU overnight.

**17.54.030 (5.3.03) Purpose.**

The purpose of this Chapter is to ensure that Vacation Dwelling Units are compatible with surrounding residential and other uses and will not act to harm or alter the neighborhoods within which they are located.

**17.54.040 (5.3.04) Requirements.**

**A. Business License Application.**

Each VDU must procure a Business License. Existing VDUs must obtain a Business License within 3 months of the adoption of this ordinance. The business license shall identify the existence of a VDU at a particular address and declares the number of bedrooms in the VDU.

A site plan and floor plan must be submitted along with the Business License application so the City can verify the number of bedrooms and parking spaces. The site plan and floor plan do not have to be professionally prepared, but must be to scale and include enough information to verify compliance. A sample rental agreement that addresses the requirements of this Chapter shall also be provided.

Each application for a Business License shall be accompanied with proof of a general liability insurance in the amount of one million dollars combined single limit and an executed agreement to indemnify, defend and save the city harmless from any and all claims and liability of any kind whatsoever resulting from or arising out of the registration of a VDU.

A Business License Fee of \$100.00 will be charged for the first year of each VDU's operation. Annual renewals for subsequent years shall be at the same cost as a renewal for any other Business License in the City.

The City will notify all property owners within 100 feet of the VDU property of the VDU's Business License within 7 days of its issuance or re-issuance. This notice may be combined with the required 24-hour emergency contact phone number notice required in subsection B below.

**B. Contact Information.**

**1. Local Contact Person.**

Each VDU must designate a local contact person on the Business License form. That person may be either the owner or the property manager, and that person must live within 25 miles of Trinidad so that he/she can respond personally to an emergency.

**2. 24-Hour Emergency Contact Phone Number.**

A 24-hour emergency contact phone number is required for each VDU. The 24-hour emergency contact phone number shall be prominently placed for the occupants' use inside the VDU. Any change to the emergency contact number shall be promptly provided to the Trinidad City Clerk and posted within the VDU.

The emergency contact phone number will be forwarded by the City Clerk to the Trinidad Police Department, the County Sheriff's Office, the Trinidad Volunteer Fire Department, and to each neighbor within 100 feet of the VDU within 7 days after the issuance or reissuance of a business license for the VDU.

If there is an emergency or complaint, and the emergency contact person does not respond within a reasonable period of time, concerned persons will be encouraged to report the emergency through the 911 emergency calling system or the Police or Sheriff's Department. It is unlawful to make a false report or complaint regarding activities associated with a VDU.

**C. Parking.**

A VDU must provide at least one on-site parking space per bedroom in the VDU. The parking space/s shall be entirely on the VDU property. VDU occupants may not use public right-of-way (street) spaces to meet their parking needs. Parking spaces will not be located on the septic system unless it is designed and rated for traffic in accordance with the OWTS Regulations.

**D. Septic System.**

Each VDU's owner or property manager must provide proof that the septic system for the structure in which the VDU is located is functioning properly and in conformance with the City's OWTS Management Program. Information on the appropriate use of a septic system, in a form approved by the City, shall be posted in each bathroom in the VDU and the kitchen.

**E. Signs.**

A single sign no greater than 3 square feet in size shall be attached to the VDU structure or placed immediately adjacent to the front of the VDU structure. The purpose of the sign is to notify the public that the structure is or contains a VDU. The sign must provide a 24-hour emergency telephone contact number for complaints, and a business telephone number for persons seeking information on the VDU.

**F. Trash.**

Trash and refuse shall not be left stored within public view, except in proper containers for the purposes of collection. There shall be no accumulation or storage of trash and / or debris on the site or within the unit.

**G. Emergency Preparedness.**

Information regarding local hazards, such as earthquakes and ocean related hazards, in a form approved by the City, shall be posted within the vacation rental in an easily seen location, such as the entry or kitchen area. In particular, information regarding regular testing of the tsunami siren and real emergencies shall be included.

**H. Good Neighbor Brochure.**

Prior to occupancy pursuant to each separate occasion of rental of a VDU, the owner or the owner's agent shall provide a copy of the Good Neighbor Brochure to the occupants and / or shall post the Good Neighbor Brochure in a clearly visible location within the VDU.

**17.54.050 (5.3.05) Appearance and Visibility.**

The outside appearance of the VDU structure shall not change the residential character of the structure by the use of colors, materials, lighting, or signage (except as required by this Chapter). The VDU shall not create any noise, glare, flashing lights, vibrations, or odors which are not commonly experienced in residential areas.

**17.54.060 (5.3.06) Effect on Existing Vacation Dwelling Units.**

Each individual holding a valid Trinidad Business License for a VDU existing at the time the VDU Ordinance is adopted shall be subject to the requirements of this Chapter of the Municipal Code upon its adoption. The

owner of an existing VDU which does not meet the requirements of this Chapter will not be issued a Business License and may not use the VDU structure for VDU purposes.

**17.54.070 (5.3.07) Location.**

VDU's are permitted in any zone district in the City that allows for single or multiple family dwelling units. A VDU may be allowed in a legally established Accessory Dwelling Unit. Each separate VDU must obtain its own, individual Business License.

**17.54.080 (5.3.08) Noise.**

Occupants of VDU properties and visitors shall not generate noise in excess of what might be expected in a residential neighborhood. Any noise occurring after 10:00 pm and before 8:00 am should be contained within the VDU and shall not be able to be heard by or offend any adjacent neighbors.

**17.54.090 (5.3.09) Non-Permitted Uses.**

There shall be no permitted use of the VDU structure other than occupancy for dwelling or sleeping purposes, as defined in Section 3.20.020A of the Trinidad Municipal Code. Use for events which are not hosted by the VDU's property owner are not permitted.

**17.54.100 (5.3.10) Number of Occupants.**

The maximum number of occupants allowed in a VDU shall not exceed two persons per bedroom plus an additional two persons (e.g., a two-bedroom VDU may have six occupants). Except that in the Suburban Residential Zone, if the VDU has a total floor area that exceeds 800 square feet per bedroom, then for each additional 500 square feet of floor area above this total, one additional occupant may be allowed, up to a maximum of two additional occupants.

**17.54.110 (5.3.11) Visitors.**

The number of visitors to a VDU shall be limited to not more than 20 persons per parcel at any time. If there is more than one VDU on a property, the 20 person maximum applies to the property, not each VDU. Visitors are not allowed on the premises between 1:00 a.m. and 4:00 a.m.

**17.54.120 (5.3.12) Tenancy.**

The rental of a VDU shall not be for less than two successive nights.

**17.54.130 (5.3.13) Traffic.**

Vehicles used and traffic generated by the VDU shall not exceed the type of vehicles or traffic volume normally generated by a residence occupied by a full-time resident in a residential neighborhood.

**17.54.140 (5.3.14) Tourist Occupancy Tax.**

The rental or other contractual use of a VDU is subject to a Tourist Occupancy Tax ("TOT") and any other mandated taxes. Each VDU owner and/or manager shall meet all of the requirements of Trinidad Municipal Code Chapter 3.20, "Tourist Occupancy Tax," which addresses the registration of TOT collectors, and the collection, recordkeeping, reporting and remittances of applicable TOT.

**17.54.150 (5.3.15) Audit**

Each owner and agent or representative of any owner shall provide access to each VDU and any records related to the use and occupancy of the VDU to the City Manager at any time during normal business hours, for the purpose of inspection or audit to determine that the objectives and conditions of this Chapter are being fulfilled.

**17.54.160 (5.3.16) Dispute Resolution.**

By accepting a VDU Business License, VDU owners agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising from the use of a dwelling as a VDU.

**17.54.170 (5.3.17) Violations-Penalty.**

Violations of this Chapter are punishable as either infractions or misdemeanors, pursuant to the provisions of Section 1.08 of the Trinidad Municipal Code. Each separate day in which a violation exists shall be considered a separate violation.

**17.54.180 (5.3.18) Violations--Revocation**

If the VDU owner or property manager is deemed to be negligent in responding to an emergency situation more than two times in a 12-month period, or if more than two documented, significant violations occur in any 12-month period, the VDU's Business License may be revoked. Documented, significant violations include, but are not limited to, copies of citations, written warnings, or other documentation filed by law enforcement.

**17.54.190 (5.3.19) Ordinance Review**

This ordinance shall be reviewed by the Planning Commission a year after its adoption, and periodically thereafter, to ensure that it is meeting the needs of the community.

**ORDINANCE 2011-XX, SECTION 2:**

Section 3.20.030 of the Trinidad Municipal Code, entitled "Imposed--Rate" is amended to read as follows:

"For the privilege of occupancy in any lodging, each tourist is subject to, and shall pay, a Tourist Occupancy Tax ("TOT"). The TOT constitutes a debt owed by the tourist to the City. The tourist shall pay the TOT to the lodging house operator based on the rent charged by the operator at the time the rent is paid. If the rent is paid in installments, a proportionate share of the TOT shall be paid with each installment. The unpaid TOT shall be due upon the tourist's ceasing to occupy space in the lodging house. If for any reason the TOT due is not paid to the lodging house operator, the Tax Administrator may require that such TOT shall be paid directly to the Tax Administrator.

The TOT is hereby set in the amount of 10 percent (10%) of the rent charged by the operator.

The amount of the TOT may be set by resolution of the City Council from time to time."

**ORDINANCE 2012-01, SECTION 3:**

Subsection B of Section 5.04.220 of the Trinidad Municipal Code, entitled "License--Appeal" is amended to read as follows:

"B. Any person aggrieved by any decision of city staff with respect to the issuance or reissuance or refusal to issue a license, or the amount of a license tax may appeal to the council by filing a notice of appeal with the city clerk within thirty (30) days of such decision. The council shall fix a time and place of hearing such appeal and the city clerk shall give notice in writing to the license applicant and the appellant, if different from the applicant, of the time and place of hearing by serving it personally or by mail, postage prepaid, addressed to such person at the address appearing on his last license or application and / county assessor records. The findings of the council shall be served upon the applicant in the manner prescribed above for service of notices of hearing.

**ORDINANCE 2012-01, SECTION 4:**

This Ordinance shall take effect upon certification by the Coastal Commission.

Passed, approved, and adopted this 11<sup>th</sup> day of April, 2012 by the following roll call vote:

AYES: Morgan, Miller, Fulkerson, Davies  
NOES: None  
ABSTAIN: None  
ABSENT: Bhardwaj

Attest:

Approved:

\_\_\_\_\_  
**Gabriel Adams**  
City Clerk

\_\_\_\_\_  
**Kathy Bhardwaj**  
Mayor

First Reading: **Wednesday, April 11, 2012**  
Second Reading: **Wednesday, May 9, 2012**

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

**Kathy Bhardwaj, Mayor**  
**Gabriel Adams, City Clerk**



**RESOLUTION NO. 2012-06**

**A RESOLUTION OF THE CITY OF TRINIDAD, CALIFORNIA, SUBMITTING A LOCAL COASTAL PROGRAM AMENDMENT TO ADD SECTIONS TO THE ZONING ORDINANCE ADDRESSING ACCESSORY DWELLING UNITS (ADUs) TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION**

**WHEREAS**, the City of Trinidad City Council has adopted an ordinance amending the Implementation Plan of the Local Coastal Program to address deficiencies in the existing implementing ordinances that do not adequately regulate ADUs; and

**WHEREAS**, this amendment has been reviewed and processed pursuant to the provisions of the Local Coastal Program and City laws; and

**WHEREAS**, the ordinance is Statutorily exempt per CEQA Guidelines §15282(g) for "the adoption of an ordinance regarding second units in a single-family or multi-family zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section 21080.17 of the Public Resources Code" and per §15265 exempting adoption of coastal plans and programs by local governments.

