



Posted: Friday, September 06, 2019

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

The Trinidad City Council will hold a regular meeting on
TUESDAY, SEPTEMBER 10, 2019, at 6:00 PM
In the Trinidad Town Hall, 409 Trinity Street, Trinidad, CA

NO CLOSED SESSION

- I. **CALL TO ORDER**
- II. **ADJOURN TO CLOSED SESSION**
- III. **RECONVENE TO OPEN SESSION**
- IV. **PLEDGE OF ALLEGIANCE**
- V. **APPROVAL OF AGENDA**
- VI. **APPROVAL OF MINUTES – 07-10-19 cc, 07-31-19 sccpc, 08-14-19 cc**
- VII. **COUNCIL REPORTS/COMMITTEE ASSIGNMENTS**
- VIII. **STAFF REPORTS – City Manager & Law Enforcement**
- IX. **ITEMS FROM THE FLOOR**

At this time, members of the public may comment on items NOT appearing on the agenda. Individual comments will be limited to 3 minutes or less. Comments should be directed to the Council as a whole and not to individual Council Members or staff. Council and staff responses will be minimal for non-agenda items.
- X. **CONSENT AGENDA**

All matters on the Consent Agenda are considered routine by the City Council and are enacted in one motion. There is no separate discussion of any of these items. If discussion is requested by any Council member, that item is removed from the Consent Calendar and considered separately. A single opportunity for public comment on the Consent Agenda is available to the public.

 1. Staff Activity Report – August 2019
 2. Financial Statements July 2019
 3. Law Enforcement Report August 2019
 4. Labor Compliance Consultant Agreement for Storm Water Project
- IX. **DISCUSSION/ACTION AGENDA ITEMS**
 1. Discussion/Decision regarding AT&T Appeal of Planning Commission Denial of Application 2019-07 to Install a Temporary Cellular Facility at 12 Berry Road.
 2. Discussion/Presentation/Update from The Greater Trinidad Chamber of Commerce.
 3. Discussion/Presentation from Steve Madrone and Dave Hankin Regarding Water and Rain Catchment Systems.
 4. Discussion/Decision regarding the Introduction and Vision Statement of the Draft General Plan.
- X. **FUTURE AGENDA ITEMS**
- XI. **ADJOURNMENT**

APPROVAL OF MINUTES FOR:

JULY 10, 2019 CC
JULY 31, 2019 SCCPC
AUGUST 14, 2019 CC

Supporting Documentation follows with: _____ 9 PAGES

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JULY 10, 2019

I. CALL TO ORDER

Closed session began at 5:30pm. Mayor Ladwig called the open meeting to order at 6:00pm. Council members in attendance: Miller, Ladwig, Grover, Davies. West was absent. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams.

II. CLOSED SESSION REPORT – *Nothing to report.*

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF THE AGENDA

Motion (Miller/Davies) to move approve the agenda as amended; Move Consent #1 to Discussion #1. Passed 4-0.

V. APPROVAL OF MINUTES – 05-08-19 cc, 05-22-19 cc2, 06-05-19 scc, 06-12-19 cc, 06-26-19 cc2

Motion (Miller/Davies) to approve the minutes as written. Passed 4-0.

VI. COUNCILMEMBER REPORTS/COMMITTEE ASSIGNMENTS

Miller: RCEA discussed wind power generation proposal, PGE wildfire policy, Central Valley Transmission line, Terra-Gen, etc.

Davies: Trails Committee update. Requested that Gov-to-Gov meeting notes be included in the staff activity reports each month.

Ladwig: HTA discussed the all solar bus and possible route options. Gov-to-Gov meeting with the Trinidad Rancheria discussed the 2020 Stormwater project and coordinating engineers.

VII. STAFF REPORTS

City Manager Naffah updated the Council on the status of the school crosswalk safety project, and noted that starting in September the Occupancy Tax recipients will be reporting to the Council on a rotating basis.

Mayor Ladwig requested that **Naffah** follow up with signage to discourage commercial vehicle traffic on Ocean Ave. **Davies** suggested following up with the Coastal Commission to ensure a Coastal Development Permit is not required for implementing the 20-minute parking on Edwards Street.

VIII. ITEMS FROM THE FLOOR

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

Shirley Laos – Trinidad Rancheria

Thanked the City for supporting and implementing the School crosswalk safety improvements.

Dorothy Cox – Trinidad

Concerned with the new pizza take-out business behind the Beachcomber Cafe.

Victoria Sackville – Trinidad

Also concerned with the new pizza take-out business behind the Beachcomber Café.

IX. CONSENT AGENDA

1. Staff Activity Report - June 2019

2. Financial Statements May 2019

3. Law Enforcement Report June 2019

4. Designation of Voting Delegates for League of CA Cities Annual Conference

Moved to Discussion #1. Naffah primary, Grover alternate. No public comment. Passed 4-0.

5. Approval of Van Wycke Trail Task Order with GHD.

Motion (Miller/Grover) to approve the consent agenda as amended. Passed 4-0.

XI. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding Council Committee and Commissionerships assignments.

New Councilmember David Grover was appointed following the resignation of Jim Baker. The following changes have been made to the Committee Assignment list:

RREDC: Grover replaced Baker as Alternate.
RCEA: Grover replaced West as Alternate
OES: Grover replaced Baker as Primary.
HMRA: Grover replaced Baker as Primary
CA CITIES: Naffah primary, Grover Alternate.

There was no public comment.

The Council accepted the reassignments by consensus, effective immediately.

2. Update/Discussion/Decision regarding Verizon Lease Extension.

City Manager Naffah explained that the current lease with Verizon for the cell site will expire September 01, 2019. The lease calls for monthly payments of \$3,000 plus 30% subleases. Verizon has underpaid by approximately \$24,000. The City Attorney has been advised and will be making a request for underpaid funds, including a 60-day notice of lease ending.

Verizon representatives indicated they will not be able to vacate the site by September 01 as they are working on a second, alternative site that will help maintain current service levels. According to the lease, holdover rent beyond September 01 is 150% of the current monthly payment. Verizon will update the City on a monthly basis with progress to vacate the site.

Council comments included:

Davies: Would like to see a drop-dead date for Verizon to vacate.

Ladwig: If Verizon continues to not follow through with the simple items, then we need to take steps to get them to comply.

Written comments received:

Kim Tays – Arcata

Submitted a letter requesting the City to ask Verizon if they have pursued developing a cell site on Green Diamond land, and suggested they're dragging their feet and taking advantage of the City.

There was no public comment

Update only. No decision was made.

3. Discussion/Decision regarding a Joint Meeting of the City Council and Planning Commission for a General Plan Progress Update

Planning Commission Chair John Graves requested scheduling of a joint meeting to address the General Plan Update. The Commission wishes to give the Council an opportunity to provide them with specific direction on Water Policy issues, and to review the process in general. They also would like the Council to consider appointing a liaisons to attend Commission and Council meetings.

There was no public comment.

*Motion (Davies/Miller) to schedule a Joint Meeting on July 31, 2019, and ask the PC to designate a liaison to attend Council meetings, and a Councilmember to attend Planning Commission meetings. **Passed 4-0.***

X. FUTURE AGENDA ITEMS

- Changing Regular Meeting Dates
- Update on New Pizza Business Behind Beachcomber
- Joint PC/Council Meeting July 31.

ADJOURNMENT: 7:30pm

Submitted by:

Approved by:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor

**MINUTES OF THE SPECIAL JOINT MEETING OF THE TRINIDAD CITY COUNCIL &
TRINIDAD PLANNING COMMISSION, WEDNESDAY, JULY 31, 2019**

I. CALL TO ORDER

Mayor Ladwig called the meeting to order at 6:00pm. Council members in attendance: West, Miller, Ladwig, Grover, Davies. Planning Commissioners in attendance: Graves, Johnson, Kelly, Lake. Stockness – Absent. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams, City Planner Trever Parker.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

Motion (Miller/West) to approve the agenda as submitted. Passed unanimously.

IV. ITEMS FROM THE FLOOR

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

XI. DISCUSSION/ACTION AGENDA ITEMS

1. General Plan Update Presentation and Discussion regarding various policies, including: Water, Annexation, Accessory Dwelling Units, etc.

City Planner Trever Parker explained that the primary purpose of this meeting is to update the Council on the General Plan update progress and process, and receive input regarding the next steps for moving forward on specific issues such as: 1) Review of the update procedure, 2) Water Policy, 3) Water Rate direction, 4) Annexation, 4) ADU's.

The General Plan serves as the land use "constitution" for the City, and all land use regulations must be consistent with it. It is intended to serve for approximately 20 years, with 5-year updates. The State dictates that all cities and counties must have General Plans that contain certain elements and meet certain criteria. In addition, the Coastal Act and Coastal Commission require jurisdictions in the Coastal Zone to maintain a Local Coastal Program (LCP). The existing General Plan was adopted in 1978. Updates have been attempted since 1997. The City has received grants to help facilitate an update, and throughout the years have been sidetracked by various projects and issues. The Coastal Commission has recently started providing input on the current update, which will likely result in numerous revisions, additions, and reorganizations.

Commissioner Graves: We are looking at 7 Elements, but only 1 – the Housing Element – is required to be updated frequently. Land Use, Conservation & Open Space, Housing, Noise & Safety, Circulation, Cultural.

Councilmember Miller: Where does "climate" fit in? The City should be thinking big about energy independence and developing its own micro-grid power supply.

Commissioner Kelly: Explained how climate and environment have been incorporated into the various elements. **Parker** added how climate change and adaptation have been addressed in the discussions of water and bluff stability.

Commissioner Johnson: Added that sea-level rise has also been discussed in various places throughout the plan.

Commissioner Lake: Want to encourage public engagement and participation, and see all written comments identified and published online. To encourage engagement, future meetings should be scheduled with regularity so the public knows in advance when to participate.

Councilmember Davies: We should leave here tonight with a meeting schedule. The new Council needs to see all the elements.

Public comment included:

Steve Madrone – Trinidad Area Resident

The more incentives that are embedded in the plan, the better the implementation will be.

Shirley Laos – Trinidad Rancheria

The City and Rancheria are connected in many ways. The record should be clear that the Rancheria has been engaged in the General Plan update process for many years.

Council/Commissioner comments included:

Commissioner Johnson: To help speed up the process, can we get extra help? Are there any additional resources at SHN the City can utilize? What lies between now and December for the Planning Commission that could interrupt a regular schedule? **Trever** explained that there are many things in the works that could disrupt the General Plan focus; LCP Round 6 Grant, STR 2-year review, Stormwater Phase II permits, Van Wycke Trail, etc.

Commissioner Lake: Are we up against a timeline with the LCP grant? Parker explained that the grant ends December 2019.

Mayor Ladwig: Could we have a draft water policy by October? **Parker** explained that depending on how much information the Coastal Commission wants and depending on what pops up between now and October, it's possible.

Commissioner Graves: Does the City want to consider the possibility of hooking up to Humboldt Bay Municipal Water District?

Councilmember Davies: Leave the language as written. The word "compelling" is only as good as your lawyer. **Councilmember West** agreed.

Councilmember Miller: I don't want to tie the City's hands by eliminating a possibility. The climate is changing and who knows whether there will be a need for HBMWD resources in the future. The policy can be reworded to discourage the option unless there is a compelling public necessity. I want to see flexibility built into this policy.

Public comment included:

Dorothy Cox – Trinidad

I can't imagine encouraging growth that would increase traffic and congestion.

Victoria Sackville – Trinidad

Take care of the present day. The future will take care of itself. Things continue to evolve, and we should be very careful how we word things.

Dave Hankin – Trinidad Area Resident

The language is fine as written. Please consider what the impact of your decisions today could have on the greater Trinidad area. Pleading to the City to recognize this. Westhaven CSD has very explicit priorities spelled out for new connections.

Steve Madrone – Trinidad Area Resident

We live here because we don't want to live in McKinleyville. Described the implications of connecting HBMWD, and suggested strengthening the current language. We are truly conservative, living within our needs. Rainwater falls on Trinidad. Storage and collection is key. Liability, sustain, conserve.

Mayor Ladwig: Keep language that encourages and incentivizes conservation. Regarding HBMWD, aren't there limitations that already exist that would keep development in check?... septic, build-out?

Parker agreed, stating there are many checks and balances that exist. Adding an unlimited water supply won't invite careless and unregulated development.

Councilmember Miller: I'm fully supportive of Madrones proposal, but we need to be aware that HBMWD has water available and we don't know what's in store for the Luffenholtz Watershed in the distant future. I don't want to shut the door on future possibilities, and I'd rather use as much of the allocated water before sending all of it to SoCal.

Commissioner Lake: Keep the language as-is. Not in favor of growth-inducing decisions.

Commissioner Kelly: Water is a precious resource. To close off this option would not be doing justice to the community at-large. We may need it as a last resort, and it would be irresponsible to close the door on it.

Commissioner Graves: I'd like to explore the cost of a hookup to HBMWD so we can make an informed decision. We are public officials and it's our duty to be thorough.

Mayor Ladwig: A good first goal is to have the Introduction/Vision Statement to the Council in September.

Parker: The Planning Commission should review the Circulation element in September, and move it to the Council in October.

ADJOURNMENT: 8:15pm

Submitted by:

Approved by:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, AUGUST 14, 2019

I. CALL TO ORDER

Closed session began at 5:00pm. Mayor Ladwig called the open meeting to order at 6:00pm. Council members in attendance: Miller, West, Ladwig, Grover Davies was absent. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams.

II. ADJOURN TO CLOSED SESSION

1. *Conference with legal counsel regarding active litigation. Tsurai Ancestral Society vs. City of Trinidad. Pursuant to California Government Code section 54956.9(a)*
2. *Real estate negotiations between the City of Trinidad and Verizon Wireless regarding the Trinidad Head cell site. Pursuant to California Government Code section 54956.8.*

III. CLOSED SESSION REPORT – *Nothing to report.*

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF THE AGENDA

Motion (Miller/Davies) to move approve the agenda as amended; Pull Discussion #5 from the agenda. Passed 4-0.

VI. APPROVAL OF MINUTES – 07-10-19 cc, 07-31-19 sccpc will be reviewed in September.

VII. COUNCILMEMBER REPORTS/COMMITTEE ASSIGNMENTS

Miller: RCEA had a closed session, discussed PG&E bankruptcy and public engagement strategies. Public comments focused on energy self-sufficiency through micro-grid power. Trinidad should be considering this as well.

Ladwig: HTA discussing additional routes. Also attended the Coastal Commission hearing regarding Rancheria Hotel project.

VIII. STAFF REPORTS

City Manager Naffah explained that a representative from the Chamber of Commerce will be attending the September meeting to update the Council on their activities and accomplishments. Verizon is finalizing their lease with the Westhaven landowner for the new, replacement cell facility.

HCSO Lt. Kevin Miller reported on July stats. **Mayor Ladwig** requested guaranteed coverage as per the contract on July 04. Miller suggested meeting in May to ensure staffing is available.

IX. ITEMS FROM THE FLOOR

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

Patti Fleschner – Trinidad

Update on the former Lighthouse site. Restoration is underway. 14 people are working to remove the concrete bases. September 28 the town will be celebrating the Coastal Monuments with events throughout the City. Mayor Ladwig thanked the Civic Club for bringing everyone together to secure the permit and begin the restoration process.

Mike Allison – Trinidad

Moved to Trinidad recently and in the process of becoming a permanent resident. We care about Verizon cell service and don't want to see it deteriorate. Concerned that the City is moving forward to remove the Trinidad Head site against the County Sheriff recommendations. Public safety is the first priority, and ensuring cell service is in place should residents need to dial 911 is critical.

X. CONSENT AGENDA

1. Staff Activity Report - July 2019
2. Financial Statements June 2019
3. Law Enforcement Report July 2019
4. Audit Engagement Letter for 2018-2019 FY Audit.

Motion (Miller/West) to approve the consent agenda as amended. Passed 4-0.

XI. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding Resolution 2019-10a: Recognizing the Trinidad Art & Music Festival in Trinidad, August 10-12 and 17-19, 2019.

Mayor Ladwig read the resolution aloud. Event coordinator Julie Fulkerson thanked everyone for their support, gave a brief introduction of the musical lineup and highlights, and noted that the event strengthens the Trinidad economy.

There was no public comment.

Motion (Grover/West) to approve Resolution 2019-10a. Passed 4-0.

2. Discussion/Decision regarding Resolution 2019-11: Changing Regular Council Meeting Dates.
City Manager Naffah explained that regular Council meetings are held at the same time he's expected to teach a class at CR. The conflict prompted the discussion whether the City would consider moving the regular meeting dates from the second and fourth Wednesdays, to the second and fourth Tuesdays.

There was no public comment.

Motion (Miller/Grover) to approve Resolution 2019-11; Changing Regular Council Meeting Dates to the Second and Fourth Tuesday's of each month, at 6:00pm. Passed 4-0.

3. Discussion/Decision regarding Amending the City Code of Ethics to include Committees.
City Manager Naffah explained that the City's Ethics Code identifies City Councilmembers and Planning Commissioners, but does not include Committee members in the language. With the recent creation of numerous advisory committees, members felt the Ethics Code needed to be updated to include committee volunteers. If approved, the amended Ethics Code will include committee volunteers as City officials required to sign and agree to it prior to participation.

There was no public comment.

Council comments included:

Miller: Read the last page in detail to emphasize the purpose of the document.

Motion (Miller/West) to amend the City Code of Ethics to include Committee Members. Passed 4-0.

4. Discussion/Decision regarding Town Hall Solar Project, Loan Application, and Authorize Bid Process
RCEA Representative Mike Avicole explained that the City of Trinidad has advanced through the steps necessary to prepare and qualify for a 1% loan through the California Energy Commission to install a Photovoltaic System on the Trinidad Town Hall. The loan application has been approved for approximately \$50,000, which has been determined sufficient to install a system that will meet and exceed the power demands of the Town Hall, Club Room, and Fire Department meters. There is an 11 year payback estimate, and a 25 year lifespan on the system, with the inverter needing to be replaced at year 15. Only 50% of the roof will be covered, leaving the remaining 50% for future needs.

