

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, AUGUST 13, 2008

I. CALL TO ORDER/ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

1. Pursuant to government code section 54956.9(b)(1);
 - a. Significant Exposure to Litigation

IV. RECONVENE TO OPEN SESSION

Mayor Lin reported that the Council **voted unanimously** to continue the Marshall Project Appeal to the regular meeting on October 8th, and requested that the applicant submit a revised plan by September 24th.

V. APPROVAL OF AGENDA

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

VI. APPROVAL OF MINUTES

June 25, 2008 cc

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

July 09, 2008 cc

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

July 23, 2008 cc2

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

VII. COMMISSIONERS REPORTS

Binnie - Parks and Recreation, Streets

Public Works: Attended a meeting at the Yurok Tribe office in Klamath on Monday regarding the transfer of the TSA property. Also met with Jim Popenoe regarding development of a vegetation management plan. Deferred reports on the Scenic Drive paving project and the trail sign issue to the City Manager.

Bhardwaj – Health & Human Services, Planning

Planning: There weren't any permit applications for July so the Planning Commission kept working on the General Plan update. They've pretty much done the policies for Land Use/Conservation and Open Space. There's stuff they need to go with it like charts and graphs and some narrative portions.

There was also a discussion of ethics especially because of questions about how far away you have to live in order to vote on a project. We're looking forward to getting that question resolved.

The tall Chevron sign along the freeway was removed a few weeks ago.

Lin – Water, Town Hall - **Nothing to report.**

Fulkerson – Public Safety - **Nothing to report.**

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

VIII. STAFF REPORTS

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

- Update on Scenic Drive Repair – construction scheduled to begin in 2 weeks, and should last for approximately 8 weeks.

- Membrane Water Treatment technology is being studied by the City Engineer. Results will be discussed at a future meeting.
- Geothermal heating system is being installed at the Library/Museum/Park site.
- A number of citizen complaints have been submitted recently. The City will take action on legitimate complaints.

City Attorney – Hagen: Will look into whether or not an election is required even though only two applications were received by the deadline for two vacant Council seats open in November.

Police Chief – Thrailkill – Notified the Council of a recent bear sighting on Trinidad Head, and that the Police Department is open regularly from 9-2, Monday-Thursday.

City Clerk – Adams: Announced that 2 applications for the 2 available seats on the City Council in November have been received. The Council isn't required to hold an election for Councilmembers, but the sales tax measure I will still be on the ballot.

IX. ITEMS FROM THE FLOOR

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

Bryan Rosen –Trinidad

Upset that the Town Hall dumpster contained recyclable materials, that the drug bust next door to his home involved too many officers and resources, and urged the Council to restore Trinidad Head.

Jim Cuthbertson – Trinidad

The new sound system is as bad as the last one. It needs to be adjusted.

X. CONSENT AGENDA

1. Staff Activities Report through June, 2008
2. Financial Status Report through May, 2008
3. Resolution 2008-19 Supporting the Completion of Undergrounding Utilities in Trinidad
4. Resolution 2008-20 Approving the Department of Forestry and Fire Protection Agreement 1CA00429 for Services from 7/01/08 to 6/30/09.

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

XI. AGENDA ITEMS

1. Public Hearing and Adoption of Proposed Ordinance 2008-01 Amending Section 3.08 of the Trinidad Municipal Code. The first reading of this proposed ordinance was held on March 26, 2008. Since the 1% Sales Tax increase was not approved by the voters in April, the second reading and adoption became unnecessary. However, since a second Sale Tax proposal of 3/4 cent will now be on the November 4, 2008 general election ballot, it again becomes necessary to consider this Ordinance.

All language is the same as the first reading of proposed Ordinance 2008-01, except the sales tax to be considered and implemented is now 3/4 % instead of 1%. This Ordinance establishes the procedures for implementing the 3/4 cent sales tax if approved by the voters in the 2008 general election.

There were no comments from the public or the Council.

*Motion (Binnie/Bhardwaj) to open the public hearing for public comment, close the public hearing, and approve proposed Ordinance 2008-01. **Passed unanimously.***

2. Amendments to rates and requirements for renting Town Hall. City Clerk Adams explained that at the last meeting of the City Council, there was an extensive discussion about the policies, rates, and requirements that have been in place for the use and rental of Town Hall. Staff was

instructed to take into consideration the discussion and to bring back a revised rental agreement and policies that would be applied to all users of Town Hall.

The current policies have been in effect since the late 1990's, and in the past year there have been a number of incidents that have resulted in some damage to Town Hall. The changes proposed at this time are intended to protect Town Hall as an asset for the residents of the city of Trinidad.