**WHEREAS**, after due notice and public hearing, and in accordance with the Local Coastal Program (Trinidad Zoning Ordinance section 7.03), the Planning Commission approved the amendment to the Zoning Ordinance as indicated in Exhibit A on January 30, 2008, and the Trinidad City Council adopted the amendment on August 11, 2010, and again on April 11, 2012 as recommended by the Planning Commission.

**WHEREAS**, this amendment is intended to be carried out in a manner in conformity with the Coastal act and the implementing Local Coastal Program; and

**WHEREAS**, this amendment is consistent with the City's certified Local Coastal Program; and

**WHEREAS**, this amendment shall take effect immediately upon certification by the California Coastal Commission if approved as submitted. If the California Coastal Commission certifies the amendment subject to conditions that change the nature of the amendment, final approval by the Trinidad City Council shall be required prior to the amendment taking effect; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Trinidad as follows:

1. City staff is directed to apply to, and work with, the California Coastal Commission for approval of this Local Coastal Program amendment.

**INTRODUCED, APPROVED, AND ADOPTED** by the Trinidad City Council on May 09, 2012, by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Attest:

\_\_\_\_\_  
**Gabriel Adams**  
Trinidad City Clerk

\_\_\_\_\_  
**Kathy Bhardwaj**  
Mayor



**RESOLUTION NO. 2012-07**

**A RESOLUTION OF THE CITY OF TRINIDAD, CALIFORNIA, SUBMITTING A LOCAL COASTAL PROGRAM AMENDMENT TO ADD SECTIONS TO THE ZONING ORDINANCE ADDRESSING VACATION DWELLING UNITS (VDUs) TO THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION**

**WHEREAS**, the City of Trinidad City Council has adopted an ordinance amending the Implementation Plan of the Local Coastal Program to address deficiencies in the existing implementing ordinances that do not adequately regulate VDUs; and

**WHEREAS**, this amendment has been reviewed and processed pursuant to the provisions of the Local Coastal Program and City laws; and

**WHEREAS**, the ordinance is Categoricaly exempt per §15301 of the CEQA Guidelines exempting "the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing private or public structures, facilities, mechanical equipment, or topographical features, involving negligible, or no expansion of use beyond that existing at the time of the lead agency's determination," and per §15306 exempting "minor alterations in land use limitations in areas with an average slope of less than 20%, which do not results in any changes in land use or density," and Statutorily exempt per §15265 exempting adoption of coastal plans and programs by local governments.

**WHEREAS**, after due notice and public hearing, and in accordance with the Local Coastal Program (Trinidad Zoning Ordinance section 7.03), the Planning Commission approved the amendment to the Zoning Ordinance as indicated in Exhibit A on June 15, 2011, and the Trinidad City Council adopted the amendment on August 10, 2011, and again on April 11, 2012 as recommended by the Planning Commission.

**WHEREAS**, this amendment is intended to be carried out in a manner in conformity with the Coastal act and the implementing Local Coastal Program; and

**WHEREAS**, this amendment is consistent with the City's certified Local Coastal Program; and

**WHEREAS**, this amendment shall take effect immediately upon certification by the California Coastal Commission if approved as submitted. If the California Coastal Commission certifies the amendment subject to conditions that change the nature of the amendment, final approval by the Trinidad City Council shall be required prior to the amendment taking effect; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Trinidad as follows:

1. City staff is directed to apply to, and work with, the California Coastal Commission for approval of this Local Coastal Program amendment.

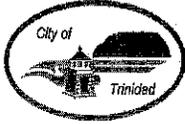
**INTRODUCED, APPROVED, AND ADOPTED** by the Trinidad City Council on May 09, 2012, by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Attest:

\_\_\_\_\_  
**Gabriel Adams**  
Trinidad City Clerk

\_\_\_\_\_  
**Kathy Bhardwaj**  
Mayor



## DISCUSSION AGENDA ITEM 1

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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1. Discussion/Decision regarding award of Main Street and Trinity Street Gateway Project.

DISCUSSION AGENDA ITEM

Date: May 9, 2012

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Item: Award Main Street and Trinity Street Gateway Project

Background: The bid opening for the Main Street & Trinity Street Gateway project was held April 17, with competitive results. Ford Logging Inc. dba Pacific Earthscape from McKinleyville presented the lowest bid of \$305,850 and GHD has reviewed their license and bonding information which appears to be current and up to date.

If the contract is awarded, the Notice of Award can be delivered to Ford Logging May 10. They will then have 7 calendar days to execute the agreement and submit the required bonds and insurance to the City. The Notice to Proceed is planned to be issued quickly so that construction can begin on or around May 29<sup>th</sup>. There are 35 working days allowed for the Contractor to complete the work, which would correspond to construction ending in mid-July.

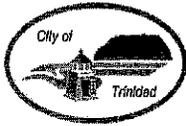
Proposed Action: Award the construction contract to Ford Logging Inc. dba Pacific Earthscape in the amount of \$305,850.

Attachment: Bid Tab Summary

**Bid Tab Summary**

Agency: City of Trinidad  
 Project Name: Gateway TE/HR3 Project  
 Project Location: City of Trinidad  
 Bid Opening 4/17/2012 at 2pm  
 Prepared by: Josh Wolf

BID ITEMS Item No.	Description	Quantity	Units	Apparent Low Bidder		Ford Logging		Trent Construction		RAO Construction		Cal Electro	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total		
1	Mobilization/Demobilization	1	LS	\$8,000.00	\$8,000.00	\$2,400.00	\$2,400.00	\$30,000.00	\$30,000.00	\$28,000.00	\$28,000.00	\$18,000.00	\$18,000.00
2	Traffic Control (Throughout Construction)	1	LS	\$17,750.50	\$17,750.50	\$8,760.00	\$8,760.00	\$2,400.00	\$2,400.00	\$5,500.00	\$5,500.00	\$4,500.00	\$4,500.00
3	Shoring and Trench Safety	1	LS	\$1,600.00	\$1,600.00	\$2,400.00	\$2,400.00	\$1,200.00	\$1,200.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
4	Erosion and Sediment Control	1	LS	\$2,600.00	\$2,600.00	\$1,200.00	\$1,200.00	\$600.00	\$600.00	\$20,000.00	\$20,000.00	\$15,000.00	\$15,000.00
5	Cleaning and Grubbing	1	LS	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$6,000.00	\$6,000.00	\$4,000.00	\$4,000.00
6	Remove Existing Pavement Striping, Pavement Markings & Roadside Signs	1	LS	\$3,900.00	\$3,900.00	\$38.00	\$38.00	\$57,950.00	\$57,950.00	\$11.00	\$11.00	\$32.00	\$32.00
7	Remove Concrete/AC (Curb, Gutter, Sidewalk, Curb Ramp, Driveway, Asphalt)	1525	SY	\$22.15	\$33,778.75	\$15,072.00	\$15,072.00	\$26,000.00	\$26,000.00	\$17,800.00	\$17,800.00	\$12,000.00	\$12,000.00
8	Sidewalk and Roadway Excavation	1	LS	\$16,300.00	\$16,300.00	\$16,650.00	\$16,650.00	\$25.00	\$25.00	\$50.00	\$50.00	\$40.00	\$40.00
9	Infiltration System, Drain Inlet and Piping	1	LS	\$6,100.00	\$6,100.00	\$4,722.00	\$4,722.00	\$4,200.00	\$4,200.00	\$4,200.00	\$4,200.00	\$4,000.00	\$4,000.00
10	Drainage Ditch and Underdrain	250	LF	\$6,100.00	\$1,525,000.00	\$4,854.00	\$1,213,500.00	\$5,742.00	\$1,435,500.00	\$6,000.00	\$1,500,000.00	\$15,000.00	\$3,750,000.00
11	Type G1 Drain Inlet with Inlet Protection	1	EA	\$6,300.00	\$6,300.00	\$5,300.00	\$5,300.00	\$4,220.00	\$4,220.00	\$1,800.00	\$1,800.00	\$3,500.00	\$3,500.00
12	Type GO Drain Inlet with Inlet Protection	1	EA	\$5,300.00	\$5,300.00	\$4,220.00	\$4,220.00	\$1,800.00	\$1,800.00	\$2,500.00	\$2,500.00	\$4,500.00	\$4,500.00
13	Storm Drain Manhole	1	EA	\$4,700.00	\$4,700.00	\$2,280.00	\$2,280.00	\$1,134.00	\$1,134.00	\$1,500.00	\$1,500.00	\$1,200.00	\$1,200.00
14	Modifications to Existing Drainage Junction Box	1	LS	\$2,400.00	\$2,400.00	\$33.00	\$33.00	\$25,080.00	\$25,080.00	\$22.00	\$22.00	\$16,720.00	\$16,720.00
15	Energy Dissipater	760	LF	\$27.50	\$20,900.00	\$31.00	\$23,760.00	\$8.00	\$6,080.00	\$5.00	\$3,800.00	\$7.80	\$5,928.00
16	Concrete Curb and Gutter (Including Bulbous Curb & Gutter)	910	LF	\$36.50	\$33,215.00	\$8.00	\$7,280.00	\$8.00	\$7,280.00	\$6.50	\$5,925.00	\$6.50	\$5,925.00
17	Concrete Curb and Gutter (Including Bulbous Curb & Gutter)	484	SF	\$5.15	\$2,492.60	\$8.00	\$3,872.00	\$8.00	\$3,872.00	\$6.00	\$2,912.00	\$6.00	\$2,912.00
18	Minor Concrete - Sidewalks	160	SF	\$35.00	\$5,600.00	\$8.00	\$1,280.00	\$8.00	\$1,280.00	\$7.00	\$1,120.00	\$7.00	\$1,120.00
19	Minor Concrete - Gutter Depressions	1000	SF	\$10.75	\$10,750.00	\$12.00	\$12,000.00	\$9.00	\$9,000.00	\$7.00	\$7,000.00	\$7.00	\$7,000.00
20	Minor Concrete - Curb Ramps	489	SF	\$16.75	\$8,190.75	\$9.00	\$4,401.00	\$7.00	\$3,423.00	\$6.50	\$3,193.50	\$6.50	\$3,193.50
21	Minor Concrete - Concrete Crosswalks	950	SF	\$13.20	\$12,540.00	\$7.00	\$6,650.00	\$7.00	\$6,650.00	\$6.50	\$6,175.00	\$6.50	\$6,175.00
22	Minor Concrete - Driveways	1	EA	\$3,320.00	\$3,320.00	\$600.00	\$600.00	\$600.00	\$600.00	\$2,000.00	\$2,000.00	\$1,000.00	\$1,000.00
23	Minor Concrete - Sculpture Footing	15	EA	\$330.00	\$4,950.00	\$360.00	\$5,400.00	\$3,600.00	\$5,400.00	\$6,300.00	\$9,450.00	\$2,600.00	\$3,900.00
24	Pre-Fabricated Detectable Warning Surface	1	LS	\$4,970.00	\$4,970.00	\$3,600.00	\$3,600.00	\$3,600.00	\$3,600.00	\$6,300.00	\$6,300.00	\$2,600.00	\$2,600.00
25	Handrail & Posts (1-1/2" Aluminum)	55	LF	\$10.00	\$550.00	\$24.00	\$1,320.00	\$24.00	\$1,320.00	\$110.00	\$6,050.00	\$70.00	\$3,850.00
26	Sidewalk Cross Drain	15	TON	\$356.00	\$5,340.00	\$300.00	\$4,500.00	\$300.00	\$4,500.00	\$250.00	\$3,750.00	\$300.00	\$4,500.00
27	Asphalt Concrete, Type A	130	LF	\$6.50	\$845.00	\$16.00	\$2,080.00	\$16.00	\$2,080.00	\$6.25	\$812.50	\$5.80	\$754.00
28	4-Inch Thermoplastic Traffic Stripe	229	LF	\$15.00	\$3,435.00	\$24.00	\$5,496.00	\$24.00	\$5,496.00	\$17.00	\$3,893.00	\$18.00	\$4,122.00
29	12-Inch Thermoplastic Traffic Stripe	50	SF	\$15.00	\$750.00	\$42.00	\$2,100.00	\$42.00	\$2,100.00	\$17.00	\$850.00	\$18.00	\$900.00
30	Thermoplastic Pavement Markings	3	EA	\$500.00	\$1,500.00	\$60.00	\$180.00	\$60.00	\$180.00	\$400.00	\$1,200.00	\$600.00	\$1,800.00
31	Roadside Sign, 1-Post	3	EA	\$200.00	\$600.00	\$60.00	\$180.00	\$60.00	\$180.00	\$275.00	\$825.00	\$280.00	\$840.00
32	Reset Roadside Sign, 1-Posts	1	EA	\$250.00	\$250.00	\$60.00	\$60.00	\$60.00	\$60.00	\$450.00	\$450.00	\$350.00	\$350.00
33	Reset Roadside Sign, 2-Posts	1	EA	\$54.00	\$54.00	\$120.00	\$120.00	\$120.00	\$120.00	\$250.00	\$250.00	\$10.00	\$10.00
34	Concrete Wheelstop	2000	SF	\$3.45	\$6,900.00	\$6.00	\$12,000.00	\$6.00	\$12,000.00	\$4.50	\$9,000.00	\$3.50	\$7,000.00
35	Topsail, Soil Amendment & Mulch	1	LS	\$5,565.00	\$5,565.00	\$16,601.00	\$16,601.00	\$16,601.00	\$16,601.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
36	Landscaping	1	EA	\$3,450.00	\$3,450.00	\$600.00	\$600.00	\$600.00	\$600.00	\$4,000.00	\$4,000.00	\$1,200.00	\$1,200.00
37	Street Light Foundation	30	LF	\$85.00	\$2,550.00	\$49.00	\$1,470.00	\$49.00	\$1,470.00	\$35.00	\$1,050.00	\$28.00	\$840.00
38	Electrical Conduit	1	EA	\$1,650.00	\$1,650.00	\$600.00	\$600.00	\$600.00	\$600.00	\$2,000.00	\$2,000.00	\$500.00	\$500.00
39	PG&E Splice Box												
40	Total			\$305,650.00	\$305,650.00	\$308,482.00	\$308,482.00	\$336,208.50	\$336,208.50	\$379,453.00	\$379,453.00	\$379,453.00	\$379,453.00