There was no public comment.

Council comments included:

Miller: This project has my full support and I'm excited to see it happen asap.

Motion (Miller/West) to Accept the CEC loan and continue working with RCEA to develop bid documents for construction. Passed 4-0.

5. Discussion/Decision regarding Request for Expedious Response and Enforcement of STR Complaints
This item was pulled from the agenda.

XI. FUTURE AGENDA ITEMS

- September 10 Council meeting.
- October 22 Joint STR/Council meeting.
- Trails Committee Priority Projects Update

ADJOURNMENT: 7:12pm

Submitted by:

Approved by:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 16 PAGES

1. Staff Activity Report – August 2019

STAFF ACTIVITIES REPORT – AUGUST 2019

Tuesday, September 10, 2019

Administrative – Clerk's Office

The first half of August was relatively routine, business as usual: Processing water payments, working with customers experiencing high summer usage or water leaks, transferring files to close out the fiscal year, facilitating special event permits, and preparing for the Council meeting.

The second half of August was spent keeping up with day to day routine, but also purging files, organizing, general housekeeping, and filling in for vacationing staff.

Public Works – Water Department

- Maintained grounds/trails
- New meter installed on Berry road
- Regular waste disposal and building maintenance
- Attended PARSAC work safety training in Fortuna
- Distribution System Valve Locate and Exercise
- Trail Work
- Tree Work
- Leak Repair on Ocean Ave.
- Installed Interpretive sign on Hector at Raingarden

Treatment Plant is operating normally. The water demand went up earlier in the month so we upped our flow to 80 gallons per minute. Filters 1, 2, and 3 are operating optimally. Our latest results for the second quarter for disinfection byproducts came in well under the maximum contamination levels. Creek flows are dropping normally for the time of year. Right now the creek flows are at 2cfs. We are currently performing 1 to 2 filter backwashes per month.

See attached for Grant Administrator and City Manager's report.

CITY MANAGER'S STAFF REPORT

Tri Counties Bank:

Met with representatives of Tri Counties Bank, the City's bank. Discussed the use of credit cards as an option for paying water bills online. Will meet later this month to go over their proposal for providing this service to customers.

CCNM:

The California Coastal National Monument (CCNM) working group is planning a CCNM Festival on September 28th to coincide with the Taste of Trinidad fundraiser. See attachment A for more details on the events to take place on that date.

CCC Local Government Workshop:

I attended online the California Coastal Commission's Local Government Workshop. The workshop addressed three issues facing coastal cities: short term rentals, sea level rise, and local coastal programs. See attachment B for a summary document on the workshop as prepared by the Coastal Cities and the Coastal Counties groups.

LodgingRevs:

Attended an online presentation by representatives of LodgingRevs which is a service to assist cities in the collection of transient occupancy taxes (TOT) from short term rentals. The service also assists in tracking the portals that host STR's.

Sumeg Village Day:

The Yurok Tribe, Trinidad Rancheria and Patrick's Point State Park will host the Sumeg Village Day on September 14th from 11 am until 4 pm at the Sumeg Village located in Patrick's Point State Park. Events include stick game, flower dance, cooking demonstration, handmade artifacts, regalia materials preparation, native stories and songs, and tours.

CALIFORNIA COASTAL NATIONAL MONUMENT FESTIVAL

Saturday, September 28th

A community celebration of the coast and the off-shore rocks that make up the California Coastal Monument. A day full of fun events that everyone can enjoy!

8 AM - 2 PM

Water rescue relays sponsored by California State Parks.

9 AM - 4 PM

Trinidad Civic Club Flea Market benefitting the Trinidad Memorial Lighthouse.

9 AM - 11 AM

Mini Kayak tours with HSU Center Activites at Launcher Beach.

10 AM - 5 PM

Explore Humboldt State University Marine Lab.

11 AM - 3 PM

California Coastal National Monument Fair with music by the Tidepool High Divers and food provided by La Barca.

11 AM - 1 PM

Fishing and crabbing off the pier sponsored by Trinidad Rancheria.

11 AM - 3 PM

Trinidad Head Lighthouse tours sponsored by Trinidad Museum Society with living history performance from 1-3 by Julie Clark of the Bureau of Land Management.

11 AM - 4 PM

Trinidad Museum 10th Anniversary Celebration.

11 AM - 1 PM

Trinidad School Seabird Art Contest Winners on display at Seascape Restaurant.

1 PM - 4 PM

Trinidad Coastal Land Trust's Simmons Gallery and Visitor Information

4 PM - 6 PM

Tastin' Trinidad in Saunder's Park sponsored by the Trinidad Chamber of Commerce. \$25 per person, proceeds benefit Trinidad Coastal Land Trust.

California Coastal Commission
Local Government Workshop

SUMMARY DOCUMENT

Friday, July 12, 2019
9:00 am – 4:00 pm

Embassy Suites Hotel | 333 Madonna Road | San Luis Obispo, CA 93405

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I. OVERVIEW

This Local Government Workshop between the California Coastal Commission (CCC or Commission) and local government representatives was held on July 12, 2019 in San Luis Obispo at the Embassy Suites Hotel¹. It was the fourth convened between local elected officials and Coastal Commissioners; previous workshops having been held in 2009, 2012 and 2015. The overarching goal of these workshops has been to foster improved communication and mutual understanding between local jurisdictions and the Commission in support of improved collaboration on land use management in the Coastal Zone.

This workshop focused on two topics of critical importance: short term rentals (STRs) and sea level rise (SLR), in addition to discussing LCP processes. Participants were asked to explore extant challenges of implementing the Coastal Act with consistency statewide, while also accommodating differing localized circumstances in coordination with local leadership and priorities.

In advance of this workshop, the Coastal Cities Group of the League of California Cities and the Coastal Counties Regional Association of the California State Association of Counties submitted a joint platform paper to initiate and inform conversations on specific issues related to STR, SLR and LCPs² and the Workshop's Detailed Agenda was prepared to ensure that the key platform paper topics would be addressed during the Workshop.

The overarching workshop goals were:

¹ July 12, 2019 Meeting Detailed Agenda and Materials: <https://www.coastal.ca.gov/meetings/agenda/#/2019/7>

² City and County Platform Paper: <https://documents.coastal.ca.gov/reports/2019/7/F2/F2-7-2019-citycountyplatformpaper.pdf>

- A full, frank and mutually respectful discussion of key coastal city and county issues and concerns related to interactions with the Commission on Short-Term Rentals, Sea Level Rise and the Local Coastal Program process.
- Seek agreement on priorities and specific actions wherever possible for each topic (STR, SLR, LCP) within the time available in this meeting.
- Identify next steps and commitments to develop more specific strategies and solutions for each topic following this workshop.

After discussions on each of these three topics, Commissioners and local government representatives agreed to the following overarching next steps. Additional next steps specific to the issues of the STRs and SLR are embedded within those respective sections:

- Determine time for next CCC/Local Government Workshop (possibly yearly).
- Establish working group(s) to continue addressing issues related to STR, SLR and LCP.
- If working group(s) established, identify initial membership and scheduling of first meetings, identify both short term and longer-term coordination efforts.

Please note this summary document is the facilitation team's attempt to summarize key discussion items, and is not a complete transcription of the conversations had. The phrasing contained herein is that of the facilitators and was edited by and added to by the participants.

II. INTRODUCTORY COMMENTS BY WORKSHOP ORGANIZERS

Coastal Commission Executive Director Jack Ainsworth began his opening statement by thanking everyone in attendance, including local government representatives, for participating in this workshop. He stated that California's coastal management program is recognized as one of the most effective in the nation due in large part to the partnership between the Commission and local jurisdictions in implementing the Coastal Act through Local Coastal Programs, adding that the goal of the Commission is to work with local government officials to collectively improve the efficiency of LCP submission, coordination, and communication. Addressing the partners around the table, he said we are in a unique place in history to address the climate change and SLR challenges for which there are no easy solutions and a need for policy evolution over time and a collaborative approach. Lastly, Mr. Ainsworth explained that short term rental (STR) issues are very complex and locally specific, noting there needs to be a balance between preserving the character of communities while allowing for input to the economy and coastal access.

Coastal Commission Chair Dayna Bochco expressed her interest in hearing about the issues of concern to local governments, noting that during her 9 years on the Commission SLR has gone from something in the future to something happening now. She said the Commission is not here to criticize or impose its values but to help solve coastal problems. She wants to see tangible plans for moving forward cooperatively with each other.

Coastal Counties Regional Association Co-Chair Bruce Gibson welcomed commissioners and others to SLO County and expressed admiration for the work of the Commission. The local jurisdictions present represent diverse cities and counties statewide, all coming to the table with

a deep respect for the Coastal Act. He noted that there are many important, sometimes competing, issues that we need to work together to resolve, many involving interpretations of the Coastal Act which does not reference them specifically, such as STR and SLR. He emphasized the need to extend the framework for discussing these issues so they can be resolved collaboratively and in good faith.

Coastal Cities Group Chair Ed Spriggs expressed appreciation for the challenges faced by the Commission. He noted that local governments must address economic, social and environmental issues in assuring quality of life for residents and visitors and generating revenue for long term viability, all in the context of grass roots democracy. Coastal cities would like to see the balance of authority to address local issues shift a bit more toward local jurisdictions, which is within the discretion of the Coastal Commission especially on matters not directly covered by the Coastal Act. For this and other reasons, workshops like this are greatly valued by local governments.

III. SHORT TERM RENTALS

Short Term Rentals is a complex topic that involves consideration of issues related to coastal access, housing stock and affordability, private property rights, impacts to the local economy, natural resources impacts, and impacts to the character of the local community. Commissioners and local elected officials began discussions on this topic with the objective of identifying priority issues, common challenges and key questions related to STRs requiring answers, and to seek agreement on goals for the next steps in developing more specific strategies for addressing this issue following this workshop.

Three specific issues for problem solving and coordination from the perspective of the local governments were shared in order to frame this discussion:

- 1) Given large variations in housing and visitor serving resources in coastal communities, should the Commission defer to local ordinances that already allow STRs?
- 2) For communities without STR ordinances, should the Commission respect demonstrated good faith local efforts to balance affordable housing policy, neighborhood preservation, coastal resources protection and access?
- 3) For other local communities, Commission guidance would be helpful for communities seeking to reconcile State affordable housing mandates, coastal access, parking for residents and visitors, and aesthetic impacts (e.g., building heights, public views).

Examples of recent efforts to develop local ordinances and regulations for STRs, including challenges and successes, were shared by elected officials from Santa Barbara and Santa Cruz counties.

In addition to the issues outlined above, key considerations and concerns raised during discussion included:

- Both the Commission's staff report for this workshop and the studies cited in the City/County platform paper agree that STRs can have a negative effect on local housing

supply and affordability, making STRs one of the most complex local issues regulated by the Commission.

- While some counties have established limitations for the number of STRs allowable for specific communities, current caps may no longer be restrictive enough as available housing unit requirements mandated by the State have changed. There is a need to balance the number of allowable STRs with the quantity of affordable housing units required by State law.
- Reasonably affordable coastal living availability should be made for lower income persons/families.
- There is a need to consider and account for differing housing affordability limits in coastal counties. The increase in STRs in the coastal zone increases rental costs of long-term residential units, effectively pricing out many renters who are employed locally, obliging them to drive longer distances to their daily place of work.
- Because more and more local workforce need to travel longer distances to their place of employment, there is a measurable growth of vehicle miles traveled (VMT) within counties. The increase in VMT contributes to poor air quality (associated health concerns) and greenhouse gas emissions (associated global warming and sea level rise).
- Ensuring public access to the beaches remains of critical importance to the Commission.
- Affordable accommodations are a part of providing coastal access, for both residents and visitors. Local jurisdictions and the Commission may differ on whether STRs should be regulated under the assumption that they are affordable accommodations: Not all STRs are inherently affordable and many communities have other types of low-cost visitor-serving accommodations.
- The determination of what price constitutes "affordable" requires further consideration, and will vary by coastal community. The overall number of all types of such accommodations in a community should also be part of the decision-making process.
- The ability to ensure economically reasonable coastal accommodations for visiting travelers, including hotels, is important to all parties. Increasing the number of campground areas, or exploring retrofitting underused commercial areas to expand affordable housing, were proposed as creative solutions to affordable accommodations.
- There is clarity needed from the Commission regarding guidelines local governments should abide by when developing permissible STR regulations to be instituted by local ordinance.
- The issue of STR is highly context specific, and an evolving issue that requires decision-making at the local level. Local government participants suggested the Commission should not require STRs to be a part of every LCP.

There is some agreement among Commissioners that if the challenging work to develop local ordinances for STRs has been completed, deference could be given where such ordinances allow STRs in the coastal zone. If local ordinances are not yet developed, there is capacity for the Commission to respect demonstrated good faith local efforts to identify community issues and priorities while balancing coastal access and resource protection.

The following next steps specific to STRs were identified for further discussion:

- Establish a working group to address STR issues. The formation of this working group was deferred to focus staff, Commission and local jurisdiction resources on SLR, as described below.
- When a local ordinance allowing STRs has been enacted or is under development the presumption should be that it should be incorporated into the LCP.
- In localities where an ordinance that prohibits STRs exists or is proposed, identify actions that constitute a “good faith effort” to address STRs in the broader context of community efforts to enhance public access and provide other forms of low-cost visitor accommodation. Consider lessons learned that can be transmitted from other regions.
- In localities where no STR ordinance has been enacted or planned, reconcile where there are conflicting statewide mandates for STRs, housing requirements, other state and local laws, and the process for navigating this framework as well as any good faith community efforts to enhance public access and provide other forms of low-cost visitor accommodation.
- Determine the appropriate elevation process to address areas of disagreement between the Commission and local jurisdictions.

IV. SEA LEVEL RISE

An overview of primary concerns of cities and counties regarding Sea Level Rise and Coastal Act Compliance was provided. Specific issues of concern included:

- A desire for the Commission to reconsider heavy emphasis on managed retreat (MR) and related policies, particularly the application of MR policies to higher density/urbanized shorelines, harbors, bays and other tidelands.
- Reducing or eliminating the distinction between pre and post-1976 development, including armoring, and the implied difference in legal status of development in each category.
- Implications of these and related policies on the protection of public property, especially critical infrastructure.
- Considering sand replenishment as a state-wide need that meets multiple local and state objectives.

Significant discussion was had on the issues of MR. It is another matter of critical importance wherein impacts and related management actions will be highly localized by necessity due to the diversity of California’s 1,100 mile stretch of coastline. In contemplating MR, there are challenges of timescale, infrastructure, value of the land, private property rights, legal issues, permitting, practicality and prioritization. Attention was drawn to a 07/07/2019 Los Angeles

Times article, *California Against the Sea*³ wherein several examples of localized impacts of SLR were described in detail.

Local government officials view there to be a heavy emphasis on MR by the Commission. In their platform paper and at the workshop, local elected officials encouraged a more flexible Commission approach to MR, particularly for higher density areas where little precedent or funding exists for relocation planning and implementation. It was suggested that MR should not be a requirement for every LCP; rather the LCP should be allowed to incorporate guidance for coastal flooding, erosion, beach preservation, etc. and include MR if the local jurisdictions finds it an appropriate measure. It was also noted that community backlash against MR and related fears about eminent domain make it counterproductive to force this issue into LCPs.

A few Commissioners respectfully disagreed, sharing their views of MR as a first resort for coastal community preservation, public health and safety, in the face of SLR. The CCC views MR retreat as one of many essential options that must be addressed and are mindful of the political pressures that have been focused on MR. The importance for public education surrounding this issue was emphasized. Many coastal residents do not understand the tradeoffs of implementing physical solutions to SLR impacts like coastal erosion, such as how construction of seawalls results in loss of beach. The Commission is interested in working collaboratively with Ocean Protection Council (OPC) on developing a SLR public education campaign.

There was mutual acknowledgement by all parties that the issue of SLR is one of great urgency. The suggestion was made to develop relocation solutions for low-density coastal communities facing immediate SLR-related crises, then learn to apply those solutions to higher density, more complex urbanized coastlines.

One specific matter local governments would like the Commission to reevaluate is their prescriptive requirements for sand replenishment initiatives. Some guidelines include sand grain size, shape and color requirements that participants contended are not always appropriate for the areas in need of replenishment, and they found this to be an impediment to the success of this adaptation strategy.

Some resonance between local governments and Commission seemed to emerge on the need to seek intermediate solutions between hard armoring and managed retreat, soft solutions such as beach replenishment, natural shorelines/dune restoration, etc., depending on local conditions. These strategies can be a win-win, preserving beaches while protecting public and private property.

Local governments expressed interest in the development of thresholds for when certain SLR adaptation strategies may be appropriate (e.g. armoring, beach replenishment, dune mitigation, managed retreat, etc.). It may be beneficial to review case studies and best available science, both nationally and globally, when developing these thresholds. Relocation of public infrastructure was seen as generally more straightforward and less politically sensitive than dealing with private property. The example of the required relocation of the San Simeon wastewater treatment plant was provided where the Commission provided a 20-year time

³ <https://www.latimes.com/projects/la-me-sea-level-rise-california-coast/>

horizon to relocate and continued to allow armoring in the interim. Further discussion followed on the need for more science to improve the Commission's 2015 guidance document on this issue.

There is interest in examining legal sideboards on SLR policies, including takings and "reverse-takings," conducting localized vulnerability assessments, representation of disadvantaged communities when considering managed retreat, and appropriate phasing of MR and other SLR adaptation strategies. There was strong interest among all parties in advocating for additional state funding and resources for SLR research, planning and implementation.