Many variations in the rental rates were examined, but it was finally determined to recommend to the Council a simple rate structure that would be fair to all parties and minimize the number of judgment decisions that have to be made by the City Clerk when accepting a rental application.

Public comment included:

Glenn Saunders – Trinidad

\$10/hr seems reasonable for instructional classes. Also, the terms of the deposit should be more clearly written. Is it for cleaning, damages, or both?

Bryan Rosen - Trinidad

The City should impose penalties for loud music, and provide incentives for recycling. Don't raise the fees for people trying to teach classes.

Richard Johnson – Chamber of Commerce Representative

The Chamber would like the opportunity to provide input on the fee schedule, particularly regarding hourly rates and whether or not they will be charged for set-up time.

Tom Odom – Trinidad

The Chamber of Commerce should get a discounted rental rate.

Council comment included:

Bhardwaj: The last time the Council imposed a user fee for instructional events, most of them left and didn't return. I wouldn't want to see that happen again, and will support a fee structure that is supportive of such events.

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

3. Discussion of a proposed Trinidad Community Garden.

City Manager Albright explained that several Trinidad residents have been working on the concept of organizing a "Community Garden" project. A community garden is a location for residents' combined efforts to produce fruits, vegetables, and flowers using shared labors and expenses. Products of the garden are then used by the participants.

Albright further explained that the site that has been selected for the community garden in Trinidad is the vacant parcel behind Murphy's Market. It is owned by Glenn Saunders. The Trinidad General Plan designation and the zoning for that property is "Planned Development." The only Zone District in the City Ordinance that would permit a community garden is the "Public & Religious" zone. The organizers of the community garden wish to explain their proposal to the City Council and solicit support and assistance.

Public comment included:

Laurel Hoffman – Trinidad

Supporter of the community garden, along with many others. She introduced each of the organizers.

Carol Mone – Westhaven

Clarified that the "Trinidad Urban Farm" (TUF) is simply the name for the community garden proposal. Argued that City Staff is over-interpreting the zoning regulations, and explained that zoning should be considered when an intense use of the land is considered, not light, temporary uses. Landscaping isn't restricted by zoning, why should a garden be? The government should not be intruding into private affairs. Concluded by stating her enthusiasm for the possibility of a Trinidad community garden.

William Moir - Trinidad

Retired research ecologist from the Rocky Mountain region. Read from a statement submitted to the Clerk that included the following main points; 1) A community garden is an exercise of cooperation and tolerance, 2) It is good ecology, 3) It is a service to the community, 4) Asked Council to support the garden as they see fit.

Sue Marquette – Trinidad

Gave a brief background of the garden proposal including the size, goals, and a list of organizers. Asked the Council to work with TUF and assist in finding an appropriate location.

Bryan Rosen - Trinidad

In Los Angeles, a number of community gardens were destroyed by big developments. It's time to get planting.

Tom Odom – Trinidad

Suggested that TUF look at State lands across from the Marine Lab as a possible alternative location.

Jan Lundberg – Trinidad Area

Garden supporter. Explained “peak oil” and its relationship to local food production. It is good economics, good for tourism, and a positive youth activity.

Staff comments included:

City Manager Albright: Staff is more than willing to work with TUF and bring a solution to the Council.

City Planner Parker: The ordinance does include provisions for temporary uses, but only for days or weeks, not months.

Council comments included:

Bhardwaj: Contacted various community garden organizations and discovered numerous resources available cities trying to establish their own gardens. Also discovered that community gardens are frequently interim uses of land slated for development. Doesn't want to see the garden's progress unnecessarily delayed.

Lin: Suggested that TUF consider establishing the garden in the current Saunders Park area, if feasible, for the following reasons: 1) water will be available, 2) it is zoned properly, 3) it would increase Park usage, 4) the garden could enhance or replace the current landscaping plan.

Binnie: I'm a fan of community gardens and helped establish one year's ago in Wisconsin. It was both educational and productive. I'm in support of pursuing the Park location option.

Fulkerson: I too am a huge garden fan and am a member of a farm share in Arcata. We should find a way to make this happen. There may be other areas of town that could be considered immediately, but the Park location sounds like a perfect match.

No decision was made. The Council was in agreement that TUF should work with City Staff to find a solution.

4. Appeal of Planning Commission Decision on Marshall Project 2007-12.

*Mayor Lin reported out from closed session that the Council **voted unanimously** to continue the Marshall Project Appeal to the regular meeting on October 8th, and requested that the applicant submit a revised plan by September 24th.*

XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

XIII. ADJOURNMENT

- Meeting ended at 9:05pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Chi-Wei Lin
Mayor