## DISCUSSION AGENDA ITEM 2

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES**

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2. Discussion/Decision regarding State Parks proposal to consolidate the Coastal Development Permit process for installation of tsunami warning signage in coastal State Parks in Mendocino, Humboldt, and Del Norte Counties.

## DISCUSSION AGENDA

Date: May 9, 2012

---

Item: State Parks proposal to consolidate the Coastal Development Permit process for installation of tsunami warning signage in coastal State Parks in Mendocino, Humboldt and Del Norte Counties.

Background: The North Coast Redwood District of the CA State Parks is preparing to install various tsunami warning signage along the coast within the State Park system. Because the Coastal Act is a State law, and the City of Trinidad is authorized to issue CDPs pursuant to its certified LCP, the City has CDP authority over state lands within its jurisdiction. However, the City only has CDP jurisdiction on State lands, and other City permit requirements and zoning, such as use permits and design review do not apply to State lands. The Park has requested that the City authorize them to consolidate their permit process into one application through the Coastal Commission. This means that the City would be relinquishing its CDP authority for just this one project. The result is that the Park will submit one application to be approved by the Coastal Commission rather than having to go to each local jurisdiction for individual CDP approval.

In terms of Trinidad, the only signs proposed within City limits are two or three small 'entering' and 'leaving' signs on Trinidad State Park trails and one 'multi-coastal hazard' sign near the Marine Lab. Keep in mind that the City is only relinquishing its CDP authority, since City requirements for use permits or design review do not apply on State lands.

The authorization for consolidation must come from the legislative body.

Proposed Action: Consider authorizing the consolidation and requesting the City Planner to write a letter to the Parks approving the consolidation.

Attachments: Letter requesting consolidation authorization and supporting materials including a map showing sign locations and a key to the types of signs proposed.

Language from the Coastal Act authorizing consolidation of CDPs is as follows:

*30601.3. (a) Notwithstanding Section 30519, the commission may process and act upon a consolidated coastal development permit application if both of the following criteria are satisfied:*

*(1) A proposed project requires a coastal development permit from both a local government with a certified local coastal program and the commission.*

*(2) The applicant, the appropriate local government, and the commission, which may agree through its executive director, consent to consolidate the permit action, provided that public participation is not substantially impaired by that review consolidation.*

*(b) The standard of review for a consolidated coastal development permit application submitted pursuant to subdivision (a) shall follow Chapter 3*

*(commencing with Section 30200), with the appropriate local coastal program used as guidance.*

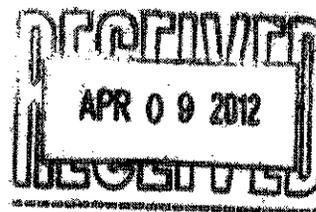
*(c) The application fee for a consolidated coastal development permit shall be determined by reference to the commission's permit fee schedule.*

*(d) To implement this section, the commission may adopt guidelines, in the same manner as interpretive guidelines adopted pursuant to paragraph (3) of subdivision (a) of Section 30620.*



**NORTH COAST REDWOODS DISTRICT**

4150 Patrick's Point Drive  
Trinidad, CA 95570  
(707) 677-3109  
Email: mforys@parks.ca.gov



April 3, 2012

City of Trinidad  
Main Street  
Trinidad, CA 95570

**Regarding: Request for consolidation of the Coastal Development Permit process for the North Coast Redwoods District Tsunami Readiness Project**

Dear City Clerk;

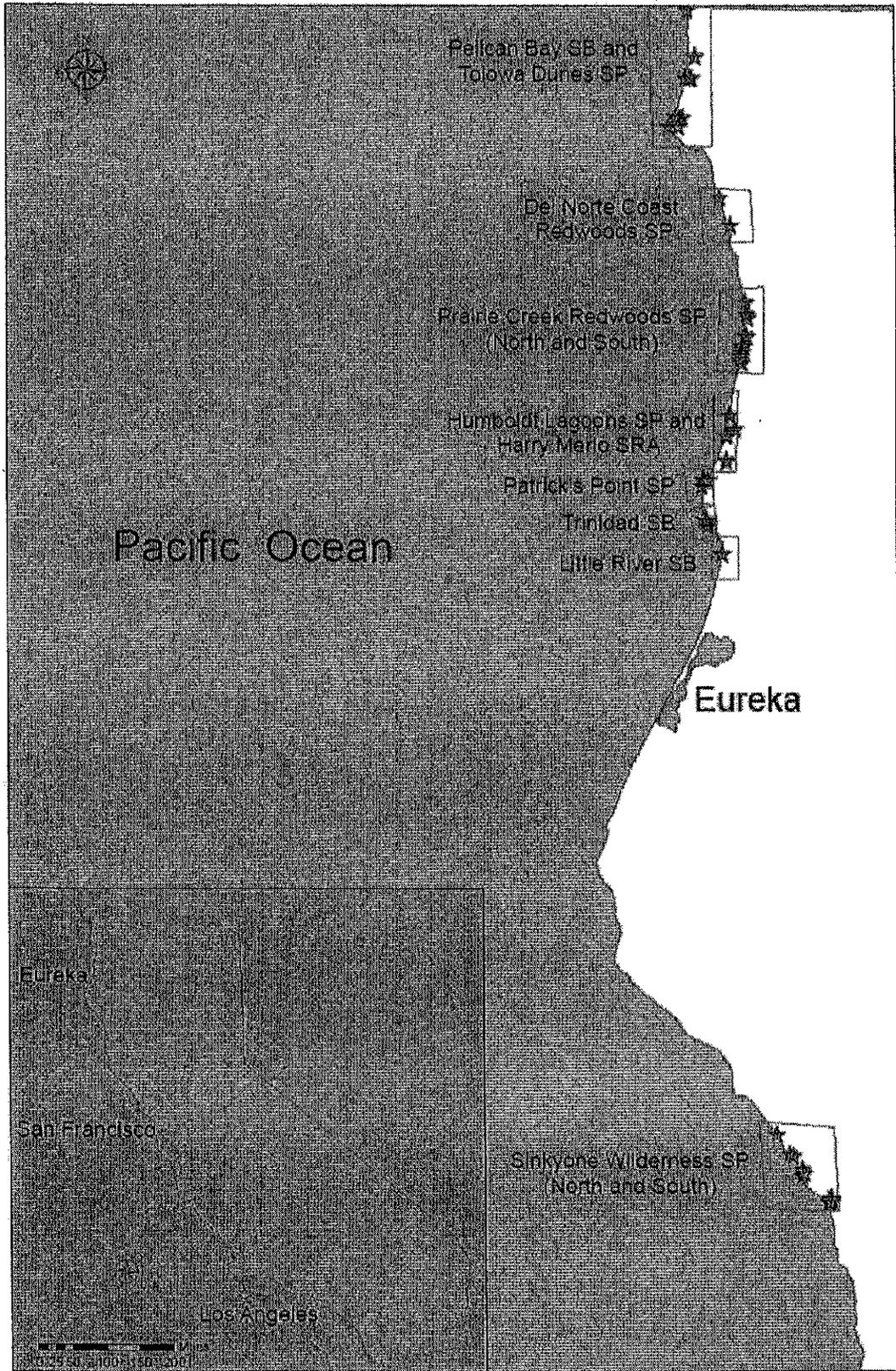
California Department of Parks and Recreation, North Coast Redwoods District (NCRD) is proposing the installation of tsunami warning signs, coastal hazard signs, four interpretative wayside panels, four double-sided kiosks, two four-sided kiosks, one parallel kiosk, two gates, and replace one bridge used for tsunami evacuation throughout the ten coastal parks (see attached map) within the NCRD.

A Coastal Development Permit will be required to implement this project. On behalf of the NCRD, I would like to request the consolidation of the Coastal Development Permit process for the Tsunami Readiness Project. The project falls within the State of California, Mendocino County, Humboldt County, Del Norte County, and the City of Trinidad coastal jurisdictions. California State Parks would like to streamline the Coastal Development Permit process by having the California Coastal Commission review the entire project for all permitting agencies. We have sent a similar letter to the State Coastal Commission and the counties requesting that their department allow the consolidation of the five permit processes and take the lead as the permitting agency.

I ask that you please send a letter verifying whether you accept the proposed consolidation of the Coastal Development Permit process to both the local California Coastal Commission office in Eureka and to me. If you have any questions please feel free to contact me.