The following next steps specific to SLR were identified for further discussion:

- Formation of a Work Group to continue work on these SLR issues. Participation may include several local officials and a maximum of two Commissioners (per Bagley-Keene requirements). Possible additional participation could include OPC, State Lands Commission, Coastal Conservancy, State Parks, National Oceanic and Atmospheric Administration, CalTrans, and/or other appropriate public agencies. The purpose and goals of the work group should guide participation (e.g., improved local government-Commission cooperation, long-term statewide coordinated SLR strategies).
- Jointly seeking funding for SLR planning and SLR adaptation projects statewide.
- A threshold approach to SLR adaptation with flexibility as to which progressive strategies, including managed retreat, are necessary for each LCP.
- Joint strategies for public education on SLR issues, including the Commission, Ocean Protection Council and local governments.
- Best practices for addressing SLR related property and infrastructure relocations in low density areas for later application to higher density areas.

V. LOCAL COASTAL PROGRAM

The goal of the city and county representatives regarding the LCP process is a shorter and less duplicative process that is more predictable and less a deterrent to local community willingness to undertake LCP updates. The specific issues for problem solving and coordination were:

- Support development of agreed upon best practices for reviewing LCPs (e.g., timelines, interaction with staff, size and scope, clear areas where Commission staff assistance is or is not available).
- Clarify whether Commission "guidance" documents are mandates or recommendations.
- Reduce duplication of effort while improving LCP quality through Commission clearinghouse of LCPs, including underlying studies and research, combined with a Commission "help desk" that enables jurisdictions to access information and best practices relevant to the development of their LCP.

A suggestion was made to develop a searchable LCP data base that includes approved LCPs along with any connected research or data that supports the provisions in the LCP. This would help support timely development of new LCPs and/or revisions to existing LCPs, and aid in avoiding duplication of efforts.

Additional concerns and complications by local elected officials were shared:

- There have been cases where feedback on required LCP revisions from Commissioners and CCC staff has been conflicting, and local jurisdictions are unclear on how to aptly resolve such conflicts. There is a need for a conflict resolution elevation process in such situations.
- If local jurisdictions submit *draft* chapters of their LCP for early review and feedback, they may be vulnerable to the public records act. This impedes efficiency of the process.
- Occasionally guidance is received from Commission staff that appears outside the scope of the intended LCP amendment. This impacts positive relationship-building between local jurisdictions and the Commission. It may be helpful to conduct scenario planning exercises to avoid "scope creep" moving forward.
- Local jurisdictions would benefit from increased grant funding to support consultants, etc.
- There is a need to coordinate in advance to help avoid last minute comments from Commission and local government staff, including legal counsel, as this can undermine trust in the LCP process.

Commission staff shared their current challenges regarding lack of staff capacity and inability to provide the amount of review and support for LCP development that is preferable. The hope is to bolster staff capacity for this process, engage attorneys for legal review earlier in the process, and develop an online web platform for planning for local governments. CCC staff would also prefer to be engaged in local LCP development workshops early and often to serve as a resource to answer questions and explain intent behind some of the requirements for proactive planning.

VI. GENERAL NEXT STEPS

Commissioners and local government representatives agreed to the following next steps:

- Determine time for next CCC/Local Government Workshop (possibly yearly).
- Establish working group(s) to continue addressing issues related to STR, SLR and LCP.
- If working group(s) established, identify initial membership and scheduling of first meetings, identify both short term and longer-term coordination efforts.

VII. ATTENDANCE

Local Government Officials (listed from North to South)

- Supervisor Lori Cowan, County of Del Norte
- Supervisor Virginia Bass, County of Humboldt
- Councilmember Heidi Messner, City of Eureka
- Vice-Mayor Harvey Rarback, City of Half Moon Bay
- Supervisor John Leopold, County of Santa Cruz
- Supervisor Luis Alejo, County of Monterey
- Supervisor Bruce Gibson, County of San Luis Obispo
- Mayor Ed Waage, City of Pismo Beach
- Jeff Winklepleck, City of Pismo Beach
- Supervisor Das Williams, County of Santa Barbara
- Councilmember Jason Dominguez, City of Santa Barbara
- Councilmember Ed Spriggs, City of Imperial Beach

California Coastal Commissioners

- Commission Chair Dayna Bochco
- Commission Vice Chair Steve Padilla
- Commissioner Effie Turnbull-Sanders
- Commissioner Donne Brownsey
- Commissioner Sara Aminzadeh
- Commissioner Linda Escalante
- Commissioner Katie Rice
- Commissioner Carole Groom
- Commissioner Erik Howell
- Commissioner Roberto Uranga

Staff

- Jack Ainsworth, Executive Director, CCC
- Madeline Cavalieri, Statewide Planning Manager, CCC
- Caelan McGee, Senior Facilitator, Zephyr Collaboration
- Meagan Wylie, Senior Facilitator, Zephyr Collaboration

September 2019 Project and Grant Coordinator Activities Report

Non-grant (general fund) Projects and tasks assigned for July - September:

- Submitted Labor Compliance Program Report to the Department of Industrial Relations.
- Began schedules requested by the auditor for the FY 18-19 audit.
- Support County Office of Emergency Services with public review process for Local Hazard Mitigation Plan.

Manage Grant Projects – Provided administrative support for all grants; worked with funders to complete funding agreements and develop new grant funding; coordinated with city staff, project consultants and project partners.

- Researched grant programs for priority projects for water system improvements, recreation, trail construction and improvements. Reviewed guidelines for several relevant grant programs.
- Completed closeout of three grant projects that were completed during FY 18-19.
- Details are provided below for each grant project.

Project Name	Storm Water Management Improvement Project Phase 2 (ASBS Storm Water Project)		
Grant Budget	\$4,833,000	Funding Source	Prop 84 Storm Water Grant Program
City Match	\$15,000	Match paid by	General Funds- project development staff costs 2015- 2017
USDA Match	\$26,000	Paid by	USDA SEARCH Grant for Project Engineering Report
USDA Match	\$511,000	Application Pending	USDA Rural Development Storm Water Grant/Loan Financing
Term	9/1/17 - 6/30/21	City Personnel Costs	Funded by Prop 84 grant beginning September 2017

Project Summary and Background: This is the final phase of the ASBS Storm Water project to eliminate the storm water discharge into the Trinidad Bay (Area of Biological Significance or ASBS) at Launcher Beach (see photos right and below) by constructing LID improvements along Underwood, Edwards, Ewing, and at the harbor parking lot area.

Status: \$169,385 has been spent to date for approximately 3 % of the total project. The City continues to coordinate with the Trinidad Rancheria regarding work in the beach parking area and is drafting an easement and access agreement for consideration by Rancheria Tribal Council and City Council. The City engineer completed the 50% project design, specifications and opinion of probable cost. The next steps include circulating the plans & specifications for public review and the project permitting.

Project Name	LCP Update Project 2		
Grant Budget	\$51,000	Funding Source	Coastal Commission LCP Planning Grant Round 4
Term	11/1/2017-12/31/2019	City Personnel Costs	Reimbursed by grant funds

Project Summary: This second Coastal Commission LCP grant project focuses on developing a Coastal Hazards Plan/Recommendations and Water Supply Assessment to support planning and work on the General Plan/LCP update.

Project Status: Approximately 50% of the grant budget has been spent. A coastal erosion (bluff) hazard management plan is nearing completion and will be available for public review.

Project Name	Van Wycke Bicycle and Pedestrian Connectivity Project (Van Wycke Trail Project)		
Grant Budget	\$714,000	Funding Source	Caltrans Active Transportation Program (state funding only)
Term	7/8/16-4/1/21	City Personnel Costs	Not reimbursed by grant except in final educational phase

Project Summary: This project will improve the Van Wycke Trail to provide better access and safety for pedestrians and bicyclists between Edwards Street and the Harbor Area.

Project Status: Project engineering/design, right of way phases and non-infrastructure (public education) tasks are being initiated.

Project Name	Downtown Trinidad Pedestrian and Connectivity Improvements Project		
Project Budget	\$550,000	Funding Source	Caltrans STIP
Match	\$30,000	Match paid by	City (from Gas Tax & other Transportation funding)
Term	2019 - 2021	City Personnel Costs	Partially reimbursed by STIP funds

Project Summary: The Downtown Trinidad Pedestrian and Connectivity Improvements Project will remove accessibility barriers and extend new safe and accessible pedestrian routes (in accordance with the Americans with Disabilities Act of 1990) along portions of Patrick's Point Drive, Scenic Drive, and Trinity Street.

Status: A community/stakeholder communication is being planned. The project is in the environmental clearance and permitting phase, which is approximately 55% complete.

Project Name	Clean Beaches OWTS Repair & Replacement Grant		
Grant Budget	\$480,075	Funding Source	Prop 84 Clean Beaches Initiative Grant
Match	\$225,000 \$10,000	Match paid by	Property owners City and Consultant
Term	6/1/15 - 3/31/19	City Personnel Costs	Reimbursed by grant funds

Project Summary: The OWTS Repair Project identified and prioritized failing OWTS (septic systems) that threatened water quality in Parker, Luffenholtz and Joland Creeks, and worked with interested property owners to upgrade (repair or replace) their failing systems. The project has also provided OWTS care and maintenance information to Trinidad and Westhaven residents.

Status: 96% of the grant funds were expended. The project has been wrapped up. The reimbursement for the final invoice (\$31,823) is being held pending Water Board approval of the water quality monitoring data submission. Staff is following up regularly to be sure the issue is resolved as quickly as possible.

Project Name	Citywide Low Impact Development (LID) Planning and Construction Project (OPC Project)		
Grant Budget	\$848,650	Funding Source	Prop 1 Ocean Protection Council
Match	\$0	Match paid by	NA
Term	10/25/16-6/30/19	City Personnel Costs	Reimbursed by Grant

Project Summary: Citywide LID Planning and Construction Project goals are 1) to construct storm water system improvements on Hector and East Streets that eliminate the discharges to the Trinidad Bay (ASBS) from the upper part of town, and 2) to develop LID policies to protect the bluff by reducing infiltration of stormwater and wastewater in sensitive areas.

Project Status: This grant project term ended on June 30, 2019. A permanent interpretive sign installed near the Hector Street raingarden to explain how raingardens, vegetated parking swales and infiltration treats stormwater and protects water quality in Trinidad Bay. The Grant Manager came for the final inspection on September 4, 2019. She was very pleased and complimentary about the project construction and results.

Trinidad Raingarden Project

On your left is an ocean-friendly raingarden landscaped with native plants. The design is an example of Low Impact Development (LID) which acts like a natural watershed in slowing, filtering and absorbing water from storm events.

When rain falls on roadways, the *stormwater runoff* can become polluted with bacteria, sediment, chemicals and trash that are harmful to humans and marine life. Another type of LID is low-lying grassy parking bioswales which can be seen along East, Ocean and West Streets.



Bioswale on East Street

Raingardens and bioswales are a solution to water pollution by:

- Improving water quality
- Promoting healthier bays, oceans and beaches
- Reducing flooding
- Providing native wildlife habitat in our community



The Trinidad Bay is an area of Special Biological Significance (ASBS) designated in 1974 to protect the bull kelp forest ecosystems, which is considered a basic building block for a sustainable, resilient coastal environment and economy.



Trinidad Citywide Low Impact Development Planning and Construction Project

Another Project to Safeguard California's Water
 Funded by the Voter-approved Proposition 1 through the California Natural Resources Agency
 Edmund G. Brown, Jr. Governor; John Laird, Secretary for Natural Resources

This project helps reduce harmful impacts that are known to negatively affect Marine Protected Areas which are designated to protect, conserve or otherwise manage resources and their uses.





CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 15 PAGES

2. Financial Statements July 2019

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 7/1/2019 Through 7/31/2019

	Current Month	Year to Date	Total Budget - Original	% of Budget	
Revenue					
41010	PROPERTY TAX - SECURED	0.00	0.00	92,000.00	100.00)%
41020	PROPERTY TAX - UNSECURED	0.00	0.00	3,800.00	100.00)%
41040	PROPERTY TAX-PRIOR UNSECURED	0.00	0.00	25.00	100.00)%
41050	PROPERTY TAX - CURRENT SUPPL	0.00	0.00	1,300.00	100.00)%
41060	PROPERTY TAX-PRIOR SUPPL	0.00	0.00	200.00	100.00)%
41070	PROPERTY TAX - FINES	0.00	0.00	500.00	100.00)%
41110	PROPERTY TAX EXEMPTION	0.00	0.00	1,300.00	100.00)%
41130	PUBLIC SAFETY 1/2 CENT	0.00	0.00	1,900.00	100.00)%
41140	PROPERTY TAX - DOCUMENTARY RE	0.00	0.00	4,500.00	100.00)%
41220	IN LIEU VLF	0.00	0.00	28,500.00	100.00)%
42000	SALES & USE TAX	0.00	0.00	255,000.00	100.00)%
43000	TRANSIENT LODGING TAX	21,428.50	21,428.50	140,000.00	(84.69)%
46000	GRANT INCOME	0.00	0.00	10,000.00	100.00)%
53010	COPY MACHINE FEE	2.25	2.25	50.00	(95.50)%
53020	INTEREST INCOME	175.76	175.76	25,300.00	(99.31)%
53090	OTHER MISCELLANEOUS INCOME	9,422.00	9,422.00	14,000.00	(32.70)%
54020	PLANNER- APPLICATION PROCESSIN	0.00	0.00	18,000.00	100.00)%
54050	BLDG.INSP-APPLICATION PROCESSI	1,140.28	1,140.28	8,000.00	(85.75)%
54100	ANIMAL LICENSE FEES	15.00	15.00	300.00	(95.00)%
54150	BUSINESS LICENSE TAX	60.00	60.00	9,000.00	(99.33)%
54170	STR License Fee (Short Term Rental)	300.00	300.00	9,000.00	(96.67)%
54300	ENCROACHMENT PERMIT FEES	0.00	0.00	400.00	100.00)%
56400	RENT - VERIZON	2,536.35	2,536.35	9,000.00	(71.82)%
56500	RENT - HARBOR LEASE	0.00	0.00	5,125.00	100.00)%
56550	RENT - PG& E	0.00	0.00	9,000.00	100.00)%
56650	RENT - SUDDENLINK	0.00	0.00	6,000.00	100.00)%
56700	RENT - TOWN HALL	90.00	90.00	5,000.00	(98.20)%
	Total Revenue	<u>35,170.14</u>	<u>35,170.14</u>	<u>657,200.00</u>	<u>(94.65)%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 7/1/2019 Through 7/31/2019

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	250.00	250.00	3,000.00	91.67%
61000	EMPLOYEE GROSS WAGE	13,880.88	13,880.88	121,018.00	88.53%
65100	DEFERRED RETIREMENT	1,310.22	1,310.22	11,441.00	88.55%
65200	MEDICAL INSURANCE AND EXPENSE	1,277.62	1,277.62	20,248.00	93.69%
65250	Health Savings Program	8.98	8.98	1,443.00	99.38%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	4,538.00	100.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	53.98	53.98	750.00	92.80%
65600	PAYROLL TAX	1,148.66	1,148.66	10,133.00	88.66%
65800	Grant Payroll Allocation	(46.66)	(46.66)	(5,000.00)	99.07%
68090	CRIME BOND	0.00	0.00	500.00	100.00%
68200	INSURANCE - LIABILITY	0.00	0.00	11,500.00	100.00%
68300	PROPERTY & CASUALTY	0.00	0.00	5,000.00	100.00%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	5,000.00	100.00%
71310	CITY PLANNER-ADMIN. TASKS	0.00	0.00	70,000.00	100.00%
71410	BLDG INSPECTOR-ADMIN TASKS	540.00	540.00	7,000.00	92.29%
71510	ACCOUNTANT-ADMIN TASKS	1,139.13	1,139.13	17,000.00	93.30%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	14,500.00	100.00%
72000	CHAMBER OF COMMERCE	0.00	0.00	15,000.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	70.00	70.00	3,000.00	97.67%
75160	LIBRARY RENT & LOCAL CONTRIB.	500.00	500.00	2,000.00	75.00%
75170	RENT	750.00	750.00	9,000.00	91.67%
75180	UTILITIES	1,190.78	1,190.78	12,000.00	90.08%
75190	DUES & MEMBERSHIP	0.00	0.00	1,000.00	100.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	0.00	3,500.00	100.00%
75220	OFFICE SUPPLIES & EXPENSE	58.58	58.58	6,000.00	99.02%
75240	BANK CHARGES	0.00	0.00	100.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	200.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	8,000.00	100.00%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	500.00	100.00%
76110	TELEPHONE	316.71	316.71	2,500.00	87.33%
76130	CABLE & INTERNET SERVICE	216.60	216.60	3,000.00	92.78%
76150	TRAVEL	0.00	0.00	2,000.00	100.00%
78170	SECURITY SYSTEM	153.00	153.00	500.00	69.40%
78190	MATERIALS, SUPPLIES & EQUIPMEN	151.38	151.38	2,000.00	92.43%
	Total Expense	<u>22,969.86</u>	<u>22,969.86</u>	<u>368,371.00</u>	<u>93.76%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 7/1/2019 Through 7/31/2019

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
61000	EMPLOYEE GROSS WAGE	656.76	656.76	5,751.00	88.58%
65100	DEFERRED RETIREMENT	51.45	51.45	453.00	88.64%
65200	MEDICAL INSURANCE AND EXPENSE	23.45	23.45	544.00	95.69%
65250	Health Savings Program	0.00	0.00	60.00	100.00%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	216.00	100.00%
65600	PAYROLL TAX	53.69	53.69	475.00	88.70%
75170	RENT	750.00	750.00	9,000.00	91.67%
75180	UTILITIES	177.42	177.42	1,800.00	90.14%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	500.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	65,000.00	100.00%
75350	ANIMAL CONTROL	124.00	124.00	1,600.00	92.25%
76110	TELEPHONE	91.14	91.14	1,200.00	92.41%
78170	SECURITY SYSTEM	0.00	0.00	500.00	100.00%
	Total Expense	<u>1,927.91</u>	<u>1,927.91</u>	<u>87,099.00</u>	<u>97.79%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 7/1/2019 Through 7/31/2019