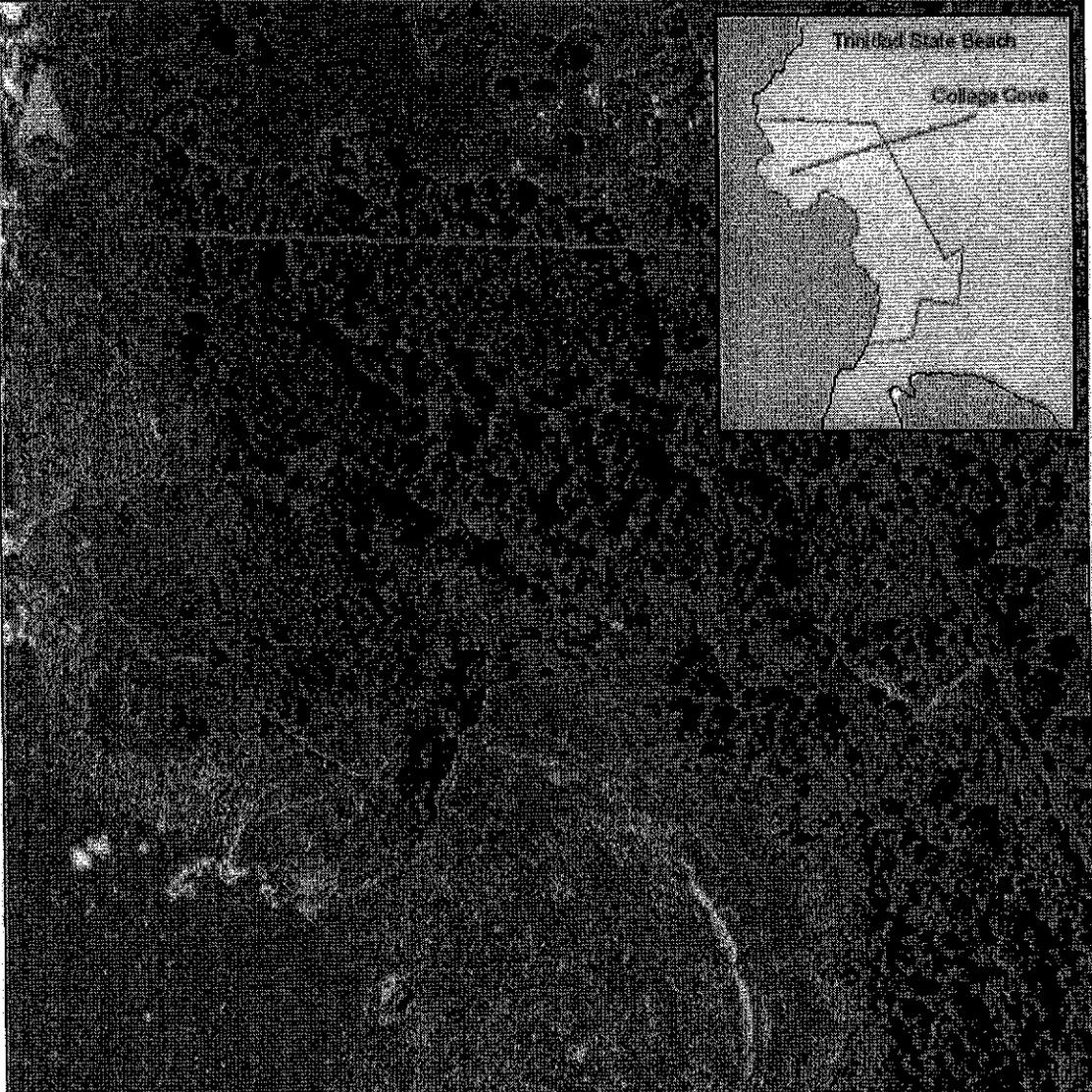
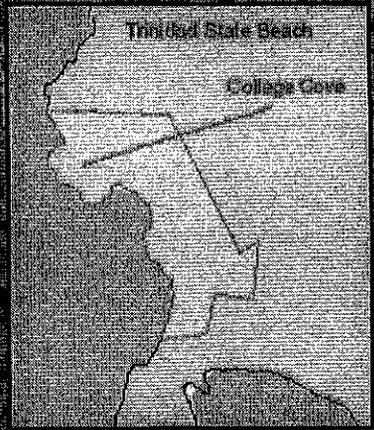
Sincerely,

Michelle Forys  
Environmental Scientist



**North Coast Redwoods District  
OHV and Tsunami Warning Sign  
and Detailed Map Locations**



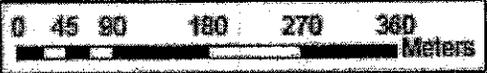


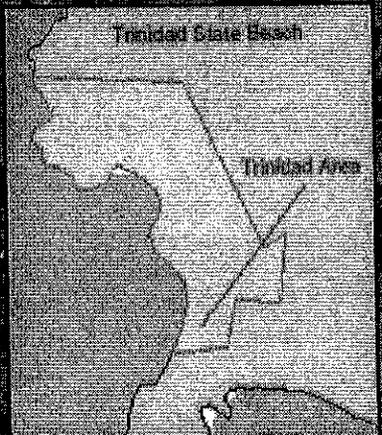
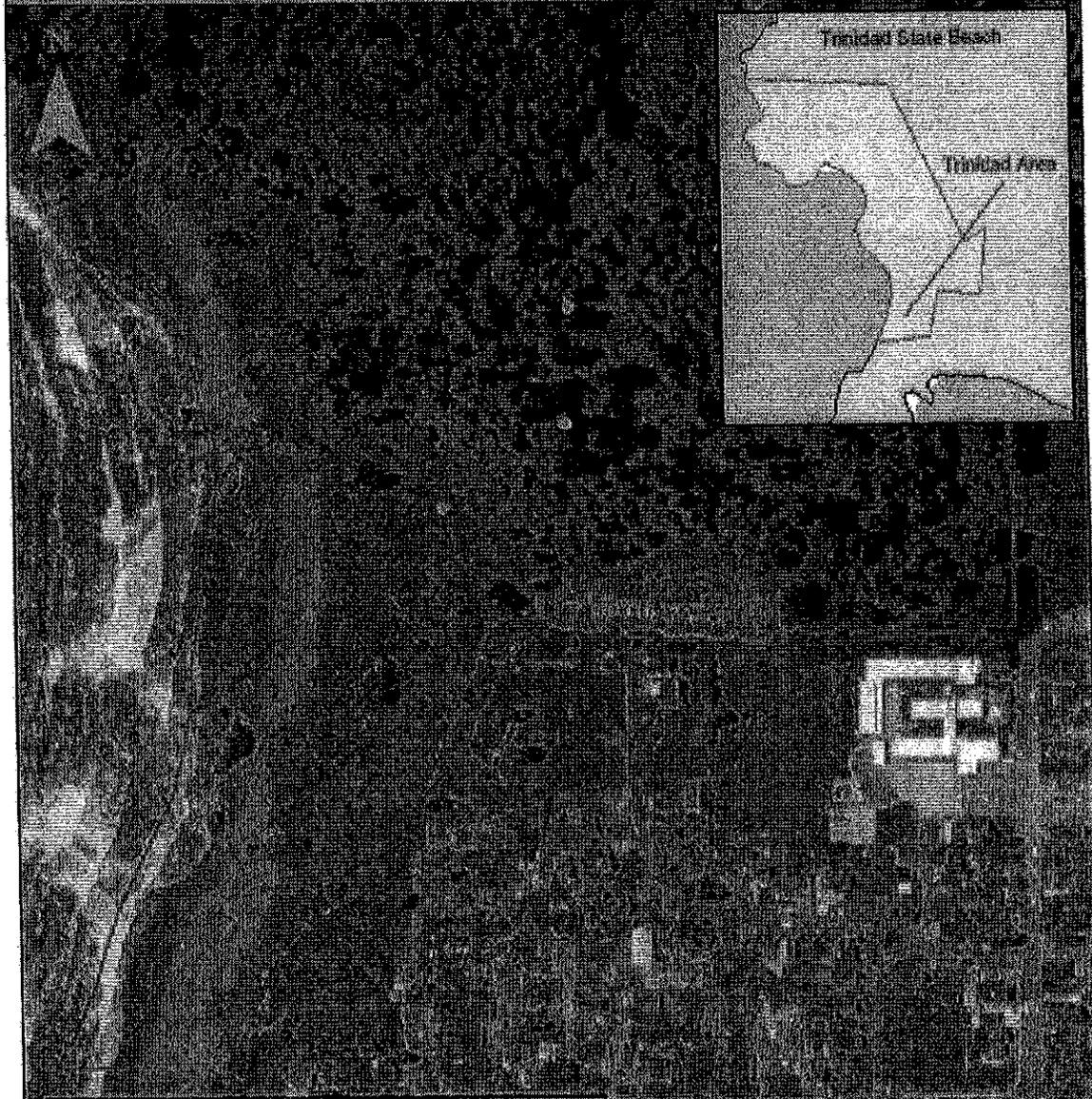
**Legend**

 Park Boundary

**Sign Type**

-  Multi-Coastal Hazards
-  Multi-Coastal Hazards and Interpretive Sign
-  Entering and Leaving Tsunami Hazard Zone



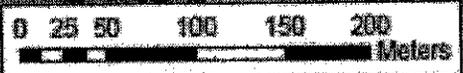


**Legend**

 Park Boundary

**Sign Type**

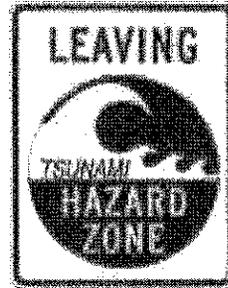
-  Multi-Coastal Hazards
-  Entering and Leaving Tsunami Hazard Zone



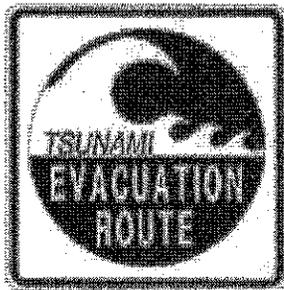
## Appendix B. Tsunami Sign Designs



**ENTERING TSUNAMI ZONE SIGN**  
(10" X 10" AND 12" X 12")



**LEAVING TSUNAMI ZONE SIGN**  
(10" X 10" AND 12" X 12")



**TSUNAMI EVACUATION ROUTE SIGN**  
(10" X 10")



**EVACUATION SITE SIGN (36" X 24")**



**TSUNAMI HAZARD ZONE SIGN**  
(10" X 10" AND 12" X 12")

**WARNING**  
Don't let the ocean catch you off guard

	Very large sneaker waves can occur at any time <b>Never Turn Your Back on the Ocean</b>
	If you feel an earthquake, think TSUNAMI <b>Immediately Go to High Ground or Inland</b>
	Rising tides can cut off access <b>Plan for Incoming Tides</b>
	Strong outgoing rip currents can occur at any time <b>Avoid Swimming or Wading in the Surf</b>
	High steep cliffs can collapse <b>Stay Away from Cliff Edges</b>
	Sand is unstable and can cave-in <b>Don't Dig Caves or Pits in the Sand</b>
	Jetties can be overtopped by waves at any time <b>Avoid Walking on the Jetties</b>

If someone goes in the water and they are in trouble

- Stay Calm
- Don't Go in the Water (most rescuers don't survive)
- Call 911

**MULTI-COASTAL HAZARD ZONE SIGN (21" X 18" AND 30" X 26")**

**Appendix C. Example of Kiosk/Display Case  
Tsunami Interpretive Sign will be placed inside.**





## **DISCUSSION AGENDA ITEM 3**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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3. Discussion/Decision regarding Verizon proposal for antenna swap of Trinidad Head.

## DISCUSSION AGENDA

Date: May 9, 2012

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Item: Verizon Proposal for Antenna Swap on Trinidad Head Site

Background: The City has been approached by a Verizon representative to seek permission for swapping the existing 3 panel antennas on the Trinidad Head Site with 3 proposed antennas of the same exact dimensions. The purpose of this swap is to enable an upgrade from 3G to 4G technology in order to stay competitive and keep up with the growing needs of customers and the applications available on handheld devices. There will be no addition of any kind to the site.

The Ground Lease includes language as follows:

“Lessee....may make alterations, improvements, additions or utility installations to or on the Site that are necessary for the conduct of the permitted uses of the Site, subject to the prior written approval of the Lessor.”

This proposed project was discussed with Coastal Commission staff and the City’s Planner has been advised that based on the staff’s preliminary review, the antenna swap portion of the proposal is likely exempt from CDP requirements. Section 30610 contains the exemptions: *“no coastal development permit shall be required pursuant to this chapter for... d) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities.”* In 1978 the Coastal Commission adopted further guidance for these types of exemptions (entitled ‘Repair, Maintenance and Utility Hook-up Exclusions from Permit Requirements’). This document includes the following language for communication facilities: *“A coastal permit is not required to maintain, replace, or modify existing overhead facilities, including the addition of equipment and wires to existing poles or other structures, right-of-way maintenance, and minor pole and equipment relocations. A coastal permit is not required ... [for] work required to supply increased demand of existing customers’ facilities in order to maintain the existing standard of service.”*

Local Coastal Commission staff contact was going to confer with his supervisor regarding this interpretation. The City should expect a final determination prior to the meeting.

Proposed Action: Consider authorizing Verizon to proceed with the antenna swap as proposed.



## DISCUSSION AGENDA ITEM 4

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 18 PAGES**

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4. Discussion/Decision regarding agreement for planning services and General Plan Update Project Schedule.

## DISCUSSION/ACTION AGENDA

Date: May 9, 2012

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Item: Agreement for Planning Services and General Plan Update Project Schedule

### Background:

The agreement for Planning Services to be provided by Robert Brown (then working for Rising Sun Enterprises) was executed over 20 years ago, and although there is no termination date specified, much has changed and the agreement is in need of updating. A proposed updated agreement is attached, which would provide for Planning Services as provided by City Planner Trever Parker to continue until July 1, 2014, with a two year extension possible. Termination could be initiated by either party by giving thirty days' notice. Rates would also increase under this agreement from what has been charged since 2006 (example: Senior Planner from \$48 to \$60/hour), and is consistent with rates charged to other public entities.

A substantial amount of Planning effort is expended on tasks leading to adoption of the General Plan Update. A project schedule is attached for council consideration, review and discussion.

The proposed budget to be considered by your Council will include the following Planning tasks for FY 2012-13:

General Planning & CEQA for General Plan	\$ 12,000
ADU/VDU responding to Coastal Commission	500
Planning Commission	4,800
Permit Activity (reimbursable)	5,000
Moss Subdivision and other city-generated projects	1,000
OWTS program administration	500
General Planning & inquiries from Commissioners	4,800
Total	\$ 28,600

Proposed Action:

- (1) Consider approval of Agreement for Planning Services; and
- (2) Review and approve General Plan Update Project Schedule and/or revise as appropriate.

Attachments:

Agreement for Planning Services

Trinidad General Plan Update Project Schedule

## AGREEMENT FOR PLANNING SERVICES

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by and between the City of Trinidad, an incorporated City located within the County of Humboldt, State of California (hereinafter "City"), and Robert Brown, doing business as Streamline Planning Consultants (hereinafter "Planner").

1. Agreed Facts. This Agreement is made with respect to the following facts:

(a) Robert Brown, who is the manager of Planner, served as City Planner for City from July, 1989 to January 1, 2006. Thereafter, another employee of Planner, Trever Parker, served as City Planner, and continues to so serve.

(b) Planner has rendered, and continues to render, services to City as City Planner under an agreement between the parties.

(c) City and Planner wish to reduce their existing agreement to writing.

2. Duration. City hereby retains Planner to perform planning services for City pursuant to this Agreement from July 1, 2012 until July 1, 2014 unless earlier terminated pursuant to the provisions of paragraph 4. Either party may elect to extend the duration of this agreement for two more years - until July 1, 2016. Any such election must be in writing and received no later than 60 days before the contract is scheduled to terminate.

3. Tenure and Status. Planner shall serve at the will and pleasure of the City Council of City and Planner expressly waives and disclaims any right to any pre-termination or post-termination notice and/or hearing, except as hereinafter provided. In providing services pursuant to this Agreement, Planner and its employees are an independent contractor, and not an employee of City. City shall have no obligation to withhold taxes, provide workers' compensation coverage or unemployment insurance. Planner shall provide worker's compensation coverage for any employees performing work on City's behalf.

4. Termination. Either party may terminate this Agreement, with or without cause, by giving at least thirty (30) days' prior written notice of termination to the other party. Within a reasonable time after such termination, Planner shall be paid all amounts due on the effective date of termination. Upon termination, all finished and unfinished documents, data, studies, and reports prepared by Planner under this Agreement shall become City's property.

5. Duties. Planner shall perform such planning services for City as are required by law of a City Planner or are requested by the City Council of City and/or the City Manager, including, but not limited to, writing, administering and completing tasks for grants as requested by the City Manager or the City Council, meeting and conferring with applicants; processing applications, performing environmental review where appropriate; preparing staff reports and notices of determination; noticing public hearings; attending Planning Commission meetings and City Council meetings as requested by the City Council and/or City Manager; advising and consulting with staff and the City Council of City; and providing City with advice and counsel in oral or written form pertaining to municipal planning matters as requested by the City Council of City and/or its City Manager. Trevor Parker shall be designated as City Planner and shall be responsible to report directly to the City Council of City and/or the City Manager. Trevor Parker may only be replaced with advance, written consent of City.

6. Compensation and Reimbursement for Expenses. City will pay Planner for all planning and related clerical services of whatever nature computed on a time and materials basis in accordance with the Fee Schedule marked "Exhibit 'A'" and attached hereto. Included in this reimbursement will be costs advanced on the City's behalf including long-distance telephone calls, copying charges, postal expenses, mileage, charges for recordation and certification of documents and other reasonable and necessary expenses in accordance with the Fee Schedule marked "Exhibit 'A'" and attached hereto. Said Fee Schedule may only be changed by a written amendment to this agreement.

7. Billing. Planner shall submit a bill to City for all services and reimbursement covered by this Agreement within fifteen (15) days of the end of each calendar month. Such bill shall become due and payable upon receipt.

8. Other Clients. Planner may maintain an active planning practice or any other job, occupation, or profession, but Planner shall not represent clients in planning matters if representation of City would pose a conflict of interest for Planner. Any potential conflicts must be disclosed to the City. If a conflict cannot be avoided, Planner must assist City in finding an alternative Planner to handle the conflict matter.

9. Insurance. Planner shall obtain Professional Liability insurance for errors and omissions with a minimum limit of One Million Dollars (\$1,000,000) per claim. If

coverage is written on a claims-made basis, the retroactive date shall precede the effective date of this Agreement and continuous coverage will be maintained or an extended reporting period will be exercised for a period of at least three (3) years from termination or expiration of this Agreement.

10. Services not Covered. It is expressly understood and agreed that Planner shall have no general responsibility for overseeing City operations or for planning services in connection with any matter that Planner is not specifically requested to undertake or is not required of Planner by reason of Planner's capacity as City Planner. It is also understood and agreed that City may obtain planning services from time to time from other planners concerning special matters.

11. Liability for Professional Negligence. Planner shall indemnify, protect, defend and hold harmless City and any and all of its officials, employees and agents ("Indemnified Parties") from and against any and all losses, liabilities, damages, costs and expenses, including attorney's fees and costs to the extent same are caused in whole or in part by any negligent or wrongful act, error or omission of Planner, its officers, agents, employees or sub-consultants (or any entity or individual that Planner shall bear the legal liability thereof) in the performance of professional services under this Agreement. The provisions of this section shall not release City from liability arising from gross negligence or willful acts or omissions of City or any and all of its officials, employees and agents.

12. Contract Terms Are Exclusive. This written agreement contains the sole and entire agreement between the parties. It supersedes any and all other agreements between the parties. The parties acknowledge and agree that neither of them has made any Agreement or any representation including the execution and delivery hereof except such representations as are specifically set forth herein, and each party acknowledge that it has relied on its own judgement entering into this Agreement.

13. Waiver or Modification Ineffective Unless in Writing. No waiver or modification of this Agreement or of any covenant, condition, or limitation herein contained shall be valid unless in writing and duly executed by the party to be charged therewith.

14. Contract Governed by Laws of State of California. This Agreement and performance hereunder and all suits and special proceedings hereunder shall be construed in accordance with the laws of the State of California. In any action,

special proceeding, or other proceeding that may be brought arising out of, in connection with, or by reason of this Agreement, the laws of the State of California shall be applicable and shall govern to the exclusion of the law of any other forum, without regard to the jurisdiction in which the action or special proceeding may be instituted.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate on the date and year first above written and make it effective on July 1, 2012.

Robert Brown dba Streamline planning Consultants CITY OF TRINIDAD

By: Robert Brown

Robert Brown

Mayor

Attest:

City Clerk



• PLANNING • PERMITTING • ENVIRONMENTAL CONSULTING

**EXHIBIT "A"**  
**CITY OF TRINIDAD**  
**RATE AND CHARGE SCHEDULE**  
 Effective July 1, 2012

Services provided by this firm are billed on the basis of the following rates, equipment and materials charges:

**Field and Office Rates:**

<u>Classification</u>	<u>Rate/Hour</u>
<u>City Planner</u> –for City generated projects and <b>initial</b> 3-hours of private application processing	\$60.00
<u>City Planner</u> –for grant projects and <b>after</b> 3-hours of private application processing	\$80.00
<u>Associate City Planner</u> –for City generated projects and <b>initial</b> 3-hours of private application processing	\$50.00
<u>Associate City Planner</u> –for grant projects and <b>after</b> 3-hours of private application processing	\$63.00
<u>Assistant City Planner</u> –for City generated projects and <b>initial</b> 3-hours of private application processing	\$40.00
<u>Assistant City Planner</u> –for grant projects and <b>after</b> 3-hours of private application processing	\$50.00
<u>Project Analyst I/ Planner I/Drafter I</u>	\$34.40
<u>Clerical/Typist/Data Entry</u>	\$32.00

**Equipment and Materials:**

Laser Level	\$35.00/day
Sound Meter/Light Meter	\$20.00/day
Traffic Counter	\$50.00/day
Water Quality Sampling Equipment	\$15.00-\$30.00/day
Mapping GPS Equipment	\$60-\$85/day
Vehicle Mileage	\$0.75/mile
In House Color Copies	\$2.50 ea.
Plotter Prints, color (typ.)	\$15.00/page
In House Copies	\$0.25 ea.

**Outside Services and Consultants:**

Fees for direct project costs, including outside printing and reproduction, permit fees, rentals, travel and copying expenses, materials, documents, shipping costs, and other related expenses and fees for outside consultants retained by STREAMLINE Planning Consultants are billed at cost plus 10 percent.



• PLANNING • PERMITTING • ENVIRONMENTAL CONSULTING

May 2, 2012

Karen Suiker, City Manager  
City of Trinidad  
PO Box 390  
Trinidad, CA 95570

RE: Planning Consultation Services for the City of Trinidad

Karen;

Streamline Planning has had the pleasure to serve the City of Trinidad as City Planner for a number of city councils and city managers and looks forward to a continued relationship with the City. Through this process we have tailored our services to meet the needs of each council/manager and always look forward to conversations that help us improve the services we provide to the City. To this end we are pleased to enter into this two-year contract and hope during that time to have an opportunity to discuss with the City Council any concerns or direction they may have that would improve the services we offer.

Streamline Planning Consultant staff has been providing full planning-related services to the City of Trinidad for the last 23 years. Our responsibilities include providing planning-related information to the public, processing all planning-related applications, building permit referrals, public noticing and agendas, staffing at planning commission meetings, upkeep of application databases, code enforcement and permit compliance and appeals to the City Council. One of Streamline Planning's strengths comes in our familiarity of local, state and federal environmental compliance and permitting requirements. We not only provide CEQA determination services from a municipality perspective but also provide CEQA/NEPA/ESA services on many public and private development projects. We have extended this knowledge by teaching the upper division CEQA/NEPA class at Humboldt State University for the last eight semesters. In order to continue to obtain necessary entitlements or permits, Streamline Planning maintains good working relationships with all local, state and federal agencies.