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	150.00	150.00	2,400.00	93.75%
75180	UTILITIES	57.35	57.35	1,150.00	95.01%
75190	DUES & MEMBERSHIP	0.00	0.00	350.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	500.00	100.00%
76110	TELEPHONE	93.37	93.37	1,000.00	90.66%
76140	RADIO & DISPATCH	0.00	0.00	1,800.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	0.00	350.00	100.00%
78150	VEHICLE REPAIRS	0.00	0.00	2,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	1,500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	10,000.00	100.00%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
	Total Expense	<u>300.72</u>	<u>300.72</u>	<u>22,550.00</u>	<u>98.67%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 7/1/2019 Through 7/31/2019

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
61000	EMPLOYEE GROSS WAGE	10,889.09	10,889.09	94,198.00	88.44%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	100.00	100.00%
65100	DEFERRED RETIREMENT	1,224.69	1,224.69	10,593.00	88.44%
65200	MEDICAL INSURANCE AND EXPENSE	2,142.80	2,142.80	30,753.00	93.03%
65250	Health Savings Program	22.25	22.25	1,158.00	98.08%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	3,532.00	100.00%
65600	PAYROLL TAX	911.09	911.09	8,016.00	88.63%
65800	Grant Payroll Allocation	(536.59)	(536.59)	(63,000.00)	99.15%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	10,000.00	100.00%
71310	CITY PLANNER-ADMIN. TASKS	0.00	0.00	15,000.00	100.00%
75180	UTILITIES	0.00	0.00	250.00	100.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	0.00	3,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	10,000.00	100.00%
75370	UNIFORMS/PERSONAL EQUIP.	16.19	16.19	1,000.00	98.38%
78100	STREET MAINT/REPAIR/SANITATION	182.32	182.32	5,000.00	96.35%
78120	STREET LIGHTING	434.24	434.24	5,000.00	91.32%
78130	TRAIL MAINTENANCE	0.00	0.00	10,000.00	100.00%
78140	VEHICLE FUEL & OIL	110.27	110.27	4,000.00	97.24%
78150	VEHICLE REPAIRS	0.00	0.00	2,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	402.28	402.28	14,000.00	97.13%
78190	MATERIALS, SUPPLIES & EQUIPMEN	483.77	483.77	5,000.00	90.32%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	4,200.00	100.00%
	Total Expense	16,282.40	16,282.40	174,800.00	90.69%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 7/1/2019 Through 7/31/2019

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
56150	FRANCHISE FEES	0.00	0.00	10,000.00	(100.00)%
	Total Revenue	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>(100.00)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	1,028.40	1,028.40	9,287.00	88.93%
65100	DEFERRED RETIREMENT	123.39	123.39	1,114.00	88.92%
65200	MEDICAL INSURANCE AND EXPENSE	252.34	252.34	3,192.00	92.09%
65250	Health Savings Program	3.78	3.78	138.00	97.26%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	348.00	100.00%
65600	PAYROLL TAX	87.43	87.43	796.00	89.02%
75130	GARBAGE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,800.00	100.00%
	Total Expense	<u>1,495.34</u>	<u>1,495.34</u>	<u>17,175.00</u>	<u>91.29%</u>
	Net Income	<u>(1,495.34)</u>	<u>(1,495.34)</u>	<u>(7,175.00)</u>	<u>(79.16)%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 7/1/2019 Through 7/31/2019

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
56150	FRANCHISE FEES	0.00	0.00	10,000.00	(100.00)%
	Total Revenue	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>(100.00)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	1,028.40	1,028.40	9,287.00	88.93%
65100	DEFERRED RETIREMENT	123.39	123.39	1,114.00	88.92%
65200	MEDICAL INSURANCE AND EXPENSE	252.34	252.34	3,192.00	92.09%
65250	Health Savings Program	3.78	3.78	138.00	97.26%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	348.00	100.00%
65600	PAYROLL TAX	87.43	87.43	796.00	89.02%
75130	GARBAGE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,800.00	100.00%
	Total Expense	<u>1,495.34</u>	<u>1,495.34</u>	<u>17,175.00</u>	<u>91.29%</u>
	Net Income	<u>(1,495.34)</u>	<u>(1,495.34)</u>	<u>(7,175.00)</u>	<u>(79.16)%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 7/1/2019 Through 7/31/2019

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	250.00	(100.00)%
58100	CEMETERY PLOT SALES	350.00	350.00	9,000.00	(96.11)%
	Total Revenue	<u>350.00</u>	<u>350.00</u>	<u>9,250.00</u>	<u>(96.22)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	982.32	982.32	8,731.00	88.75%
65100	DEFERRED RETIREMENT	117.87	117.87	1,048.00	88.75%
65200	MEDICAL INSURANCE AND EXPENSE	206.97	206.97	2,648.00	92.18%
65250	Health Savings Program	3.63	3.63	180.00	97.98%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	327.00	100.00%
65600	PAYROLL TAX	83.46	83.46	748.00	88.84%
75180	UTILITIES	45.23	45.23	493.00	90.83%
75300	CONTRACTED SERVICES	0.00	0.00	2,000.00	100.00%
78170	SECURITY SYSTEM	106.50	106.50	450.00	76.33%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	500.00	100.00%
	Total Expense	<u>1,545.98</u>	<u>1,545.98</u>	<u>17,125.00</u>	<u>90.97%</u>
	Net Income	<u>(1,195.98)</u>	<u>(1,195.98)</u>	<u>(7,875.00)</u>	<u>(84.81)%</u>

City of Trinidad
Statement of Revenues and Expenditures - Quarterly Grant Reports
From 7/1/2018 Through 6/30/2019

206 - Clean Beaches Program

		Current Year Actual	Adjustments/ Accruals	Adjusted Current Year Actual
Income				
46000	Grant Income	<u>211,356.34</u>	<u>31,823.31</u>	<u>243,179.65</u>
Expense				
65800	Grant Payroll Allocation	24,011.70	0.00	24,011.70
71240	CONSTRUCTION	173,457.98	0.00	173,457.98
74110	GRANT EXPENSE	738.06	0.00	738.06
75300	CONTRACTED SERVICES	<u>44,971.91</u>		<u>44,971.91</u>
	Total Expense	<u>243,179.65</u>	<u>0.00</u>	<u>243,179.65</u>
				0.00
	Net Income	<u>(31,823.31)</u>	<u>31,823.31</u>	<u>0.00</u>

Contracted Services		Total Budget	Spent this year	Spent to date	Balance Remaining
SHN	Project Agreement	147,040.00	42,221.01	110,477.78	36,562.22
	North Valley Labor Compliance Agmt	4,200.00	3388.4	3725.9	474.10
	Total Contracted Services		<u>45,609.41</u>		
			0.00		
	Grant Income Receivable		<u>31,823.31</u>		
	Costs Payable		<u>0.00</u>		

City of Trinidad
Statement of Revenues and Expenditures - Quarterly Grant Reports
From 7/1/2018 Through 6/30/2019

211 - LCP Update Project #2

		Current Year Actual	Adjustments/ Accruals	Adjusted Current Year Actual
Income				
46000	Grant Income	<u>6,897.27</u>	<u>16,456.70</u>	<u>23,353.97</u>
Expense				
65800	Grant Payroll Allocation	3,445.38	(31.81)	<u>3,413.57</u>
75300	CONTRACTED SERVICES	<u>7,302.90</u>	<u>12,637.50</u>	<u>19,940.40</u>
	Total Expense	<u>10,748.28</u>	<u>12,605.69</u>	<u>23,353.97</u>
	Net Income	<u>(3,851.01)</u>	<u>3,851.01</u>	<u>0.00</u>

Contracted Services		Total Budget	Spent this year	Spent to date	Balance Remaining
SHN	Project Agreement	27,550.00	10,740.40		27,550.00
GHD	Project Agreement (Water Supply)	8,800.00	<u>8,793.90</u>	8,793.90	
GHD	Professional Services - water supply		<u>406.10</u>	406.10	6.10
	Total Contracted Services		<u>19,940.40</u>		
	Grant Income Receivable		Invoices 5 & 6	16,456.70	
	Costs Payable		SHN Invoice	3,437.50	

City of Trinidad
Statement of Revenues and Expenditures - Quarterly Grant Reports
From 7/1/2018 Through 6/30/2019

522 - OPC Citywide LID

Grant is complete and fund will close out

		Current Year Actual	Adjustments/ Accruals	Adjusted Current Year Actual
Income				
46000	Grant Income	<u>566,640.74</u>	18,162.62	584,803.36
	Retention		<u>64,981.69</u>	<u>64,981.69</u>
			<u>83,144.31</u>	<u>649,785.05</u>
Expense				
	EMPLOYEE MILEAGE REIMBURSEMENT	102.06	(51.03)	<u>51.03</u>
65800	Grant Payroll Allocation	16,102.40	1,071.57	17,173.97
71150	OTHER PROFESSIONAL FEES	1,750.00		1,750.00
71240	CONSTRUCTION	538,003.25		538,003.25
74110	Grant Expense	654.72	680.92	1,335.64
75300	CONTRACTED SERVICES	<u>89,271.16</u>	2,200.00	91,471.16
	Total Expense	<u>645,883.59</u>	<u>3,901.46</u>	<u>649,785.05</u>
	Net Income	<u>(79,242.85)</u>	<u>79,242.85</u>	<u>0.00</u>

522 - OPC Citywide LID

Contracted Services	Total Budget	Spent this year	Spent to date	Remaining
GHD OPC Project Agreement	194,085.00	83,879.59	194,085.00	0.00
SHN OPC Project Agreement	9,200.00	7,591.57	9,260.48	(60.48)
Total Contracted Services		<u>91,471.16</u>		
		0.00		
Grant Income Receivable		Invoices 9 & 10	18,162.62	
Costs Payable		SHN Inv.	2,200.00	

City of Trinidad
Statement of Revenues and Expenditures - Quarterly Grant Reports
From 7/1/2018 Through 6/30/2019

523 - STIP Downtown Pedestrian Improvement

		<u>Actual</u>	<u>Accruals</u>	<u>Year Actual</u>
Income				
46000	Grant Income	0.00	1,506.81	1,506.81
	Income pending		<u>14,557.16</u>	<u>14,557.16</u>
	Total Income		<u>16,063.97</u>	<u>16,063.97</u>
Expense				
65800	Grant Payroll Allocation	1,947.13	0.00	1,947.13
75300	CONTRACTED SERVICES	<u>450.98</u>	<u>13,665.86</u>	<u>14,116.84</u>
	Total Expense	<u>2,398.11</u>	<u>13,665.86</u>	<u>16,063.97</u>
	Net Income	<u>(2,398.11)</u>	<u>2,398.11</u>	<u>0.00</u>

<u>Contracted Services</u>	<u>Total Budget</u>	<u>Spent this year</u>	<u>Spent to date</u>	<u>Remaining</u>
GHD Project Agreement PA & ED	36,000.00	14,116.84	14,116.84	21,883.16

Total Contracted Services 14,116.84

Grant Income Receivable	Invoices 1 & 2	16,063.97
Costs Payable	GHD Inv.	13,665.86

City of Trinidad
Statement of Revenues and Expenditures - Quarterly Grant Reports
From 7/1/2018 Through 6/30/2019

524 - DOT Van Wycke Trail

		Current Year Actual	Adjustments/ Accruals	Adjusted Current Year Actual
Income				
46000	Grant Income	<u>9,342.40</u>	<u>5,528.90</u>	<u>14,871.30</u>
Expense				
75200	MUNICIPAL UPDATE	2,404.75		<u>2,404.75</u>
75300	CONTRACTED SERVICES	<u>15,333.80</u>		<u>15,333.80</u>
Total Expense		<u>17,738.55</u>	<u>0.00</u>	<u>17,738.55</u>
Net Income		<u>(8,396.15)</u>	<u>5,528.90</u>	<u>(2,867.25)</u>
<u>Contracted Services</u>		<u>Total Budget</u>	<u>Spent this year</u>	<u>Spent to date</u>
SHN Project Agreement		23,500.00	15,533.80	25,667.00
Total Contracted Services			<u>15,533.80</u>	(2,167.00)

City of Trinidad
Statement of Revenues and Expenditures - Quarterly Grant Reports
From 7/1/2018 Through 6/30/2019

527 - USDA Storm Water Funding
Match Funding/Expense for 528 Prop 84
Storm Water Grant Project

The USDA Grant Agreement is in process. After that is executed, the City will be able to request reimbursement of these costs.

		Current Year Actual	Adjustments/ Accruals	Adjusted Current Year Actual
	Income			
46000	Grant Income	<u>0.00</u>		<u>0.00</u>
	Income pending			<u>0.00</u>
	Expense			
71150	OTHER PROFESSIONAL FEES	901.80		<u>901.80</u>
74110	GRANT EXPENSE	831.00	175.00	1,006.00
75300	CONTRACTED SERVICES	<u>92,277.44</u>	<u>22,103.52</u>	<u>114,380.96</u>
	Total Expense	<u>94,010.24</u>	<u>22,278.52</u>	<u>116,288.76</u>
	Net Income	<u>(94,010.24)</u>	<u>(22,278.52)</u>	<u>(116,288.76)</u>

527 - USDA Storm Water Funding

	Total Budget	Spent this year	Spent to date	Remaining
Contracted Services				
GHD Project Agreement - PER				
SHN Project Agreement - NEPA	40,000.00	29,379.40	29,379.40	10,620.60
SHN Project Agreement - CEQA	20,000.00	12,752.10	12,752.10	7,247.90
GHD Project Agreement - Design	203,960.00	<u>72,249.46</u>	72,249.46	131,710.54
Total Contracted Services		<u>114,380.96</u>		

City of Trinidad
Statement of Revenues and Expenditures - Quarterly Grant Reports
From 7/1/2018 Through 6/30/2019

528 - Prop 84 Storm Water Grant Project

		Current Year Actual	Adjustments/ Accruals	Adjusted Current Year Actual
Income				
46000	Grant Income	0.00	37,154.00	37,154.00
Expense				
65800	Grant Payroll Allocation	28,438.08	(208.83)	28,229.25
75300	CONTRACTED SERVICES	8,452.25	472.50	8,924.75
	Total Expense	36,890.33	263.67	37,154.00
	Net Income	(36,890.33)	36,890.33	0.00

528 - Prop 84 Storm Water Grant Project

		Total Budget	Spent this year	Spent to date	Balance Remaining
Contracted Services					
ADH	Project Agreement	74,000.00	8,924.75	8,924.75	65,075.25
	Total Contracted Services		8,924.75		0.00



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 7 PAGES

3. Law Enforcement Report August 2019

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

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Incident Search Results
City is trinidad or trin, Date Between 8/5/2019 and 8/11/2019

08/12/2019

Date	Inc #	Type	Time	Location	Dispositio
08/05/2019	1908050060	488	11:07:47	389 MAIN ST	Report Taken
08/05/2019	1908050141	WELF	19:05:56	.TREE ROCK	Public Assist
08/05/2019	1908050147	CIVIL	19:37:44	102 KAY-WIN LN	Civil Problem
08/05/2019	1908050185	ASSISTA	23:28:20	STATE HWY 101/BIG LAGOON	Agency Assist
08/06/2019	1908060004	PROWL	00:10:12	180 LOOP PL	Public Assist
08/06/2019	1908060008	415N	01:01:33	480 PATRICKS POINT DR	Cad Documentation Only
08/06/2019	1908060042	488	08:52:10	3512 PATRICKS POINT DR	Cad Documentation Only
08/06/2019	1908060066	ANIMAL	10:45:48	3134 PATRICKS POINT DR	Report Taken
08/06/2019	1908060136	33X	15:56:27	171 BAKER RANCH RD	Billable Alarm
08/06/2019	1908060145	XFER	16:53:45	2196 PATRICKS POINT DR	Cad Documentation Only
08/06/2019	1908060146	FRAUD	16:57:55	500 SEASCAPE LN	Report Taken
08/07/2019	1908070152	594	17:43:33	400 SEASCAPE LN	Report Taken
08/08/2019	1908080026	REPO	07:23:13	306 VIEW AVE	Cad Documentation Only
08/08/2019	1908080030	ASSISTA	07:59:25	HIGHWAY 101 OFF RAMP/SEA	Agency Assist
08/08/2019	1908080042	243E	09:22:05	112 TRINIMA RD	Report Taken
08/08/2019	1908080076	459	13:39:55	1639 TRINIDAD SCENIC DR	Report Taken
08/08/2019	1908080122	XFER	19:07:23	27 SCENIC DR	Xfer to Medical
08/08/2019	1908080125	417	19:16:26	27 SCENIC DR	Agency Assist
08/08/2019	1908080128	XFER	20:03:01	528 PACIFIC CT	Xfer to another agency
08/08/2019	1908080138	XPAT	21:00:50	1669 FOX FARM RD	No Report
08/09/2019	1908090001	XPAT	00:00:51	1669 FOX FARM RD	No Report
08/09/2019	1908090089	TRF	12:34:50	TER-KER-COO LN	Report Taken
08/09/2019	1908090163	SUSPC	21:06:29	753 PATRICKS POINT DR	Cad Documentation Only
08/10/2019	1908100023	XFER	02:53:20	SCENIC DR	Xfer to CHP
08/10/2019	1908100040	VEHI	08:35:36	2400 PATRICKS POINT DR	Field Interview
08/10/2019	1908100059	SUSPV	11:18:53	777 DRIVER RD	Public Assist
08/10/2019	1908100074	TRF	13:07:35	201 MAIN ST	Cad Documentation Only
08/10/2019	1908100106	FRAUD	16:27:05	389 MAIN ST	Report Taken
08/10/2019	1908100123	33X	20:14:13	174 FOX FARM RD	Billable Alarm
08/10/2019	1908100129	XPAT	21:00:35	1669 FOX FARM RD	Duplicate Call
08/10/2019	1908100150	XFER	22:59:53	27 SCENIC DR	Xfer to Medical
08/10/2019	1908100152	ASSISTA	23:14:25	27 SCENIC DR	Cad Documentation Only
08/11/2019	1908110001	XPAT	00:00:36	1669 FOX FARM RD	No Report
08/11/2019	1908110003	ASSISTP	00:13:00	27 SCENIC DR	Cad Documentation Only
08/11/2019	1908110068	ANIMAL	11:53:08	(UNKNOWN ADDRESS)	No Report
08/11/2019	1908110071	ANIMAL	12:22:24	777 EDWARDS ST	Gone On Arrival
08/11/2019	1908110119	ASSISTA	18:19:24	PATRICKS POINT DR/MAIN S	Cad Documentation Only
08/11/2019	1908110120	ASSISTA	18:22:04	PATRICKS POINT DR/MAIN S	Cancel Per Rp
08/11/2019	1908110126	XFER	19:40:53	HIGHWAY 101 OFF RAMP/PAT	Xfer to CHP
08/11/2019	1908110136	XFER	20:32:37	27 SCENIC DR	Xfer to Medical