Streamline Planning was a major partner with the City of Trinidad, the surrounding community and interested agencies and organizations to develop watershed-based actions plans for seven of the adjacent coastal watersheds. This project was a major planning policy effort. Streamline Planning provided a lead role in designing/conducting the watershed assessments and analysis, coordinating community and agency meetings, overseeing GIS data input, and creating an action plan for watershed management and restoration. Major issues included water quality protection from septic (OWTS), sediment, stormwater as well as promoting community buy-in.

As a result of that effort the City of Trinidad has received several grants to implement the action plan and continues to lead in addressing ASBS requirements. In 2011 the City of Trinidad and Streamline Planning Consultants received the California Chapter of the American Planning Association Comprehensive Planning Award for a Small Jurisdiction for this watershed action plan.

In addition to Trinidad services, Streamline Planning has provided full planning-related services to the City of Blue Lake for 24 years and has provided periodic planning services to the cities of Arcata and Eureka, and the counties of Humboldt, Mendocino and Del Norte. Work elsewhere has also included general plan updates/ amendments, zoning reclassifications, annexations, mixed use and housing projects, commercial and industrial master plans and site design; historic building assessments; land subdivisions; code enforcement compliance services; recreational park design; wetland restoration, enhancement and mitigation plans; watershed and biological assessments, hydrologic and water quality studies; storm water and erosion and sediment control plans, aerial photo flight alignments and interpretation and GIS.

Streamline has submitted and received and/or administered over \$1,000,000 in state and federal grants for completing planning and environmental management activities for several municipalities including the City of Trinidad and Blue Lake. Most recently Streamline has been instrumental at obtaining CDBG-related grants as well as a Headwaters Fund grant for the City of Blue Lake and has worked with several federal agencies in grant submittal for stream restoration and continues to search out other funding to assist the City in its climate and energy planning requirements.

Our hourly rates for the City of Trinidad are approximately 25% to 30% less than our normal rates, which I have been able to provide in response to our long-term working contract with the City. Our work these last 23 years in Trinidad has also included numerous hours of volunteer time, attending meetings that are beyond the City's budget to approve, searching and applying for grants, meeting and discussing potential projects with citizens, coordination work with agencies, providing aerial photos and in training numerous interns for developing projects that have been provided to the City at no cost. Overall what we have to offer the City of Trinidad is over 29 years experience in the municipal/planning field, environmental impact assessment and multi-agency permitting. Trever Parker has been with Streamline Planning since 2001 and has been the lead City Planner for Trinidad since 2006.

In addition to planning staff, Streamline Planning provides expertise in environmental impact assessments (CEQA/NEPA/ESA); biological and botanical assessments and enhancements (wetland, stream, riparian, invasive plant control); local, state and federal permitting and clearances; stormwater and erosion control implementation; watershed planning; surveying, drafting, AutoCAD, GIS services, aerial photography; sustainable site planning and design; climate and energy planning as well as special assessments including historic structures, noise, lighting, traffic, agricultural soils evaluations and water quality testing.

I look forward to working with you and the City of Trinidad in the future.

Sincerely Yours,  
Streamline Planning Consultants



Bob Brown, AICP

## Company Profile



*"We cannot solve our problems with the same thinking we used when we created them." –Albert Einstein*

Streamline Planning Consultants is a full service planning and environmental consulting firm combining municipal planning and development assistance, applied ecological restoration services and environmental impact assessment. Our mission is to balance the needs of both society and nature through sound science and environmental stewardship. Specializations include: site analysis and design, compliance with CEQA/NEPA, natural resource inventories, environmental/ biological assessments, sensitive species assessments, ecological restoration and habitat enhancement, coastal development permits, erosion and sediment control, stormwater management, watershed planning, trail and public recreation, invasive specie management and permits/entitlement procurement. We also facilitate public workshops and educational outreach to instill environmental stewardship in the community. Our company supports these projects through detailed CEQA/NEPA/ESA assessments.

Streamline Planning's staff (currently 7 full-time, 2 part-time positions) has provided services for both private and public agency clients in northern California for more than twenty-nine years. Our interdisciplinary team of natural resource managers approach ecological management, planning and restoration of natural ecosystems services with a holistic approach utilizing scientific methods and community based inputs. Streamline Planning's breadth of environmental experience involves a wide range of projects including all phases of development and permitting; sustainable site design; trail development in passive and active restoration areas as well as protection of environmentally sensitive habitat areas (ESHA's) including wetlands/riparian, near-shore/intertidal, streams and areas with sensitive/ listed species.

Our team is skilled in conducting comprehensive environmental impact assessments that include vegetation monitoring, floristic surveys, near-shore and wetland restoration, stream monitoring and surveying, aquatic biology and geomorphic stream assessment and water quality sampling. Several of our projects were part of an inter-disciplinary effort that utilized Streamline Planning's network of experienced associates. Consequently successful projects have been built or operated while enhancing the structure, function and processes of the natural and built environment.

We have a successful history of providing environmental services for projects within a narrow time frame, based in part on our ability for early identification of issues, local understating of the regions' ecological communities and knowledge of agency requirements. Our environmental assessments exhibit comprehension of local ecosystems, their biological associations and physical processes. Our extensive background in sustainable design and ecological restoration brings an additional level of expertise to our planning activities. Moreover, Streamline Planning has made several associations with regional botanical, wildlife and ecology experts and local producers of native seeds and plants. Streamline Planning has a knowledgeable staff with the expertise and experience for completing detailed design and restoration plans, permitting and environmental impact analysis requirements in an efficient and cost-effective manner.

**Streamline Planning Consultants is a State Certified Small Business.**

## Community Planning > Project Experience

**Arcata Theatre Lounge, Arcata, CA.** Permitting and CEQA Manager, Re-use of closed historic movie theatre to a 1000-seat multi-entertainment venue and lounge located in the historic Arcata Theatre. Mitigated Negative Declaration addressed major issues including aesthetics, cultural, land use, noise and security.

**Arcata Wetlands and Creeks Committee (Current Committee Chair), Arcata, CA** Twenty-five years involvement with City committee oversight on more than seventy creek and wetland enhancements, many with recreational components, as well as City and private restorations and mitigation projects. Managed the design and construction of recreational improvements to the Arcata Marsh and Wildlife Sanctuary; assisted in design of Butcher Slough restoration; assisted in review of the McDaniel Slough Restoration, Bayview Ranch improvements Aldergrove Marsh improvements; developed the Adopt-a-Creek program, assisted in review of the City's Stormwater Master Plan, Grading and Erosion Control ordinances as well as General Plan policies and zoning ordinance provisions. Currently reviewing City and private projects for stormwater improvements, providing specific LID recommendations.

**Brooktrails Recreational Community Services District Park Expansion and Creek Realignment, Brooktrails, Mendocino County.** Worked with design/engineering firm providing design and habitat improvement for restoring a previously ditched creek to increase sinuosity as part of a park expansion project.

**City of Arcata Gateway Project, Arcata, CA.** Managed the policy planning and detailed site analysis as part of a group of consultants working together to redesign and enhance the gateway entrances into the City of Arcata. Responsible for coordinating activities of the design group. The project is designed to incorporate multimodal transportation alternatives and wayfinding concepts into the project that will reflect and enhance the unique environmental character of Arcata California and the Redwood forest. Project components include Samoa Blvd and Valley West Blvd locations.

**City of Arcata: Sandpiper Mobile Home Park, Arcata, CA.** NEPA compliance document for the conversion of a vacant trailer park to a modern mobile home park designed for first-time low-income home buyers. Issues addressed included aesthetics, cultural, wetlands, land use, flooding and traffic.

**City of Blue Lake Planning, Permitting and Environmental Services, Blue Lake, CA.** Streamline Planning Consultants has been providing planning and environmental related municipal services for over twenty-three years for the City of Blue Lake. Work involves development permit processing consistent with State Planning, Zoning and Development laws, local ordinances and CEQA/NEPA compliance from a jurisdictional viewpoint. Tasks have covered a full array of development projects/permitting including single and multi-family residential, commercial, industrial, public utility, open space, recreational and public access. We have been involved in business park development, walkability/ sustainability studies, creek restoration efforts, general plan amendments and annexations. We have facilitated numerous stakeholder meetings, visioning workshops, community presentations and public hearings.

Streamline staff has been incrementally updating Blue Lake's General Plan. Portions of Blue Lake's General Plan are almost 25 years old. Streamline has already processed several amendments and minor updates including: Mixed Use, Industrial and Commercial designations, Historic Resources, Sphere of Influence Reports and Housing elements.

We have been a major player in obtaining and/or administrating over \$100,000 in grant awards for the City in the last 10 years. Grants have included business park development and marketing, GIS development, housing element updates, bike and trail improvements and public education and outreach.

**City of Trinidad Planning, Permitting and Environmental Services**, Trinidad, CA. Streamline Planning Consultants has been providing planning and environmental related municipal services for twenty-three years for the City of Trinidad. Work involves development permit processing consistent with Coastal Act requirements and CEQA from a jurisdictional viewpoint. Tasks have covered a full array of development projects/permitting including single and multi-family residential, commercial, public utility, open space, recreational and public access and harbor and pier improvements. We have been involved in septic system assessments, walkability/sustainability studies, general plan amendments and annexations.

Our company has conducted water quality sampling for the State designated 'Area of Special Biological Significance' (ASBS), developed watershed plans for seven nearby coastal streams, incorporated erosion control and stormwater restrictions into development permits, and developed a septic system (OWTS) monitoring and management program. We also developed and processed an amendment for the initial Trinidad Harbor LCP designation. Work has involved coordination with various state and federal agencies including the Coastal Commission, Coastal Conservancy, State Parks, North Coast Regional Water Quality Control Board, State Waterboard, Dept. of Fish and Game, Bureau of Land Management, Army Corps of Engineers, NOAA Fisheries, Humboldt County Environmental Services and local Tribal members.

We have facilitated numerous stakeholder meetings, visioning workshops, community presentations and public hearings. Most recently we have been very involved in the State ASBS Water Quality Improvement program. We presented the City's coastal watershed protection program at the 2008 State Non Point Source conference in San Diego. We represent the City as a member of the North Coast Stormwater Coalition. We also provide technical services to the Trinidad Bay Watershed Council.

We have been responsible in obtaining and administrating over \$1,000,000 in grant awards for the City in the last 10 years. Grants have included watershed management, stormwater and septic system management, GIS development, bike and trail improvements, coastal plan update, and public education and outreach.

**City of Trinidad General Plan Update**, Trinidad, CA. Streamline staff is currently updating Trinidad's General Plan. Trinidad's General Plan is almost 30 years old after being the first in the State to be certified by the Coastal Commission. Streamline has already processed several amendments and minor updates through the Coastal Commission. The current update includes a complete revision and reformatting of the existing plan that incorporates new technology, ideas and information. The plan is watershed based and will include additional elements beyond that required by the State, such as a community design element, cultural / historic resources element and a water quality element.

**Cypress Grove Chevre**, Arcata, CA. Permitting and CEQA documents for development of the original 13,000 s.f. goat cheese manufacturing facility within a previously grazed pasture. Most recently has provided lead permitting and environmental services for a 24,000 sf expansion. Issues addressed included aesthetics, agricultural, streams cultural, fisheries, land use, and water quality.

**Helmut Remiorz Mixed-Use Development**, Arcata, CA .Permitting and CEQA compliance for re-use of a one-story (30' high) auto repair building to a two-story (27' high) 27,000 s.f. building to provide additional retail/professional office unit downstairs and 2-3 residential units upstairs, and to allow any

principally or conditionally permitted uses allowed in the I-C Zone within the various office/retail/manufacturing units for the entire site. The total square footage will increase 3,376 s.f., from 23,304 to 26,680 s.f. Issues addressed included aesthetics, cultural, land use, noise and traffic.