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

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Incident Search Results

City is trinidad or trin, Date Between 8/12/2019 and 8/18/2019

08/19/2019

Date	Inc #	Type	Time	Location	Dispositio
08/12/2019	1908120070	CWS	12:09:54	982 WESTHAVEN DR	Report Taken
08/12/2019	1908120104	XFER	16:17:22	750 KAHLSTROM AVE	Xfer to CHP
08/12/2019	1908120146	XPAT	21:00:09	1669 FOX FARM RD	No Report
08/13/2019	1908130001	XPAT	00:00:11	1669 FOX FARM RD	Cad Documentation Only
08/13/2019	1908130059	PROB	11:36:44	441 WESTHAVEN DR	Cad Documentation Only
08/13/2019	1908130075	WELF	13:09:19	51 MIDWAY DRIVE	Unable to Locate
08/13/2019	1908130109	XFER	16:46:11	(UNKNOWN ADDRESS)	Cad Documentation Only
08/13/2019	1908130116	33X	17:35:44	1183 SCENIC DR	Billable Alarm
08/13/2019	1908130118	415	17:49:32	102 KAY-WIN LN	Verbal Domestic Violence Onl
08/13/2019	1908130121	ASSISTA	18:14:21	199 N WESTHAVEN DR	Assisted
08/13/2019	1908130144	PC	20:54:42	HIDDEN CREEK TRAILER PAR	Quiet on Arrival or Departur
08/14/2019	1908140032	459V	07:39:33	999 SCENIC DR	No Report
08/14/2019	1908140034	459V	08:00:40	(UNKNOWN ADDRESS)	Report Taken
08/14/2019	1908140076	ASSISTP	11:09:51	409 TRINITY ST	Unable to Locate
08/14/2019	1908140088	VEHI	12:06:29	27 SCENIC DR	Unoccupied
08/14/2019	1908140141	XFER	18:56:16	.SB101/TRINIDAD	Xfer to CHP
08/14/2019	1908140155	XPAT	21:00:34	1669 FOX FARM RD	Quiet on Arrival or Departur
08/15/2019	1908150002	XPAT	00:00:35	1669 FOX FARM RD	Quiet on Arrival or Departur
08/15/2019	1908150053	BITE	09:35:39	3134 PATRICKS POINT DR	Report Taken
08/15/2019	1908150151	WELF	16:36:12	120 WA-RAY LN	No Assistance Needed
08/15/2019	1908150176	FP	19:10:13	122 MOON STONE BEACH RD	Cited
08/16/2019	1908160076	911H	12:19:32	.TRINIDAD HEAD	Cad Documentation Only
08/16/2019	1908160155	XPAT	21:00:25	1669 FOX FARM RD	No Report
08/17/2019	1908170002	XPAT	00:00:26	1669 FOX FARM RD	No Report
08/17/2019	1908170041	INFO	07:46:47	CLAM BEACH DR	Cad Documentation Only
08/17/2019	1908170060	TRF	10:04:23	HIGHWAY 101 ON RAMP/CLAM	Warned
08/17/2019	1908170091	SUT	15:01:01	120 OKEGA LN	No Assistance Needed
08/17/2019	1908170119	459V	18:03:19	4851 CLAM BEACH DR	Online Report
08/17/2019	1908170129	XFER	19:21:03	HIGHWAY 101 OFF RAMP/SEA	Xfer to CHP
08/17/2019	1908170131	459V	20:05:52	.TRINIDAD FRONTAGE RD	Report Taken
08/18/2019	1908180019	PC	01:27:23	480 PATRICKS POINT DR	No Report
08/18/2019	1908180034	UNW	02:49:09	27 SCENIC DR	Assisted
08/18/2019	1908180036	PC	03:30:11	389 MAIN ST	No Report
08/18/2019	1908180049	ASSISTA	09:01:00	HIGHWAY 101 OFF RAMP/SEA	No Assistance Needed
08/18/2019	1908180077	RABID	12:49:13	411 GIPSON DR	Public Assist
08/18/2019	1908180094	SUSPV	14:53:22	SCENIC DR/MOONSTONE BEAC	Cad Documentation Only
08/18/2019	1908180102	XFER	15:48:20	HWY 101/ BIG LAGOON	Xfer to CHP
08/18/2019	1908180125	459V	18:07:12	1 BAKER RANCH RD	Cad Documentation Only
08/18/2019	1908180126	459V	18:35:40	N/A	Report Taken
08/18/2019	1908180136	459	19:49:59	1 STAGECOACH RD	Agency Assist
08/18/2019	1908180142	ASSISTA	20:26:22	(UNKNOWN ADDRESS)	Unable to Locate
08/18/2019	1908180144	WELF	20:34:32	400 MAIN ST	Unable to Locate
08/18/2019	1908180148	XPAT	21:00:01	1669 FOX FARM RD	No Report
08/18/2019	1908180156	FU	21:51:20	930 SCENIC DR	No Report



HUMBOLDT COUNTY SHERIFF'S OFFICE

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Incident Search Results

City is trinidad or trin, Date Between 8/12/2019 and 8/18/2019

08/19/2019

Date	Inc #	Type	Time	Location	Dispositio
08/18/2019	1908180158	415N	22:12:49	MOONSTONE BEACH	Quiet on Arrival or Departur



HUMBOLDT COUNTY SHERIFF'S OFFICE

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Incident Search Results
City is trinidad or trin, Date Between 8/19/2019 and 8/25/2019

08/26/2019

Date	Inc #	Type	Time	Location	Dispositio
08/19/2019	1908190001	XPAT	00:00:02	1669 FOX FARM RD	No Report
08/19/2019	1908190028	33X	06:58:13	658 OLD WAGON RD	Cancel Per Rp
08/19/2019	1908190039	488	08:37:36	(UNKNOWN ADDRESS)	Pending Recontact From Rp
08/19/2019	1908190043	INV	09:15:47	.HOUDA POINT BEACH	Report Taken
08/19/2019	1908190049	FU	10:07:31	(UNKNOWN ADDRESS)	Pending Recontact From Rp
08/19/2019	1908190080	FU	12:21:51	3602 PATRICKS POINT DR	Public Assist
08/19/2019	1908190086	TRF	12:30:54	PATRICKS POINT DR/US HWY	Cad Documentation Only
08/19/2019	1908190092	PC	12:46:26	SCENIC DR	Cad Documentation Only
08/19/2019	1908190118	PROPL	14:49:02	677 DRIVER RD	Online Report
08/20/2019	1908200013	TRF	01:03:47	27 SCENIC DR	Warned
08/20/2019	1908200014	VEHI	01:06:46	27 SCENIC DR	Arrest Made
08/20/2019	1908200047	XFER	10:00:35	NB 101/ TRINIDAD	Cad Documentation Only
08/20/2019	1908200080	XFER	12:47:34	184 BIG LAGOON PARK RD	Xfer to Medical
08/20/2019	1908200086	415N	13:17:09	199 N WESTHAVEN DR	Verbal Domestic Violence Onl
08/20/2019	1908200089	ASSISTA	13:26:29	SB HWY 101/SOUTH OF BIG	Cancel Per Rp
08/20/2019	1908200142	XPAT	21:00:15	1669 FOX FARM RD	Quiet on Arrival or Departur
08/21/2019	1908210001	XPAT	00:00:16	1669 FOX FARM RD	Quiet on Arrival or Departur
08/21/2019	1908210067	PC	11:54:29	1 BAY ST	Gone On Arrival
08/21/2019	1908210074	THREAT	12:24:22	950 SCENIC DR	Assisted
08/21/2019	1908210091	33X	13:40:51	1313 WESTHAVEN DR	Cancel Per Rp
08/21/2019	1908210094	459	13:53:19	1313 N WESTHAVEN DR	Report Taken
08/21/2019	1908210116	PED	15:14:53	1300 N WESTHAVEN DR	Arrest Made
08/21/2019	1908210118	ASSISTP	15:23:07	1 BAY ST	Civil Problem
08/21/2019	1908210140	SUSPC	16:46:53	20 BEACH DR	Cad Documentation Only
08/21/2019	1908210141	415	16:47:38	201 MAIN ST	Advised to move along
08/21/2019	1908210146	XFER	17:32:28	1 NORTH WESTHAVEN DR	Xfer to CHP
08/21/2019	1908210147	DISP	17:33:11	N WESTHAVEN DR/QUARRY RD	ad Documentation Only
08/21/2019	1908210148	ASSISTA	17:35:26	N WESTHAVEN DR/QUARRY RD	agency Assist
08/21/2019	1908210150	SUSPC	18:08:07	20 BEACH DR	Public Assist
08/21/2019	1908210151	DISP	18:11:36	792 BIG LAGOON PARK RD	Cad Documentation Only
08/22/2019	1908220044	PROB	10:05:23	120 WA-RAY	Arrest Made
08/22/2019	1908220059	459V	10:45:23	510 BIG LAGOON PARK RD	Report Taken
08/22/2019	1908220063	459V	10:58:47	112 TRINIMA RD	Online Report
08/22/2019	1908220129	CUST	14:16:48	684 SECOND AVE	Cad Documentation Only
08/22/2019	1908220142	INV	15:47:45	122 MOONSTONE BEACH RD	Cad Documentation Only
08/22/2019	1908220175	FU	19:29:19	199 N WESTHAVEN DR	No Report
08/22/2019	1908220186	XPAT	21:00:48	1669 FOX FARM RD	No Report
08/23/2019	1908230058	FP	10:21:44	1313 N WESTHAVEN DR	Cad Documentation Only
08/23/2019	1908230066	PED	11:26:55	MAIN ST/SCENIC DR	Field Interview
08/23/2019	1908230094	33X	15:33:08	475 EWING ST	Billable Alarm
08/23/2019	1908230106	33P	17:05:23	1116 STAGECOACH RD	Billable Alarm
08/24/2019	1908240016	PC	01:43:30	480 PATRICKS POINT DR	No Report
08/24/2019	1908240017	VEHI	01:48:24	201 MAIN ST	No Report
08/24/2019	1908240051	SUSPC	09:32:07	389 MAIN ST	No Assistance Needed



HUMBOLDT COUNTY SHERIFF'S OFFICE

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Incident Search Results

City is trinidad or trin, Date Between 8/19/2019 and 8/25/2019

08/26/2019

Date	Inc #	Type	Time	Location	Dispositio
08/25/2019	1908250014	ASSISTA	04:35:27	1 BAKER RANCH RD	Agency Assist
08/25/2019	1908250019	XFER	05:35:32	121 ROUNDHOUSE CREEK RD	Xfer to Medical
08/25/2019	1908250057	TA	11:33:59	300 MAIN ST	Agency Assist
08/25/2019	1908250069	CIVIL	12:31:19	876 PATRICKS POINT DR	No Report
08/25/2019	1908250113	459	16:39:35	243 STAGECOACH RD	Report Taken
08/25/2019	1908250115	VEHI	16:42:54	122 MOONSTONE BEACH RD	Cad Documentation Only
08/25/2019	1908250123	488	17:17:20	501 S WESTHAVEN DR	Cad Documentation Only
08/25/2019	1908250160	INFO	21:18:55	(UNKNOWN ADDRESS)	Cad Documentation Only

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

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Incident Search Results

City is trinidad or trin, Date Between 8/26/2019 and 9/1/2019

09/03/2019

Date	Inc #	Type	Time	Location	Dispositio
08/26/2019	1908260116	488	13:52:32	919 DRIVER RD	Online Report
08/26/2019	1908260141	XFER	15:47:54	357 MAIN ST	Xfer to CHP
08/27/2019	1908270040	XFER	07:57:40	TRINIDAD STATE BEACH	Xfer to CHP
08/27/2019	1908270151	DISP	19:48:29	801 EWING ST	Cad Documentation Only
08/28/2019	1908280058	ANIMAL	09:00:14	1076 8TH AVE	Cad Documentation Only
08/28/2019	1908280129	WELF	14:14:12	122 MOONSTONE BEACH RD	Unable to Locate
08/29/2019	1908290069	33X	10:42:59	866 6TH AVE	Billable Alarm
08/29/2019	1908290098	33X	13:31:38	1550 PATRICKS POINT DR	Cancel Per Rp
08/29/2019	1908290103	VEHI	14:02:35	389 MAIN ST	Cad Documentation Only
08/29/2019	1908290108	UNW	14:28:04	QUARRY RD/WESTHAVEN DR	Cad Documentation Only
08/29/2019	1908290126	488	15:46:11	389 MAIN ST	No Report
08/30/2019	1908300026	TRANS	07:49:55	(UNKNOWN ADDRESS)	Cad Documentation Only
08/30/2019	1908300094	911H	15:26:50	514 EWING ST	Accidental Dial
08/30/2019	1908300128	PC	19:10:36	201 MAIN ST	Unoccupied
08/31/2019	1908310021	415	02:01:33	27 SCENIC DR	Report Taken
08/31/2019	1908310188	ASSISTA	23:35:00	PATRICKS POINT DR	Unable to Locate
09/01/2019	1909010014	PC	01:26:26	389 MAIN ST	No Report
09/01/2019	1909010016	TRF	01:31:49	480 PATRICKS POINT DR	Warned
09/01/2019	1909010069	33X	15:11:02	380 JANIS CT	Cancel Per Rp



CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 7 PAGES

4. Labor Compliance Consultant Agreement for Storm Water Project

CONSENT AGENDA ITEM

Date: September 10, 2019

Item: LABOR COMPLIANCE CONSULTANT AGREEMENT FOR STORM WATER PROJECT

Summary:

The City entered into a Grant Agreement D1712652 with the State Water Resources Control Board (Water Board) for \$4,832,981 in Proposition 84 funding to construct the ASBS Storm Water Management Improvement Project, with construction scheduled for summer 2020. Public works projects funded by Proposition 84 are required to pay prevailing wages and monitor public works construction contracts for compliance with the Labor Code under an approved Labor Compliance Program (LCP). The labor compliance services will be paid for by the Proposition 84 grant. Staff recommends entering into an agreement for labor compliance services for not-to-exceed \$35,000 with North Valley Labor Compliance Services (NVLCS). Staff will finalize the agreement for services

Background:

The Storm Water Project is the City's third Proposition 84 funded project. Labor compliance monitoring for these projects must be done under a Labor Compliance Program (LCP), with a designated third party labor compliance monitoring service. City Council adopted Resolution 2014-04 to authorize development of an LCP and designated North Valley Labor Compliance Services (NVLCS) as the third party labor compliance monitoring service. The Department of Industrial Relations (DIR) approved the City's LCP ID No. 2014.00247 on September 22, 2014.

Staff Recommendation:

- Direct staff to update the prior labor compliance services agreement for this project.
- Authorize the City Manager to execute a labor compliance services agreement with North Valley Labor Compliance Services, not to exceed \$35,000 to be paid for by grant funding.

Attachments:

- North Valley Labor Compliance Services proposal



NORTH VALLEY LABOR COMPLIANCE SERVICES

September 3, 2019

Becky Price-Hall
Grant & Project Coordinator
City of Trinidad
P.O. Box 390
Trinidad, CA 95570

Thank you for the opportunity to submit a proposal for labor compliance services for the Stormwater Improvement Project. I have put together a proposal that outlines our scope of services, experience, references and a not to exceed value.

Executive Summary

North Valley Labor Compliance Services (NVLCS) is highly experienced in California Labor Code pursuant to CCR §16421 through §16802 as well as Federal Labor Standards set forth in the Davis-Bacon Act (40 USC 276(a-a5), The Copeland "Anti-Kickback" Act (40 USC 276©; and the Contract Work Hours and Safety Standards Act (CWHSSA) (40 USC 327-333).

We are currently enforcing DIR approved Labor Compliance Programs (that we have written and submitted to the DIR) for multiple water districts, irrigation districts, conservation districts, cities, counties and reclamation districts that are receiving Proposition 84 funding. We have excellent working relations with contractors, unions, joint labor committees, the awarding bodies that we work for and state agencies; because our goal is to educate and assist, not to find errors and penalize.

Qualifications and Experience of Firm

- North Valley Labor Compliance Services was established in 2005 as a sole proprietorship. Carolyn Lay is the principal Labor Compliance Officer and owner of the company.
- North Valley Labor Compliance Services business address is: 6955 Durango Drive Suite 1115-254, Las Vegas, NV 89149, phone 530-674-3033, cell 714-408-8687, email cplay@sbcglobal.net.
- Laura Devany is the second Labor Compliance Officer that works as an independent contractor, phone 530-635-1575.

Carolyn and Laura have worked in Labor Compliance on state and federal projects for 16 years and have overseen millions of dollars worth of construction.

North Valley Labor Compliance Services
6955 N. Durango Drive Suite 1115-254
Las Vegas, NV 89149
Phone 530-674-3033 Cell 714-408-8687
cplay@sbcglobal.net

Labor Compliance Officers

Laura Devany, Labor Compliance Officer

Experience: 6 years of experience with the Yuba City Unified Labor Compliance Program, 10 years of experience with North Valley Labor Compliance Services.

LAURA DEVANY was introduced to Labor Compliance in 2003. She was instrumental in developing the Yuba City Unified School District Labor Compliance Program. This program became very well respected throughout the state. Laura became the LCP Coordinator for Yuba City Unified School District, where she oversaw millions of dollars of new construction and modernization of schools; she was subsequently involved in the expansion of the LCP Program to include contracts with several outside school and water districts for Labor Compliance services as a Third-Party Administrator. The largest contract was with the Metropolitan Water District retrofit projects in Southern California with a construction value of over \$220 million dollars.

Laura has extensive experience with certified payroll verification, apprenticeship requirements, audit review, Request for Forfeiture and administering on-site interviews; as well as conducting labor compliance workshops, and individual consulting services. She has developed a solid understanding of California and Federal Labor Code as it applies to Public Works.

Laura attends Prevailing Wage conferences regularly, and takes advantage of any ongoing educational seminars that are available to stay current with changes that may occur in both State and Federal Labor Code.

In 2009, Laura left Yuba City Unified and joined forces with North Valley Labor Compliance Services (NVLCS). At NVLCS she has been involved primarily with Marysville Joint Unified School District and Elk Grove Unified School District monitoring new construction as well as modernization, as well as Nevada Irrigation District and Nevada County CDBG grant requirements.

Carolyn Lay – Senior Labor Compliance Officer

Experience: 2 years of experience with the Yuba City Unified Labor Compliance Program, 14 years' experience as owner and Senior Labor Compliance Officer of North Valley Labor Compliance Services.

CAROLYN LAY was introduced to Labor Compliance in 2003 where she was employed by Yuba City Unified School District (YCUSD) as a Labor Compliance Specialist. She was instrumental in developing the Yuba City Unified School District Labor Compliance Program which became very well respected throughout the state. At YCUSD, Carolyn oversaw close to \$100 M worth of construction and was instrumental in the expansion of the LCP Program to include contracts with several outside school and water districts for Labor Compliance services as a Third-Party Administrator.

In 2005, Carolyn left her position as Labor Compliance Specialist for YCUSD to start North Valley Labor Compliance Services. She has been very successful over the last thirteen years implementing her DIR approved program; overseeing over \$350 M of school construction. In addition, Carolyn was a consultant to YCUSD for the \$225 M Metropolitan Water District of Southern California. She works closely with the Awarding Bodies for the duration of the project; from design to completion.

Carolyn is very knowledgeable in Public Works contract review and compliance, and is well versed in prevailing wage laws. She has expansive experience in certified payroll verification, apprenticeship requirements, audit review, administering on-site interviews, Request for Review, and overall labor code enforcement. In addition to running a successful LCP business, Carolyn became an instructor for the Department of Industrial Relations approved program that was taught statewide through Fresno City

College. Carolyn has excellent working relations with contractors unions and state agencies and is personable and reliable.

Scope of Work:

Before construction begins, NVLCS will ensure all bid invitations and contracts/agreements contain the appropriate prevailing wage language and State Labor Code requirements. **ALL Contractors bidding on a prevailing wage project must be registered with the DIR.** We will provide a handout to be distributed at the pre-bid conference to contractors so they know the requirements prior to bidding. We will also conduct a virtual Labor Compliance workshop with the contractor and subcontractors that are awarded the contract. This workshop will be very informative of all the requirements in order to comply with California Labor Code and prevailing wage laws. This is a very interactive workshop and has proven to be very successful in the prevention of Labor Standard violations.

Once construction begins, NVLCS will review and monitor certified payroll to verify compliance; making sure workers are being paid correctly, classified correctly and that fringe benefits are being paid. **We will also make certain each contractor is submitting their payroll online with the DIR.** We will also ensure that apprenticeship requirements are adhered to by confirming eligibility of an approved program that is registered with the State of California. We will maintain ongoing communication with the contractors concerning possible violations and discrepancies. We will give the contractor every opportunity to correct and rectify a potential error. If it becomes necessary to conduct an audit of certified payroll, NVLCS will notify the specified parties as well as the awarding body of our intentions. All parties will be notified of the outcome of an audit including potential penalties before a Request for Forfeiture is submitted to the Labor Commissioner.

Onsite interviews need to be conducted several times during the course of construction. In an effort to save money and travel time, we ask that the Awarding Agency representative conduct onsite interviews and send to NVLCS. NVLCS will review and approve each pay application that is presented to the Awarding Body for payment. If there are outstanding issues with a specific contractor/subcontractor, NVLCS will recommend the withholding of contract payments for that particular contractor/subcontractor. Our expertise in the field of California Labor Code Enforcement allows us to mitigate and problem solve within the most complex levels of the public works construction industry. Our research techniques and detailed investigative procedures allow us to handle and resolve the most challenging Labor Code violations and situations.

We maintain current knowledge of prevailing wage laws by attending seminars sponsored by the Department of Industrial Relations, the Division of Apprenticeship Standards, the Foundation for Fair Contracting, the Department of Labor, California Department of Public Health, and others.

NVLCS will strive to create a solid working relationship with the awarding body, contractors, subcontractors and all other parties involved with a positive and proactive approach to labor compliance.

Pre-Bid and Pre-Construction Meetings

NVLCS will provide materials to be distributed at the Pre-Bid meeting to inform potential bidding contractors of their obligations to CA Labor Code.

Once the contract has been awarded, NVLCS will contact each contractor and go over all of the requirements under Labor Code §§ 1775, 1776, 1777.5 and 1813. The contractors will learn how to

properly submit their certified payroll, how to complete and submit required LCP documents, and will understand the importance of keeping accurate records so they are in compliance with the law.

Collection Review, and Monitoring of Certified Payroll

All contractors who work on-site shall maintain complete certified payroll records; these shall contain all the required information shown on the DIR "Public Works Payroll Reporting Form". Records shall be furnished to NVLCS as defined in the contract and submitted online to the DIR. All payroll records are promptly reviewed for accuracy so that appropriate corrective action can be taken if necessary. NVLCS will check for completeness, and if accompanied by a Statement of Compliance, employee information, job classifications and wage rates. If discrepancies are found, we will notify the Prime Contractor with a "Ten Day Notice to Correct". It will be the responsibility of the prime contractor to forward the notice on to their subcontractor(s). We will contact the subcontractors directly upon request of the Prime Contractor. Pursuant to CCR §16432, we will conduct further confirmation of payroll records in order to corroborate reported prevailing wage payments; for each month in which a contractor reports having workers on the project. This is accomplished through worker interviews, examination of pay stubs, or any other reasonable method. Confirmation is also undertaken upon complaints from workers or other interested persons, or when other information suggests inaccuracy of the payroll records.

Audits and Investigations

An investigation and audit shall be prepared when NVLCS determines that a violation of the prevailing wage has occurred. The audit will include the amount of underpayment to the worker(s) and any penalties to be assessed under LC §1775 and §1813. Information as to actual hours worked, amounts paid and classifications of workers employed on the project will also be included in the audit. During our investigation in preparing our audit we will derive information from interviews with the workers, complaints from workers or other interested parties, time cards cancelled checks, trust fund forms, work schedules, evidences that reflect job assignment, review of daily superintendent reports, IOR reports, and any other additional documents that may be pertinent to the investigation.

Enforcement

NVLCS strives very hard to develop a good relationship with the contractors to provide assistance in complying with CA labor code. We will be available as needed by phone or email.

- A. **Delinquent or Inadequate Payroll** – Once it is determined that certified payroll is either delinquent or inadequate pursuant to CCR §16435, NVLCS will issue a "Ten Day Notice to Correct" to the affected contractor. If inaccuracies are not promptly corrected within one payroll period after such notice, CA Labor Code §1771.5 requires the withholding of contract payments only to the subcontractor whose payroll records are delinquent and/or inadequate. We will provide the contractor with immediate notice that contract payments are being withheld, identifying why the payroll is deemed delinquent and/or inadequate, specifying the amount being withheld, and his rights under LC § 1742. Once corrected payrolls are produced, the withholdings will be released.
- B. **Failure to Pay Prevailing Wage** – Once it is determined that prevailing wage has not been paid by a contractor, by review, monitoring and/or confirming certified payroll; an investigation will be conducted to determine if the underpayment was a willful violation. NVLCS will issue a "Ten Day Notice to Correct", followed with a phone call to answer any questions that the contractor may have. If the contractor makes prompt restitution to the worker and can provide information to prove a "good faith mistake" as determined by LC §1775, NVLCS will not be required to request from the Labor Commissioner a determination for penalties to be assessed against the contractor. If the investigation

provides evidence that a willful violation occurred, an audit will be prepared to include the amount of underpayment to the worker(s) and any penalties to be assessed under LC §1775 and LC §1813 and submitted to the Labor Commissioner for approval. A copy of the recommended forfeiture and the report shall be served on the contractor and subcontractor at the same time it is mailed to the Labor Commissioner. If a written complaint is received alleging the underpayment of prevailing wage by a contractor, NVLCS will notify the complaining party within 15 days that the case is being handled, and provide contact information of the person doing the investigating. We will also notify the contractor of the complaint within 15 days pursuant to LC § 1775. We will conduct an audit to determine accuracy of the complaint and follow the procedure as noted above. We will keep the complaining party apprised of the status of the investigation in an ongoing basis. NVLCS will file a Davis Bacon: 5.7 Labor Standards Enforcement Report for any violation over \$1,000.00 or violations deemed to be willful.

- C. **Failure to Comply With Apprenticeship Requirements** – NVLCS will issue a “10 Day Notice to Correct” once suspected violations are determined. An audit will be prepared to determine if the violation is a “knowing violation” under LC §1777.5. All suspected violations will be filed as a complaint to the Division of Apprenticeship Standards (DAS) under their guidelines as required by Labor Code. NVLCS will maintain a written summary of all labor compliance activities and relevant facts that pertain to this project for each contractor on the job.

Forfeitures

After our review of certified payroll records, if we discover that workers have been underpaid, an audit is prepared showing the total amount of underpayment, which also includes estimated penalties required pursuant to LC §§1775, 1776, and 1813. NVLCS will give the contractor the opportunity to explain why the violation was a “good faith mistake”. If the contractor fails to do so, NVLCS will prepare evidence of the violation in narrative form and submit this report to the Labor commissioner along with additional information as required by CCR §16437. NVLCS may recommend withholding of funds during the course of construction where the contractor has failed to comply with labor standards provisions within a thirty day period.

Assisting the District to Prepare for a Hearing Before the DIR

It is our hope and goal that our preventative measures will preclude a case from going before the DIR to be heard. In the event that this does happen, NVLCS will assist your legal counsel by providing detailed documentation that will help validate the case; this work will be billed as Additional Services at our regular hourly rate. We will assist in any manner consistent with the Prevailing Wage Hearing Regulations set forth in CCR §§17201-17270.

Recent Projects

- ***The City of Calistoga*** – We are currently working on the Fiege Tank Replacement with a construction value of \$1.8M.
- ***Big Rock Community Services Agency*** – We are currently working on the Hillside Stabilization Project with a construction value of \$1.8M.
- ***High Speed Rail*** – We are currently working on the Mitigation Sites with a construction value of \$48M.

- *The City of Hughson* – We are currently working on the Tank Replacement or Phase II, with a construction value of \$1.5M.

NVLCS is also actively working on projects with Humboldt Resource Conservation District, San Mateo Resource Conservation District, California Trout in addition to several projects with Reclamation Districts in the Sacramento Delta.

Allowable Reimbursable Expenses

NVLCS will be reimbursed for reasonable expenses incurred in conjunction with the project. The items allowable for reimbursement are as follows:

1. Cost of travel to and from job sites will be billed at the current IRS rate.
2. Cost of office supplies for project.
3. Cost of postage, UPS, Federal Express, and other deliveries
4. Cost of other items as required, with prior approval from owner.

NOT TO EXCEED VALUE

North Valley Labor Compliance Services proposes a total Not to Exceed Value for labor compliance services of \$35,000 (Thirty six thousand five hundred dollars) for the Stormwater Improvement Project (\$4.3M). The rate is \$75 for any Labor Compliance Specialist.

Additional Services would be at the request of the Owner; NVLCS would prepare for and serve as a witness in connection with any public or private HEARING or arbitration, mediation, disciplinary or enforcement action, or legal proceeding.

References

Joan Hultberg, Sonoma County Water Agency 707-547-1902

Brandt Cook, Amador Water Agency 209-223-3018

Please let me know if you have any questions.

Thank you,

Carolyn Lay
North Valley Labor Compliance Services



DISCUSSION AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 46 PAGES

1. Discussion/Decision regarding AT&T Appeal of Planning Commission Denial of Application 2019-07 to Install a Temporary Cellular Facility at 12 Berry Road

AGENDA ITEM REPORT

September 10, 2019

Item: AT&T Appeal of Planning Commission Denial of App. # 2019-07

Summary

At their regular meeting of July 17, 2019, the Planning Commission denied an application by AT&T for a Coastal Development Permit, Design Review and Use Permit to install new, temporary cellular infrastructure, including a 20-foot by 20-foot precast concrete foundation, a 75-foot tall monopole, antennas on the monopole and a walk-in equipment cabinet. The site, located at 12 Berry Road, was intended to replace AT&T's Trinidad Head facilities until a suitable permanent site can be found.

At the public hearing, a large percentage of the neighboring residents spoke in opposition of the project. After listening to and discussing the information provided by staff, the applicant's representative and the public, the Planning Commission determined that some of the findings required to approve the project could not be made. Specifically Design Review findings 'C' and 'H' and Use Permit findings 'A,' 'B,' and 'D' could not be made based on the available information. I have provided the final staff report from the Planning Commission hearing that provides project details and a discussion about the applicable City regulations and required findings.

Not reflected in the staff report is that many residents urged the City to allow the Trinidad Head cellular site to continue to operate until replacement site(s) are in place. However, the point was also made that these companies have had several years in which to establish new site(s). According to cellular representatives, it will take multiple new sites to provide the same coverage as is provided by the Trinidad Head site. An AT&T representative verbally provided some information regarding AT&T's plans and efforts to construct a new site at the Trinidad Quarry, noting that AT&T is coordinating with the property owner, the County, and Verizon on that project, but they do not have an estimated completion date. The minutes for the Planning Commission meeting have also been attached to this report.

Appeal Process

Section 17.72.100 of the Trinidad Zoning Ordinance governs appeals of Planning Commission actions. AT&T filed a timely appeal (within 10 working days from the date the Notice of Action was received by the Coastal Commission) on August 1, 2019. In terms of procedure and action, the City Council can uphold the appeal and approve, or conditionally approve, the project. Or the Council may deny the appeal and uphold the Planning Commission's action. The Council may also modify the Planning Commission's action, but that option is more applicable to appeals of project approvals.

As part of their appeal, AT&T submitted some additional information regarding their attempts at finding alternative locations for a temporary cellular site. AT&T also suggested

that a POD design could be used instead of the currently proposed design. Some design plans for a POD were provided, but they are not specific to the Berry Road site. In the designs provided, the POD is mounted on a building, but staff is not clear as to whether this would be mounted on the church, or if it is just a more compact design. Due to structural considerations, it likely could not be located on the church building. AT&T did not submit new, specific information to refute the findings made by the Planning Commission but stated in their appeal letter that they would like the opportunity to discuss them.

City Council action on this application will be final. The project is not appealable to the Coastal Commission.

Attachments

AT&T appeal letter and attachments

Final Planning Commission Staff Report and associated attachments

Minutes of the July 17 Planning Commission meeting

Recommended Action:

Consider the information provided and public testimony and uphold the Planning Commission decision, denying the appeal and the project. The motion could be worded similarly to the Planning Commission motion as follows, but should be amended as needed based on the discussion at the City Council meeting.

Below is the motion from the Planning Commission:

Based on application and appeal materials, information and findings included in the Staff Report, and based on public testimony, I move to uphold the Planning Commission decision and deny the project based on a lack of alternatives analysis, a lack of adequate visual analysis, and not being able to make required Design Review Findings "C" and "H" and Use Permit Findings "A," "B" and "D" for the project as proposed.

AGENDA ITEM REPORT
September 10, 2019

Item: AT&T Appeal of Planning Commission Denial of App. # 2019-07

Summary

At their regular meeting of July 17, 2019, the Planning Commission denied an application by AT&T for a Coastal Development Permit, Design Review and Use Permit to install new, temporary cellular infrastructure, including a 20-foot by 20-foot precast concrete foundation, a 75-foot tall monopole, antennas on the monopole and a walk-in equipment cabinet. The site, located at 12 Berry Road, was intended to replace AT&T's Trinidad Head facilities until a suitable permanent site can be found.

At the public hearing, a large percentage of the neighboring residents spoke in opposition of the project. After listening to and discussing the information provided by staff, the applicant's representative and the public, the Planning Commission determined that some of the findings required to approve the project could not be made. Specifically Design Review findings 'C' and 'H' and Use Permit findings 'A,' 'B,' and 'D' could not be made based on the available information. I have provided the final staff report from the Planning Commission hearing that provides project details and a discussion about the applicable City regulations and required findings.

Not reflected in the staff report is that many residents urged the City to allow the Trinidad Head cellular site to continue to operate until replacement site(s) are in place. However, the point was also made that these companies have had several years in which to establish new site(s). According to cellular representatives, it will take multiple new sites to provide the same coverage as is provided by the Trinidad Head site. An AT&T representative verbally provided some information regarding AT&T's plans and efforts to construct a new site at the Trinidad Quarry, noting that AT&T is coordinating with the property owner, the County, and Verizon on that project, but they do not have an estimated completion date. The minutes for the Planning Commission meeting have also been attached to this report.

Appeal Process

Section 17.72.100 of the Trinidad Zoning Ordinance governs appeals of Planning Commission actions. AT&T filed a timely appeal (within 10 working days from the date the Notice of Action was received by the Coastal Commission) on August 1, 2019. In terms of procedure and action, the City Council can uphold the appeal and approve, or conditionally approve, the project. Or the Council may deny the appeal and uphold the Planning Commission's action. The Council may also modify the Planning Commission's action, but that option is more applicable to appeals of project approvals.

As part of their appeal, AT&T submitted some additional information regarding their attempts at finding alternative locations for a temporary cellular site. AT&T also suggested

that a POD design could be used instead of the currently proposed design. Some design plans for a POD were provided, but they are not specific to the Berry Road site. In the designs provided, the POD is mounted on a building, but staff is not clear as to whether this would be mounted on the church, or if it is just a more compact design. Due to structural considerations, it likely could not be located on the church building. AT&T did not submit new, specific information to refute the findings made by the Planning Commission but stated in their appeal letter that they would like the opportunity to discuss them.