**Humboldt Flakeboard, Inc, Arcata, CA.** CEQA/NEPA Manager, Submittal of CEQA/NEPA document for installation of a \$10 million bioremediation facility for treatment of formaldehyde for an existing particleboard facility. Partially funded by CDBG/HUD. Issues addressed include noise, wetlands, aesthetics, hazards.

**Humboldt State University, Arcata CA.** Course Lecturer "NRPI 425 Environmental Impact Assessments," Arcata, CA. Currently teaching 3-unit lecture/lab on NEPA/CEQA Assessments to 48 students. We have redesigned the course to incorporate field techniques to add to existing requirements of document review, environmental assessments and preparation of EA's and EIR's utilizing several local project locations each semester. We have incorporated contemporary subjects including climate change, alternative energy assessments, stormwater and invasive species management

**Humboldt State University, Arcata CA .** Preparation of a CEQA document for a 50-unit (250-bedroom) dormitory complex(Jolly Giant Creek Apartments) located along side a creek with a second growth redwood forest. Major issues included slope stability, stream protection, grading, drainage and access improvements.

**Los Harbors Business Park, Arcata, CA.** CEQA Manager, Mixed-use redevelopment project of former 12-acre lumber mill site. Developed Mitigated Negative Declaration for Step 2. Currently working on Step 3. Major issues include contaminated soils, flooding, stormwater, land use, habitat enhancement of former log pond and public recreational use. Project designed to promote sustainability principles and wetland enhancement.

**"O" Street Mill Site Development, Arcata, CA.** CEQA Manager, Brownfield redevelopment project of former mill site. Developed Mitigated Negative Declaration. Major issues included Brownfield Redevelopment including dioxin removal, flooding, drainage, land use, creek realignment and habitat restoration.

**Palco Marsh Enhancement Project, Eureka, CA.** Project Manager for the preparation of an enhancement plan including project design and construction of improvements for a sixty-acre coastal tidal/brackish/freshwater marsh complex. Major issues of the project addressed included flooding and drainage, public access, wildlife and vegetation, hydrologic modeling and impact analysis for relocation of tidal sloughs, placement of water control structures and development of a public recreation element that protected the adjacent wetlands. A tidally-determined salt marsh revegetation plan was implemented. Control of invasive species was proposed and partially implemented but has yet to be completed. A multi-year eel grass monitoring project was completed in conjunction to the newly constructed Del Norte Street Pier.

**Plaza Point Mixed-Use Senior Housing, Arcata, CA.** Permitting and CEQA/NEPA documents for development of a mixed use commercial/residential development. The project consists of a three-story building on a 22,500 square foot lot. The project will be a mixed use development with commercial and residential uses on the first floor and 28 units of senior apartment units on the second and third floors. The design is approached with respect to the principles of Universal Design. Issues addressed included aesthetics, cultural, fisheries, land use, and traffic.

**Robert Goodman Winery, Arcata, CA.** Permitting and CEQA documents for development of a mixed use 18,125 s.f. commercial/residential development. The project consists of installation and operation of

a winery as "Light Manufacturing" in the Central Business District Commercial zone in three existing industrial buildings including the former Humboldt Machinery building. Processing (crushing, pressing, storage) will annually occur generally from August to November in an approximate 6640 s.f. area. Public tasting and retail sales will also occur at the site. Issues addressed included aesthetics, cultural, land use, noise and traffic.

**Trinidad-Westhaven Coastal Integrated Watershed Action Plans**, *Trinidad, CA*. Streamline Planning was a major partner with the City of Trinidad, the surrounding community and interested agencies and organizations to develop watershed-based actions plans for seven of the adjacent coastal watersheds. This project was a major planning policy effort. Mr Brown provided the lead role in designing/conducting watershed assessments and analysis, coordinating community and agency meetings, overseeing GIS data input, and creating an action plan for watershed management and restoration. Major issues included water quality protection from septic (OWTS), sediment, stormwater as well as promoting community buy-in.

**Trinidad Rancheria Pier and Harbor Planning Study**, *Trinidad, CA. In Progress*. Project Manager for the development of the Trinidad Pier and Harbor Planning Study, which includes working collaboratively with stakeholders to develop a policy plan of shared core values. As a result of this and the concurrent resource inventory of the planning study area we will develop a management plan, site design plan and alternatives assessment for the Trinidad Rancheria. This Master Plan encompasses a 30-acre shoreline property that involves protection of environmentally sensitive habitats (shoreline/intertidal, coastal bluffs, sea stacks), exotic species removal and restoration of native vegetation, public access and trail development, parking lot and drainage issues. Guiding policies and methods for implementing/financing will be included.

**Various Annual Aerial Photo flights** scheduled covering 68 miles of streams and over 100 individual sites in Humboldt, Del Norte, Trinity and Mendocino Counties, since 1993

**Willow Creek Gateway SHADE Project**, *Willow Creek, CA*. Responsible for the completion of the NEPA EA document. The overall SHADE plan included redesigning State Highway 299 to provide a complete street through the community of Willow Creek. This involved reducing Highway 299 from four lanes to three lanes as it passed through the center of town. Caltrans completed construction during the summer of 1999. The excess asphalt paving was removed, and crosswalks, pedestrian and bicycle pathways, planters and landscaping were added within the right-of-way. The plan also included the addition of landscaped gateway signs at both ends of town and at the junction of Highway 96 in the center of town. Implementation of this plan was to slow traffic and encourage motorists to stop and visit Willow Creek. It also enhanced the scenic beauty and the quality of life for the community that lives there.

**Willow Creek Community Services District**, *Willow Creek, CA*. CEQA/NEPA Manager, Submittal of CEQA/NEPA documents for a new water treatment facility. Partially funded by Bureau of Reclamation. Issues addressed included biological, traffic, drainage, flooding, and noise.

**Willow Creek Community Services District**, *Willow Creek, CA*. Submittal of a Recreational Facilities Plan and CEQA document that covered four parks and recreational facilities.



## Our Team

### **BOB BROWN, AICP, PRINCIPAL**

Mr. Brown provides support responsibility for planning and environmental impact assessment functions as owner/manager of STREAMLINE Planning Consultants. He has assisted both public and private clients with a wide range of environmental and planning projects, which have included CEQA, NEPA and ESA compliance as well as local, state and federal permit processing and monitoring. Mr. Brown has provided the full range of jurisdictional planning functions, including policy development and implementation studies and resource inventories. Projects have included general plan updates/ amendments, , mixed use and housing projects, commercial and industrial master plans and site design; historic resource assessments; land management plans; recreational park design; traffic counts and transportation studies, noise assessments, wetland restoration, enhancement and mitigation plans; watershed and biological assessments, hydrologic and water quality studies; storm water and erosion and sediment control plans, aerial photo flight alignments and interpretation. Mr. Brown has represented public clients at public hearings, community meetings and interagency reviews for more than twenty-five years. Mr. Brown has authored numerous CEQA/NEPA environmental documents including Environmental Impact Assessments (EIAs) and their equivalents. He currently teaches the upper division Environmental Impact Assessment (NEPA/CEQA) course at Humboldt State University, incorporating field methods into the curriculum.

### **TREVER PARKER, SENIOR PLANNER/ WATERSHED SPECIALIST**

Ms. Parker provides lead responsibility for municipal planning services. Trever is primarily responsible for coordinating environmental review and permitting of coastal projects and has served as City Planner for the City of Trinidad, with work encompassing the full range of city planner functions. She received her B.S. in Natural Resource Planning from Humboldt State University and an M.S. in Watershed Hydrology from Humboldt State University. She is currently developing a comprehensive update of resource inventory and policy development for the City of Trinidad's General Plan. She has completed numerous environmental assessments (NEPA/CEQA) for a variety of projects including, general plan amendments, mixed use and infill developments and a full range of development permits. She currently team teaches the upper division Environmental Impact Assessment (NEPA/CEQA) course at Humboldt State University. She is very familiar with local natural resources. She brings successful grant writing and administration experience to the team.

### **TAMI CAMPER, BIOLOGIST/BOTANIST**

Ms. Camper is available to assist where needed to provide habitat classifications, ESA species, ethnobiology species lists and restoration work. She has been working in the field of botany and biology for over ten years. She is knowledgeable in taxonomy, community ecology and classification, local reference texts and keys, and conducting biological surveys in Mendocino, Trinity, Humboldt and Del Norte Counties. Her previous work includes wildlife surveys, botanical surveys, impact assessments, mitigation reports, and monitoring studies. She has worked on a variety of projects within Humboldt and Mendocino counties, including projects with ESHAs. She has maintained relationships between the public, private industry and government agency personnel; developed and maintained GIS and other databases for survey findings; and assisted with avian, anadromous fish and amphibian monitoring, surveying and habitat analysis. She has been involved in a variety of projects that cover a wide breadth of knowledge of natural systems and has been responsible for providing biological surveys including vegetation

assessment and monitoring, floristic surveys, stream and river geomorphic surveying and monitoring, water quality sampling and monitoring, wetland delineation, impact assessments and mitigation reports. She is active in many organizations including the North Coast chapter of the California Native Plant Society, California Invasive Plant Council, Ecological Society of American and the Society of Wetland Scientists. She is experienced in propagating and recommending native plants for restoration and landscaping as a grower for the California Native Plant Society. She received her B.S. in Environmental Science from Western Washington University and Master's degree in Biology from Humboldt State University.

#### **SAM POLLY, EROSION CONTROL/STORM WATER SPECIALIST**

Mr. Polly is primarily responsible for erosion control plans, specializing in use of native perennial grasses and working with our restoration ecologists. He is also responsible for developing and implementing storm water pollution prevention plans (SWPPP) and other environmental documents for Streamline. He recently assisted in two EA's in Sequoia National Monument minimizing impacts from highly erodible soils. Several years after receiving his Bachelor's degree in Soil Science from Cal Poly, San Luis Obispo, he went back to Cal Poly and finished a Master's degree in Agriculture Education. Mr. Polly is available to assist in providing agricultural and other productive soils analyses. Sam's previous work experience includes working as a Plant Specialist in the Bay Area, operating equipment at a timber nursery, teaching Soil Science courses at College of the Redwoods, owning an edible landscaping business, and a lifetime in the agricultural community.

#### **SARAH CALDWELL, BIOLOGIST/ RESOURCE ANALYST**

Ms. Caldwell is available to assist, when necessary, in providing municipal planning services. Sarah completed the Blue Lake Housing Element, a policy document, and is administering two economic development grants for the City of Blue Lake. Sarah's experience includes working in the wildlife field for five seasons. As a seasonal wildlife technician, she became proficient in collecting data relating to population dynamics, behavior, food habits, habitat description, distribution, and the abundance of resources of flora and fauna. Her surveying work includes Marbled Murrelets, Northern Spotted Owls and other land and shorebirds in California and Washington. Various other projects included tracking the movements, distribution and presence of Grizzly Bears for the Northern Divide Grizzly Bear Project (via setting traps and collecting DNA) and building track plates and baiting Pacific Fishers for their presence or absence in the King Range, CA. As a forestry technician, she performed habitat reconstruction/ restoration project work in different microhabitats on the Northern California coastline. Other trainings and experiences include water quality sampling for local bays and tributaries, marine mammal catch-and-release techniques, trawling, seining, spot sampling of oceanic/bay constituents and vegetative invasive species eradication in Humboldt and Del Norte Counties. Sarah received two B.S.; in Zoology and Biology from Humboldt State University.