City Council action on this application will be final. The project is not appealable to the Coastal Commission.

Alternatives

As mentioned above, the Council does have the option of upholding the appeal, overturning the Planning Commission's decision, and approving the project. Another option includes continuing the project to request additional information or project modifications. If the Council feels that all the required findings can be made, and elects to approve the project, then the approval should include certain conditions that ensure the project is constructed as proposed and that it meets all City requirements. These conditions, as proposed in the original staff report for the Planning Commission (recommending approval of the project) are as follows:

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: City Clerk prior to building permits being issued.*
2. This approval is for a two-year (24 month) period, unless an extension is granted by the Planning Commission in the form of an amendment to this permit. At least 3 months prior to the approval expiration, the applicant is responsible for submitting a demolition and restoration plan for the proposed improvements and associated lease area. The demolition and restoration plan shall be approved by the Building Inspector, City Engineer and City Planner. *Responsibility: Applicant within two years of this project approval.*
3. As part of the Building Permit application, the applicant shall provide a construction schedule and a tentative facility removal plan. Applicant shall submit plans identifying staging and stockpiling areas, limits of grading and vegetation removal, and stormwater BMPs. Additional design information (e.g. structural calculations and geotechnical report) shall be submitted as part of the building permit. *Responsibility: Building Inspector prior to building permits being issued.*
4. A complete engineering package for the foundation and pole are required to be submitted as part of the building permit application, including site plans and elevations. All general electric work must be shown, noted and addressed (e.g.

panels, main service, lights, general AC circuits). Two sets of all plans are required.
Responsibility: Building Inspector prior to building permits being issued.

5. Recommended conditions of the City Building Inspector shall be required to be met as part of the building permit application submittal. Grading, drainage and street improvements will need to be addressed at the time of building permit application.
Responsibility: Building Inspector prior to building permits being issued.
6. Construction related activities are to occur in a manner that will not impact the integrity of the septic system. The leachfield area shall remain fenced or be staked and flagged to keep equipment off the area. Alternatively, a written description of techniques/timing to be utilized to protect the system will be required from the contractor. If the system area is impacted by construction activities, an immediate Stop-Work Order will be placed on the project. The contractor will be required to file a mitigation report for approval by the City and DEH prior to permitting additional work to occur. *Responsibility: Building Inspector to verify prior to building permits being issued and during construction.*
7. With the exception of any FAA required safety features, the monopole shall not include any reflectors, beacons or lighting. Any exterior lighting at the site shall be within the fenced area, and will be the minimum necessary for the safe ingress and egress of the site and structures, and shall be low-wattage, non-reflective, shielded, and have a directional cast downward such that no light will shine beyond the boundaries of the subject parcel. *Responsibility: Building Inspector prior to building permits being issued.*
8. Unless diseased, as evidenced by a report from a licensed arborist, or dying, or posing a fire or other safety hazard, no tree removal or major pruning is authorized by this permit. No branches or tops more than 4 inches in diameter will be removed to accommodate project construction without an amendment to this permit.
Responsibility: Applicant during construction.
9. The applicant shall make any extra telecommunications capacity on the tower available for lease to licensed public or private telecommunication providers.
Responsibility: Applicant during the term of this permit.

Attachments

AT&T appeal letter and attachments

Final Planning Commission Staff Report and associated attachments

Minutes of the July 17 Planning Commission meeting

Recommended Action:

Consider the information provided and public testimony and uphold the Planning Commission decision, denying the appeal and the project. The motion could be worded similarly to the Planning Commission motion as follows, but should be amended as needed based on the discussion at the City Council meeting.

Based on application and appeal materials, information and findings included in the Staff Report, and based on public testimony, I move to uphold the Planning Commission decision and deny the project based on a lack of alternatives analysis, a lack of adequate visual analysis, and not being able to make required Design Review Findings "C" and "H" and Use Permit Findings "A," "B" and "D" for the project as proposed.

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD PLANNING COMMISSION
WEDNESDAY, JULY 17, 2019

I. CALL TO ORDER/ROLL CALL (6:00 pm)

Commissioners Present: Graves, Kelly, Lake, Johnson, Stockness
City Planner Staff: Parker
City Staff: Zetter, Naffah

II. APPROVAL OF MINUTES

June 19, 2019

Motion (Stockness/Kelly) to approve as submitted. Passed (4-0, 1). Johnson abstained.

July 1, 2019

Motion (Johnson/Stockness) to approve as amended. Passed (4-0, 1). Lake abstained.

Correction on page 5 of 6: Moved "He also suggests that the City look into the possibility of constructing storage ponds in the upper Luffenholtz Creek watershed" to S. Madrone's public comment, not Shirley Laos'.

III. APPROVAL OF AGENDA

No formal motion to approve the agenda. Approval made by acclamation.

IV. ITEMS FROM THE FLOOR

V. Sackville (Trinidad) requested to schedule an agenda item for 363 Trinity St., due to changes made and a lack of information on the public notice for a change of ownership and liquor license.

V. AGENDA ITEMS

1. AT&T 2019-07: Coastal Development Permit, Use Permit, and Design Review to install new, temporary cellular infrastructure, including a 20-foot by 20-foot precast concrete foundation, a 75-foot tall monopole, antennas on the monopole and a walk-in equipment cabinet. The site will replace AT&T's Trinidad Head facilities until a suitable permanent site can be found (approx. 24 months). The Use Permit is required for the requested height. Located at: 12 Berry Road; APN: 515-331-016

Written communication was received from Kim Tays and Sheriff Honsal. Graves stated he notified Honsal that the cell tower was on the agenda. Staff received a prepared written comment from Jonna and Reid Kitchen and reference material on health impacts caused by cell towers from Jessie Dodd.

Staff report

Parker advised the project will be located at the existing church on the southeast side of Berry Road, which is zoned PR - Public and Religious. She confirmed the project will be adjacent to redwood trees, while also explaining that the surrounding properties are zoned SR - Suburban Residential, C - Commercial, and PD - Planned Development, but mostly consist of residential uses. She advised Public Works and the County Division of Environmental Health did not offer any comments in response to referrals, but the City Engineer and Building Inspector did. They commented on the type of plans, reports, calculations, etc. required for the building permit

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process. She confirmed their comments were included in the conditions of approval. She explained the project does meet the requirements of the zoning ordinance, and that while there is a 25 ft. height limit in the PR zone, the Planning Commission can approve taller structures with a Use Permit. Parker confirmed the existing structures on the lot will not change; the cell tower will take up some of the existing parking, but parking requirements will still be met. Coastal views are not likely to be impacted, but it will be minimally visible from some locations in town, such as from the Main St., Patrick's Point, and Scenic intersection. She advised a story pole was not requested, due to the difficulty of securing something of that height. Parker confirms the cell tower will not require any excavation, as the tower is being placed in a flat location. Parker did confirm the location currently has services/utilities, but the cell tower will require an additional electrical connection.

Parker voiced how she understands neighbors may present conflicting information regarding the cell tower's necessity and impacts, but the findings have been written to allow approval. In regards to concerns about health and safety, she notes that federal law preempts local agencies from denying a project for health and safety reasons if the project meets FCC standards, which this one does. Parker stated maintenance will be once per month and will not be a noise and light nuisance. She confirmed the Church has not submitted their OWTS application, but that it has not been made as a condition of approval, because AT&T has no control over that and the project produces no wastewater. She also stressed that a condition of approval is that after a 24-month period, unless the Planning Commission grants an extension, AT&T must submit a demolition and restoration plan for the leased area.

Parker discussed how AT&T is one of the three providers currently located at the cellular site on Trinidad Head, further explaining that AT&T and Sprint sub-lease through Verizon. She reminded the Commission that the City their intent to terminate Verizon's lease in September 2019. However, Parker confirmed Verizon has indicated they will not be ready to remove their facilities by the expiration date, and they have not submitted the necessary permits to do so.

Parker reminds the Commission the cell tower on Berry Rd. will be temporary, during which time AT&T will be working to obtain a permanent location (possibly at the Trinidad Quarry). Initially the plan was to have the cell tower on a trailer at Berry Rd., but due to the Paradise fires in California, this was unrealistic as all are currently in use. Parker explained if AT&T seeks to make the Berry Rd. site permanent the project would come before the Planning Commission again.

Commissioner Questions/Comments

Commissioner Lake confirmed with Parker that any location zoned Public and Religious can be used for a cell tower. She opined that cell towers are different than utilities and expressed her concerned over site selection and lease management. She reminded the Commission and public that the City needs to be aware of how the lease is managed, because in 2012 Verizon threatened to sue the City regarding the lease on Trinidad Head, and the City Attorney stated the City should not fight the litigation due to the high expense. She opined there should not be an excuse of why AT&T could not obtain a portable tower, as they financially can afford it. Lake questioned why the applicant has not approached Green Diamond to find a new site. She further questioned how much parking would be removed, and how much light and noise would be produced. She opined there will be negative implications for homeowners/business owners, and the project is inconsistent with the City's Gateway project. While also stating a story pole is needed, she also stressed there is no concrete evidence the site will be temporary.

In response, Parker advised that the City does not have parking requirements for churches or noise standards, but that the project would meet standards used by other communities. Parker explained that lighting is not being proposed, but a condition has been added that if lighting is desired for safety, it would have to be minimal.

Commissioner Kelly questioned if the Verizon lease on Trinidad Head could be extended beyond their September 1, 2019 date, which would also allow AT&T more time. Thus, each carrier could find a permanent location in the meantime; thereby a temporary location would not be needed. City Manager Naffah advised currently there is no formal extension, but the current lease agreement indicates that Verizon has to pay 150% once the September 1 date passes. Kelly stated 24 months on a concrete slab doesn't seem temporary but agrees that a portable tower would be. Kelly opined that when the City decided to remove the Trinidad Head cell towers, they should have strategized where the new towers would be.

Commissioner Stockness stated that as Berry Rd. is a residential area, an AT&T cell tower doesn't seem appropriate. She advised it will be visible from City locations, including the Library and Saunder's Park. She stated that a cell tower, in such a visible location, is not in line with the Gateway project. Her largest concern is the visual impact, so she would like Green Diamond or the Quarry to take on the lease of the poles. She also advised that the church needs to submit an OWTS application. She further confirmed that she does understand that the sheriff wants the cell towers for safety, but visually it will be in poor location.

Commissioner Johnson advised the City has created another issue for itself, and it is clear that when a proposed change to a cell tower location occurs, it is with very little dialogue. He stated he wants to clarification from the applicant on what other sites were considered, what were the positives and negatives of each site, and why certain sites were not chosen. He advised it is not unknown that the community has strong feelings toward the location of cell towers, but he recognizes that cell phones are a part of our society, so we must find a balance. He further stated he is concerned with the proposed coverage site plans, which indicate there will be a large population segment along the southern 101 corridor that will not get coverage, including Westhaven and the Rancheria (which is an emergency Red Cross shelter).

Public Comment

G. Bell, J5 Infrastructure Partners (subcontractor for AT&T, Applicant) confirmed that in 2015 AT&T realized there were issues at the Trinidad Head site and that they would have to seek an alternative. In response to how a site is chosen, he stated there are three parameters that go into siting a facility, including coverage, land use/zoning, and ownership. Bell advised that AT&T identified seven sites in 2016. Four of the seven had unwilling landowners. There was not enough room at the cemetery. He stated the Quarry location met all the criteria, but a larger tower would be required to provide the necessary coverage. He stated the current problem is the owner is unresponsive. He did advise, however, the building permit is ready, pending some structural issues. He confirmed that in the interim, AT&T is decommissioning the Trinidad Head site on September 21st, 2019, so they are seeking a temporary site. They are hopeful that the Quarry site will move forward soon.

Bell addressed the community's concerns, but reassured the Commission and public the site will be hugging a large redwood tree, so it will be minimally visible. He stated that it would be painted

to match its surroundings. He also confirmed a generator will be on site but will only be used for emergency purposes and tested for a few minutes each month. Bell addressed Lake's statement regarding the accessibility of portable towers, and he confirmed the region only has so many. He advised there are currently three options: 1) extend the lease on Trinidad Head, 2) build a temporary site on Berry Rd, or 3) have no AT&T cellular coverage in the Trinidad area until the quarry site can be built.

Commissioner Questions/Comments:

Kelly requested a timeline on constructing a tower at the quarry. Applicant, Bell, confirmed that it takes two months once all the approvals are in place. Lake stated a correction needs to be made, as there wasn't a site analysis provided in the packet, but that there is one currently. Applicant, Bell, confirmed he only just received it.

Lake opined there are not enough photos depicting the visual impact on the neighborhood. Stockness questioned if AT&T is working with the County. Bell confirmed they are working with the County's Building Division. Graves questioned why AT&T hasn't been working with Verizon.

Public Comment:

M. Russo (Berry Rd. resident) stated she is in opposition of the project. She reminded the Commission that in addition to Sheriff Honsal's letter in favor of the cell tower, a letter from K. Tays in opposition to the cell tower was provided. She stated AT&T should contact Green Diamond. She read a letter signed by Neal Ewald the Senior Vice President of Green Diamond stating that cellular facilities can be consistent with their forestry practices.

C. Lindgren (Greater Trinidad resident) stated there is no such thing as a temporary cell tower, and it would be naïve to assume it would be temporary. She stated the City cannot discriminate between carries and the project is about real estate. She advised the City has a legal right to get the towers off Trinidad Head as the landowner, but it won't have the same leverage on Berry.

M. Swett (Berry Rd. resident) pointed out the large turnout from residents on Berry and Himalaya. He stated the cell tower will be a detriment to the owners' property values, and that while it may not impact his view from his house, it will impact his view when he is walking and driving by. He pointed out that a representative from the Church is not present. He expressed frustration that Berry Road would be treated differently from the rest of Trinidad.

J. Kitchen (Berry Rd. resident) stated the Church has been inactive for the past 10-12 years, is in disrepair, and is a blight for their neighborhood. She stated the church is not a good neighbor and is in favor of extending the lease on Trinidad Head (until a permanent site is found). She opined the City should take advantage of the revenue stream, while it is there. She stated research indicates there are negative impacts to property values and cells towers are hazards and nuisances. She further stated the cell tower will impact her view.

S. Rheinschmidt (Greater Trinidad resident) spoke on behalf of his father R. Rheinschmidt, whose property is across from the proposed cell tower site. He stated he agrees with the previous comments, and that he is in favor of extending the lease on Trinidad Head until a permanent location is obtained.

T. Weisend (Berry Rd. resident) stated the Quarry seems to be the optimal site. He stressed his concern for aesthetics, his health and property value. He is in favor of extending Trinidad Head lease, until the Quarry site is operational.

D. Callahan (Berry Rd. resident) stated it would be a major eye-sore for her as it would be in the view from her living room. She stated she has worked for Green Diamond, and verified they negotiate with companies seeking to install cell towers.

J. Dodd (Berry Rd. resident) stated he is concerned about his health and property value. He provided a packet of reference material, regarding health impacts caused by cell towers. He stated it doesn't make any sense for the tower to be in a residential area. He stated he is in support of extending the lease on Trinidad Head, and suggested that AT&T talk to Green Diamond.

L. Farrar (Trinidad resident) stated that the cellular companies have had plenty of time to find alternative sites. She stated the City should hold the cellular companies responsible and not renew the Trinidad Head lease.

M. Dodd (Berry Rd. resident) stated she shares everyone's concerns, especially regarding health. She wonders if 5G will even be compatible. She read a letter in opposition to the project from one of her neighbors, who have an 8-month old child.

R. Kitchen (Berry Rd. resident) stated he is in opposition, due to aesthetics and impacts to his property value. He advised that he doesn't want to be a naysayer, but has researched and thought about it, and the project doesn't seem to be the best fit in a residential neighborhood.

D. Kieselhorst (Greater Trinidad resident) stated that he owns property within 300 ft. of the proposed cell tower. He advised it has no place in a residential area, and his renters, with a young baby are concerned. He stated there are better alternatives and is in favor of extending the lease on the Head. He advised that temporary always becomes permanent.

M. Kieselhorst (Greater Trinidad resident) stated she is concerned about the implications on children's brain development. She advised the City should have been more forward thinking regarding the removal of the cell tower on Trinidad Head. She compared tobacco companies to cell phone carriers, indicating that both know their products cause cancer.

D. Callahan (Berry Rd. resident) stated it will be an eyesore and there will be health and property value implications. He questioned whether the City has requested legal counsel and stated AT&T should reach out to Green Diamond.

G. Rheinschmidt (Berry Rd.) pointed out that everyone that has spoken is in opposition, and he shares their sentiments.

Applicant representative, G. Bell confirmed the site may not be as visible as some are expressing, but he did indicate that residents will see it when passing the site on the road. He responded to the concern regarding decreased property values, countering that property values will also go down if cell service is lacking. He did agree that extending the lease on Trinidad Head would be the best option right now. He noted that Green Diamond may be an option, but distance away is a consideration. He suggests that the City could help encourage the quarry owner.

Commissioner Questions

Johnson confirms that there is a cell tower site currently at the Quarry location, but it is not tall enough. He asks why it isn't feasible to use smaller satellite antennas on existing utility poles. G. Bell responds that those distributed systems require lots of antennas and are designed for denser urban areas.

Applicant, Bell, confirmed that AT&T considered co-locating on the existing cell tower at the quarry, but determined that it is too short. He added AT&T considered building an extension but would still require additional lease area for the ground equipment. He stated that the Berry lessor does not want the cell tower for more than two years.

Graves acknowledged the community's concern and noted that alternatives exist. He stated the applicant does not have a well thought out plan, and he has qualms with some of the findings. Graves confirmed that he disagrees with the Design Review findings C and H and Use Permit findings A, B, and D.

Stockness advised that she is ready to make a motion. Lake thanked the public but acknowledged that, while she agrees with the public about not having the tower on Berry Rd., she does not share the same sentiment about extending the lease on Trinidad Head.