#### **JUSTIN SOUSA, GIS ANALYST / CAD OPERATOR / SURVEY TECHNICIAN**

As an experienced CAD and GIS specialist, Justin compiles and analyzes data from numerous sources, including survey data, agency & municipal mapping resources and current/historical aerial photography. He manages land and hydrologic field surveys including DTMs, cross section and longitudinal profiles, datum conversions, horizontal alignments, plan layouts and office reduction of field data. He also provides field and CAD support in aerial photo planning and ortho-rectification, subdivision design, plot/site plans and property surveys. His survey experience includes using a combination of survey-quality GPS, total station and rangefinder to meet the survey needs of a wide range of projects from simple topographic surveys to complex terrain and hydrography.

## **Streamline Planning Consultants Relevant Services**

**Permit Specialist** Provide permitting assistance to both public and private clients. Familiarity with a wide variety of permit processes and early agency coordination allows identification of major issues and potential problems, providing for a successful and efficient process. Experience includes coordinating and parallel processing of the multiple permits that are often necessary for one project. Examples of permits include: Corps 404 fill and dredge permits, ESA Biological Opinions, DFG Streambed Alteration Agreements, RWQCB 401 Water Quality Certifications, coastal development permits, State Lands Commission leases, local conditional use permits, variances, general plan and zoning amendments, subdivision, planned developments, grading and erosion control permits.

**CEQA / NEPA environmental impact assessments** of private economic development projects including Humboldt Flakeboard, Inc., Footprint Recycling, Arcata Theatre Lounge, Robert Goodman Winery, Plaza Point Senior Housing, Cypress Grove Chevre, Los Harbors Business Park as well as numerous mixed-use commercial developments, subdivisions, zone reclassifications. Industrial park/former mill site/ mixed-use and infill development projects including Blue Lake Business Park, West End Industrial Park, Meadows Business Park, Reid and Wright Mill, Twin Harbors Mill.

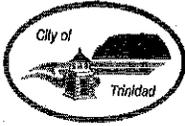
**Community and City Planner** for Cities of Blue Lake and Trinidad, providing the full array of advance and current planning department services since 1988. Intermittent planning services for the cities of Arcata, Eureka, Ferndale; the Counties of Humboldt, Mendocino, Del Norte; Willow Creek Community Services District and Trinidad Rancheria. Grant writing/administration with awards exceeding \$1,100,000 total from private, state and federal sources.

**Biological and Physical Assessments** for agency and private clients including surveying and habitat analysis for vegetation communities; RTE botanical surveys, wildlife, avian, anadromous fish and amphibian monitoring; stream and river geomorphic surveying and monitoring; water quality sampling and monitoring; restoration, mitigation and design in wetlands, streams, grasslands, forests and urban landscapes; agricultural productivity evaluations, wetland delineations; watershed management plans, invasive plant control, site specific native plant lists and grower for erosion control, restoration and landscaping, including wetlands, grassland, forest, woodland and dune species.

**Physical Impact Assessments** for agency and private clients including noise studies, traffic counts, drainage studies, erosion and stormwater assessments, historic structure surveys, utility and public service capabilities, recreational needs assessments, land use compatibility studies, aesthetic design evaluations, dust abatement methodologies.

**Climate and Energy Planning** for agency and private clients including Climate Action Plans, Sustainability Plans, landscaping for energy conservation, CEQA/NEPA compliance as impacts pertain to climate and energy, community workshops, identifying and securing grant and alternative funding sources and incorporating climate and energy components into general plan updates to guide in the reduction of greenhouse gases for local and regional municipalities.

Trinidad General Plan Update																											
Project Schedule																											
Reporting Period	2012												2013												2014		
	Done	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
<b>LAND USE ELEMENT</b>																											
Planning Commission Approval																											
City Council Review																											
<b>CONSERVATION / OPEN SPACE ELEMENT</b>																											
Planning Commission Approval																											
City Council Review																											
Revise Figures 9a & 9b																											
<b>CIRCULATION ELEMENT</b>																											
Final Edits / Figure																											
Planning Commission Approval																											
City Council Review																											
<b>NOISE &amp; PUBLIC SAFETY ELEMENT</b>																											
Editing																											
Noise Readings																											
Planning Commission Review																											
Planning Commission Approval																											
City Council Review																											
<b>HOUSING ELEMENT</b>																											
Editing																											
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Planning Commission Approval																											
City Council Review																											
<b>COMMUNITY DESIGN ELEMENT (optional)</b>																											
Draft																											
Hearings																											
Edit																											
Planning Commission Approval																											
City Council Review																											
<b>HISTORIC / CULTURAL ELEMENT (optional)</b>																											
Draft																											
Hearings																											
Edit																											
Planning Commission Approval																											
City Council Review																											
<b>FORMAL TRIBAL CONSULTATION</b>																											
<b>CEQA (or equivalent)</b>																											
Environmental Impact assessment																											
Policy analysis																											
<b>PUBLIC HEARINGS FULL DOCUMENT</b>																											
Hearings																											
Edits																											
<b>ZONING ORDINANCE UPDATE</b>																											
Consistency Analysis																											
History Review																											
Edits																											
Hearings																											
<b>COASTAL COMMISSION APPROVAL</b>																											
Prepare application																											
Respond to comments																											
Wait...																											



## DISCUSSION AGENDA ITEM 5

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES**

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5. Discussion/Decision regarding Resolution 2012-04; Calling for an election to propose extension of the sales tax increase, and Resolution 2012-05; Election Consolidation.

## **DISCUSSION/ACTION AGENDA**

Date: May 9, 2012

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Item: Resolutions Regarding Sales Tax Extension

Background:

At the April 11, 2012 meeting, your Council directed staff to prepare documentation for a ballot measure for the November election regarding continuation of the sales tax add on. Accordingly, two resolutions are attached for consideration:

1. Resolution Calling for Election to Extend the Increase of the Transaction and Use (Sales) tax for four years, starting on April 1, 2013 and
2. Resolution Requesting the County to render election services.

Your Council further requested staff contact the Board of Equalization (BOE) regarding their assessed costs, and the response is as follows:

If the add on continues at the same level, no set up charges are assessed.

If the add on expires, no set up charges are assessed.

If the amount of the add on changes, there will be an assessment based on how many other entities have changes, since the BOE distributes their costs to participating entities. The prior set up assessment charged the city was \$15,700.

Staff Recommendation: Consider adoption of two resolutions

Attachments:

Draft Resolution on Proposal to Extend the Sales Tax

Draft Resolution Requesting Board of Supervisors Render Election Services

March 14, 2012 Staff Report



**RESOLUTION 2012-04**

**CALLING FOR AN ELECTION ON A PROPOSAL TO EXTEND THE INCREASE OF THE TRANSACTION AND USE (SALES) TAX FOR A SPECIFIC PERIOD**

**WHEREAS**, the City of Trinidad is one of the smallest cities in the State of California. With a population of 367, the City has a very limited tax source of revenue, and

**WHEREAS**, the City of Trinidad is visited yearly by thousands of tourists and many residents of surrounding communities. While visitors to the City support the local economy and commerce, residents in the surrounding communities contribute greatly to many of the civic activities in the City, and

**WHEREAS**, the high volume of visitors relative to the small number of city residents places a very high burden on services provided by City's General Fund. These services include, but are not limited to, police and fire protection, street and public facility services, park, trail and environment maintenance and protection, and services provided by the Town Office. Additionally, the City also provides significant supporting services of police and fire protection to its surrounding communities, and

**WHEREAS**, additional revenue is needed so that the General Fund can meet the increased service demands, and

**WHEREAS**, in 2004, citizens of Trinidad approved an increase of transaction and use tax by 1% for four years to increase the General Fund reserve, and in 2008 the majority of citizens of Trinidad voted in favor of extending the transaction and use tax by ¼% for an additional four years. Now, the Trinidad City Council proposes to extend this increase by four more years to continue to support the capability of the General Fund to provide these services,

**NOW THEREFORE, BE IT RESOLVED** that the Trinidad City Council does hereby propose to put the following Sales Tax measure before the voters at the General Election to be held on November 06, 2012:

Shall a ¼ cent increase in the transaction and use tax in the City of Trinidad be approved for four years, starting on April 1, 2013.

**BE IT FURTHER RESOLVED** that the Sales Tax increase would be collected only within the City limits of Trinidad and be administered by the California State Board of Equalization; and

**BE IT FURTHER RESOLVED** that the City Clerk will act as the Elections Official.

**PASSED AND ADOPTED BY THE TRINIDAD CITY COUNCIL**, of Humboldt County of the State of California on May 09, 2012.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the Trinidad City Council by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

Attest:

\_\_\_\_\_  
**Gabriel Adams**  
Trinidad City Clerk

\_\_\_\_\_  
**Kathy Bhardwaj**  
Mayor

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

**Kathy Bhardwaj, Mayor**  
**Gabriel Adams, City Clerk**



**RESOLUTION 2012-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, CALIFORNIA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 06, 2012.**

**WHEREAS**, a General Municipal Election is to be held in the City of Trinidad, California on November 06, 2012; and

**WHEREAS**, in the course of conduct of the election it is necessary for the City to request services of the County; and

**WHEREAS**, all necessary expenses in performing these services shall be paid by the City of Trinidad;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TRINIDAD, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS**

**SECTION 1.** That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, the City Council requests the Board of Supervisors of the County to permit the County Election Department to prepare and furnish to the City for use in conducting the election the computer record of the names and address of all eligible registered voters in the City in order that the City may print labels to be attached to self-mailer sample ballot pamphlets; and will also furnish to the City printed indices of the voters to be used by the precinct board at the polling place; and will make available to the City additional election equipment and assistance according to state law.

**SECTION 2.** That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

**SECTION 3.** That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Election Department, each a certified copy of this Resolution.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Trinidad on this 9<sup>th</sup> day of May 2012.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Trinidad by the following roll call vote:

Ayes:  
Noes:  
Absent:  
Abstain:

**Attest:**

\_\_\_\_\_  
**Gabriel Adams**  
Trinidad City Clerk

\_\_\_\_\_  
**Kathy Bhardwaj**  
Mayor

## **DISCUSSION/ACTION AGENDA**

Date: March 14, 2012

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Item:

Consideration of Sales Tax Extension

Background:

In April, 2004, the City of Trinidad voters approved a ballot measure to impose a 1% transactions and use tax (sales tax) for a period of four years, which took effect on January 1, 2005 and ended on December 31, 2008. In 2008, the voters agreed to again institute an additional tax of .75% effective on April 1, 2009. Collection of this additional tax will end on March 31, 2013. This additional tax generates about \$100,000 per year (which represents about 21% of the total General Fund) and supplements the General Fund that supports police and fire protection, street and public facility services, park and trail maintenance and services provided by the town office.

In order to continue either the .75% tax add on or a different tax add on, a measure will need to be included on the November 2012 ballot at the latest. There would be no preparatory costs assessed by the Board of Equalization in the event the current tax add-on is continued. If the tax add-on lapsed and was subsequently approved again, the Board of Equalization would assess a preparatory start up cost. The preparatory start up in 2008 due to a break in application of the tax add-on was approximately \$15,700. If the add-on tax was continued but changed to a reduced (or increased) rate, there may be an associated set up cost assessed by the Board of Equalization.

Budget preparation for fiscal year 2012-13 will soon be underway. Adopted General Fund budgets for the current 2011-12 fiscal year are as follows:

GENERAL FUND REVENUES: \$ 465,920

GENERAL FUND EXPENDITURES:

General Administration (City Manager, City Clerk, Accountant, Auditor, Planner, Attorney, liability Insurance, town hall expenses, etc.)	\$ 275,023
Police (Contracted services, office support)	\$117,185
Fire (equipment and materials)	\$ 17,210 (excludes capital reserve)
Public Works (staffing, street lighting, materials, etc.)	\$ 87,405 (excludes Prop 1B)
Total Expenditures	\$ 496,823

Proposed Action:

Consider direction to staff to prepare documentation for a ballot measure for the November election regarding the add on sales tax.