Johnson advised that as a former resident of Himalaya, he understands residents' concerns regarding the aesthetics, because while we tend to look out at the ocean, there are other views that are important as well. He advised he cannot make a motion due to a lack of information. He stated a viable plan for relocating the Trinidad Head facilities needs to be developed, which will allow everyone to do what they need to do. The City and cellular providers need to come up with a solution that would avoid the need for this temporary site.

Stockness stated she agrees with Johnson, but also opined that the summer season will impede individuals' drive to accomplish a viable plan. She further stated that based on public testimony, it is evident that residents do not want the cell tower on Berry Rd. She feels that enough information has been presented in order to deny the project. Graves explains the legal basis for the required findings and summarizes the ones that cannot be made.

Motion (Lake/Stockness) to deny the project because the Design Review criteria C and H, and Use Permit findings A, B, and D cannot be made based on the lack of alternative site analysis, lack of panoramic shots depicting the views from the properties. Motion passed unanimously (5-0).

Johnson suggested making a recommendation to the City Council that there must be viable solution, otherwise AT&T customers will lose coverage. Graves advised he is in agreeance with Johnson, further stating the City needs to put pressure on Verizon, as there has been a lack of communication. Kelly and Lake discussed making a recommendation to the City Council to have an individual reach out to the Quarry site owner. Kelly stated it should a potential action item. Lake has a tough time understanding why there's no solution yet; the cellular companies have had plenty of time.

2. General Plan Update: Discussion of status and next steps. Introduction and review of a revised draft Water Demand Assessment and discussion of water service policies and priorities.

Commissioner Lake has left the meeting. Commissioner Graves advised that he contacted County Supervisor Madrone and confirmed that the County is looking for illegal cannabis grows and water withdrawals in the Luffenholtz Creek watershed, and one may have been found.

Staff report

Parker presented a revised water demand report and additional information. She noted that the City's water plant cannot process the amount of water the City has rights to, and further explained the water plant is limited due to chlorine contact time and turbidity. She clarified the build out analysis provided is not expected within the next 10-30 years but noted that some properties are limited by water supply. Parker provided a comparison of water use per capita with Arcata, which indicated that the City's water use is higher than Arcata's; however, it is relatively in-line with the State of California. She also explained that she did a comparison for the month of December, and it appeared that the City and Arcata used nearly the same amount of water. She confirmed that while the City has a large water right, and there are flow analyses, the data is getting old and does not address climate change, which may result in lower low flows. Parker confirmed water rights will be analyzed on Luffenholtz Creek, so that if flows go below a certain amount; the City can determine enforce its water right as needed

Parker addressed previous inquiries regarding rain catchment. She confirmed she spoke with City Building Inspector, John Roberts, who advised rain catchment systems would require a building permit and engineered. She opined that 5,000 gallons of water would not sustain a household for an entire summer, but it would supplement low flow days. She stated the City could have pre-engineered rainwater catchment designs that would be easier for people to implement.

Referencing graph on page 3 of her memo, Parker explained that water loss in the range of 10%-20% is relatively normal but reminded the Commission that the City's water system is old. She also stated the Rancheria does not have plans for additional residential development but did confirm they do have plans for other types of development. She further addressed the question regarding tiered water rate structures, confirming that they are legal, but they must be well justified. She provided information from the EPA, supporting a tiered structure.

Commissioner Questions/Comments

Commissioner Graves questioned if the City received a formal request from the Rancheria for additional water. Parker confirmed the Rancheria has made a formal request, per a letter, but advised there is not a formal application process.

- S. Laos (Trinidad Rancheria) confirmed that the Rancheria is looking for alternative sources.

Commissioner Kelly stated the per capita water information was appreciated, and opined a stricter fee structure would be good. Graves advised the City Council would have to make a fee structure determination, and stated he wants guidance from the City Council regarding the water policy. Graves opined the City should incorporate conservation efforts in the water policy. Parker advised that regulations for water efficient landscaping is lacking, while the State's policy is extremely complex. She urged for requirements regarding drought tolerant plants, drip

irrigation, etc. Graves opined educating the public is extremely important as well. Commissioner Kelly advised a tiered system would be helpful for conservation.

Johnson questioned the 5,000-gallon rain catchment system, requesting to know why that size was used. Parker explained it was the size mentioned by Supervisor Madrone, and it seemed reasonable because it was large enough to provide a good supplemental source, but not overly large physically. Graves confirmed that 5,000 gallons is a standard size. Commissioner Stockness questioned if it could be written into the General Plan. Parker confirmed that yes, it can be incorporated, specially promoting that it be something that residents can do. Additionally, the City could put together an engineering packet, making it easier for residents. Graves voiced his support of the idea.

Parker advised the general plan policies themselves need to be discussed. Graves opined it would be helpful if the Planning Commission compose questions for the City Council before drafting the policies, or have a draft policy as a last resort, which would be revisited after the Council makes recommendations.

Parker confirmed Humboldt Bay MWD is looking for water users. Graves discussed how a hookup to the Humboldt Bay could be an excellent opportunity, and Kelly advised it could be potentially grant funded.

Johnson questioned the City's water service area. Parker and Johnson discussed the tables and information presented in her report. Parker explained that when she calculated potential demand, she averaged all of the water accounts outside City limits, except for the casino. Parker was able to calculate future demand, based on parcels' development potential, subdivision potential, etc. She then used a multiplier for the average of gallons per day, peaking at 166. Kelly recommended that a graph would be beneficial.

Commissioner Stockness opined a graph would be beneficial for the CCC hearing on the hotel and questioned who is going to discuss the water service area with the CCC. City Manager Naffah confirmed that he and Mayor Ladwig will be leading the discussion. Naffah explained, however, the City will not have enough information to present at the CCC meeting in August. Thus, the Rancheria is going to have to come up with their own information and sources.

Stockness voiced her concern regarding ADUs. Parker explained there are broad assumptions regarding ADUs in the report, but there are allowances for them in accordance with State law. She advised, based on the existing data, they do not use a substantial water. Additionally, Parker explained if one examines the water treatment plant's additional capacity for production, and the hotel is granted water, it would use up most of what the City has left. Stockness questioned the City's priorities, as the Rancheria and the City work on numerous projects together.

Commissioner Graves advised that Parker indicated the CCC never allowed the City to adopt the ADU ordinance, because they wanted more information regarding water. Parker explained they want this information for the LCP update. She advised the groundwater study shows vital information in regards to infiltration. Graves suggested that it might be worthwhile to reach out to Weber who is the lead staff for the CCC hearing on the hotel.

Public Comment

E. Weinreb (Greater Trinidad resident) questioned the parameters of the service area, and if the Rancheria is a part of the service area. She opined the City is not obligated to give water to the hotel.

VI. COUNCIL REPORT

City Manager Naffah advised that the Council is in favor of a joint meeting. The Commissioners agreed to a meeting on July 31st. Parker questioned whether the meeting will be focused on water or the General Plan more generally. The Commissioners confirmed it will discuss both. Johnson indicated the meeting is to ensure the City Council and Planning Commission are on the same page of how to review the General Plan and determine what the Council needs from the Commission and vice versa.

Johnson reminded the Commission that the City is waiting for several water analyses from GHD, suggesting they are needed prior to going into great detail on the water policies.

Parker reminded the Commission that the CCC's comments are throwing a wrench into the progress the Planning Commission has made on the general plan update. Parker advised they need to discuss how the City is going to approach the comments; does the Council or Commission review them first? Parker advised the CCC is starting to provide their comments. Johnson questioned if they could be reviewed at the joint meeting. Parker advised she is able to provide them, but unable incorporate them by then. She reminded the Commission that the elements that have been completed have been well reviewed, but should still have Council input.

VII. STAFF REPORT

Parker confirmed there has been an application submitted for a second story on East Street.

VIII. FUTURE AGENDA ITEMS

None listed.

IX. ADJOURNMENT

Next meeting regularly scheduled meeting is August 21, 2019. Meeting has been adjourned at 9:00 pm.

Submitted by:

**Angela Zetter
Administrative Assistant**

Approved by:

**John Graves
Planning Commission Chair**



Filed: May 29, 2019
Staff: Trever Parker
Staff Report: July 3, 2019
Commission Hearing Date: July 17, 2019
Commission Action: Denied

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2019-07
APPLICANT / AGENT: Gordon Bell, J5 Infrastructure Partners for AT&T
OWNER: Assemblies of God Inc.
PROJECT LOCATION: 12 Berry Road
PROJECT DESCRIPTION: Coastal Development Permit, Design Review and Use Permit to install new, temporary cellular infrastructure, including a 20-foot by 20-foot precast concrete foundation, a 75-foot tall monopole, antennas on the monopole and a walk-in equipment cabinet. The site will replace AT&T's Trinidad Head facilities until a suitable permanent site can be found.

ASSESSOR'S PARCEL NUMBER: 515-331-016
ZONING: PR - Public & Religious
GENERAL PLAN DESIGNATION: PR - Public & Religious

ENVIRONMENTAL REVIEW:
Categorically Exempt from CEQA per § 15303 of the CEQA Guidelines exempting new construction or conversion of small structures, and/or §15304 exempting minor alterations to land, and/or §15332 exempting in-fill development projects.

APPEAL STATUS:
Planning Commission action on a Coastal Development Permit, Variance, Conditional Use Permit, and/or Design Review approval application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project is ~~is~~ / is not X appealable to the Coastal Commission per the City's certified LCP, but may be appealable per Section 30603 of the Coastal Act.

SITE CHARACTERISTICS:

The property is located on the southeast side of Berry Road, near its intersection with Frontage Road. It is currently developed with an approximately 60 ft. x 35 ft. (2,100 sq. ft.) church with an approximately 30 ft. x 30 ft. (900 sq. ft.) residence attached. Access is provided from Berry Road. A large gravel parking area exists at the front (west end) of the lot. The existing septic system is located to the east of the church and residence. The western portion of the lot is generally flat; the eastern half of the lot is forested and slopes towards the southeast. Surrounding land uses are almost exclusively residential, though the surrounding lands have a mix of zoning designations including, SR - Suburban Residential, PR - Public and Religions, C- Commercial, and PD - Planned Development.

STAFF COMMENTS:

Referrals were sent to the Building Inspector, City Engineer, Public Works, and the County Division of Environmental Health (DEH). Neither Public Works staff or DEH has any issues with or comments on the project. The City Engineer and Building Inspector had comments regarding the type of plans, reports, calculations, etc. that would be required as part of the building permit process. These requirements have been included as conditions of approval.

AT&T is one of the three cellular providers that currently have facilities at the Trinidad Head site. Sprint and AT&T antennas are co-located on one of the wooden monopoles; AT&T also has an equipment cabinet located on a concrete slab. The property is owned by the City, and Verizon is the primary leaseholder, subletting to the other two carriers. The City has indicated its intention to not renew the lease when it expires in September of this year. Therefore, the cellular providers have been working towards establishing new sites to replace the one being lost on Trinidad Head. Staff is not sure at this point what the progress has been of the other two providers. However, Verizon has recently indicated that they will not be ready to go offline with the Trinidad Head facility by September 1. In addition, they have not submitted the necessary permit applications to remove the facilities, and so the Council will be discussing whether to extend the lease for a limited period of time.

AT&T is seeking to establish a permanent replacement site, likely outside of City limits, that will provide more complete coverage, but that is still in the planning stages will not be on-line for some time. In addition, the property owner of this temporary site has indicated that they do not want a permanent cellular facility on their property. Therefore, AT&T is proposing this temporary site until a new, permanent site can be permitted and constructed. Originally, AT&T was planning on a mobile tower located on a trailer. According to the applicant however, all of those are now being employed in

burned areas where equipment was destroyed. Therefore, the current proposal includes installation of a concrete pad to support the pole. A condition has been included that the approval is for a two-year period and that the applicant must submit a demolition / removal plan at least three months prior to the expiration to be approved by City staff. Several of the findings that are required for this project have been made based on the facility being temporary. Should the situation change, and AT&T want to pursue a permanent facility at this location, additional mitigation, particularly related to aesthetic impacts, would likely be required in order to make the necessary findings.

Potential Conflicts of Interest

None known.

ZONING ORDINANCE / GENERAL PLAN CONSISTENCY

The property where the project is located is zoned PR - Public and Religious. As its name implies, this zone is intended for public and religious uses and ownerships, including schools, public parking areas, utility substations, fire stations, public buildings and cemeteries. Section 17.48.010 of the zoning ordinance states that: *"any public and religious facility should be compatible with nearby uses and be located on streets which offer convenient access."* Principally permitted uses (§17.48.020) include: *"E. Utility substations, corporation yards, reservoirs, storage tanks, radio and TV transmission facilities, caretaker residences."* The proposed cellular facility fits into this category of uses.

There is no minimum lot size or maximum density in the PR zone, except §17.48.030 requires lots to be large enough to accommodate the use, required setbacks and septic system. Surrounding SR zoned parcels have a minimum lot size of 20,000 sq. ft. The existing lot is 83,518 sq. ft. (1.92 acres). The proposed project will not change the square footage of the existing structures or lot.

The PR zone (§17.48.040) requires minimum yards of 20' for the front and 5' for the rear and side lot lines for this project (no side or rear yard setback is required if adjacent to another PR or a C (commercial) parcel, though zero setback would not meet current fire code requirements. The parcel faces Berry Road to the east. The proposed cellular facility will have an approximately 42' setback from the road right-of-way.

The maximum height allowed in the PR zone, by Zoning Ordinance §17.48.040, is 25 ft., except that a greater height may be allowed with approval of a use permit. The proposed maximum height of the cellular pole is 75,' therefore, the project requires approval of a Use Permit.

Parking requirements for a church or other public gathering places are not provided in the City's Zoning Ordinance (§ 17.56.180). The City of Blue Lake requires one space for

every 6 seats and 4 employees. The City of Arcata requires a minimum of one space per 500 sq. ft. and a maximum of one space per 350 sq. ft. for public assembly uses. Therefore, Arcata would only require four to six spaces, which seems low. Based on recommendations for sizing churches that can be found online, the maximum recommended seating capacity is one person per 15 sq. ft. That would equate to a maximum capacity of 60 people at this small church. That is likely an overestimate, but would equate to 10 parking spaces using Blue Lake's standard. Trinidad's Zoning Ordinance requires each parking space to be 18 ft. long and 8.5 ft. wide. The existing, large driveway accommodates more than ten parking spaces. (There are seven spaces across the front of the church building, at least four in the driveway alongside it, and at least another five along the north side of the parking area, not including the proposed lease area, for a minimum total of 16 spaces.)

The Trinidad General Plan and Zoning Ordinance protect public views of the coastline from roads, trails, and vista points and private views from inside residences located uphill from a proposed project. Due to the location of the structure in relation to surrounding structures, trees and vegetation, there is very little potential to block coastal views from the road or from residences located uphill from the structure. However, there is the potential for aesthetic impacts when looking towards the site. The applicant has provided photo simulations of the proposed cellular pole from two locations on Hwy 101. Since most of the town of Trinidad is at a lower elevation than Hwy 101, visual impacts from town would be less than what is indicated in the photo simulations. Neighbors have been notified so they can have a chance to provide input.

I did not request a story pole as high as the proposed tower to be placed on the site. Without engineering and reinforcement, that would be a safety hazard. However, I did request that the proposed location of the concrete pad be outlined with stakes and flagging, but the applicant did not have a local contact who could reliably do that within the timeframe of this meeting. The location can be fairly easily discerned based on the site plan overlaid on an aerial photo that is attached. For perspective, the adjacent group of redwoods is approximately 100 ft. tall. The pole consists of galvanized steel, so will be grey in color.

No excavation will be required to place the concrete pad, because the site is already mostly level. The site will need some minor scarification / leveling, which will not entail more than 6 inches of elevation change.

This site is already connected to services and utilities, but the cellular facility will require a new electrical connection; no other utilities are required. No lighting is proposed at the site. Equipment in the cabinet will have small fans, but noise generation will be minimal.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Because the project proposes a new structure and is not exempt (§17.72.070.C) from a CDP, §17.60.030 requires Design Review and View Preservation Findings to be made. The required findings were written in a manner to allow approval, without endorsing the project. However, public hearing information was submitted and public comment received indicating that aesthetics, for instance, will be significantly impacted, and the structure proposed is obtrusive, so the findings were reworded accordingly.

Design Review Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: The site is already fairly level, with one foot or less of elevation change across the concrete pad site. A minor amount of scaping will be required to place the precast concrete foundation with a maximum depth of disturbance of approximately 6 inches.
- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The project is not located adjacent to an area zoned open space. Most of the project property is undeveloped and forested though. Colors and materials do not necessarily blend with the surroundings, but the existing trees and other vegetation on the site will help screen the proposed development. Cellular poles can be made to resemble trees, which could be appropriate in this location if it were a permanent site. However, because it is temporary, that can be found to be unnecessary and unfeasible due to the added expense.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: Materials used in construction are primarily determined by structural requirements. The pole consists of galvanized steel, which is grey in color. The materials and color, even if painted brown or green, are not consistent with surrounding and nearby residential development and open space. This finding cannot be made.
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.* Response: No changes in landscaping are proposed at this time. Existing onsite vegetation will be retained. The proposed pole will be within the dripline of a group of adjacent redwood trees that are approximately 100 ft. tall, which will help screen the development. The

approval is only for a two-year period, so additional screening vegetation would be impractical, because it wouldn't have time to grow. A condition of approval has been included that prohibits tree removal and major pruning.

- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: No signs are proposed as part of this project.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: The church is currently served by an overhead electrical line from an adjacent utility pole on Berry Rd. The cellular facility is proposed to be connected to a new overhead line adjacent to the existing one. Because the approval is only for a two-year period, it is not practical or to require an underground electrical connection due to the added expense and increased impacts from soil disturbance.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No off-premise signs are proposed as part of this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community.* Response: The proposed cellular tower is not compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular, it is not compatible with the City's Gateway project and efforts to beautify the entrance to town. This finding cannot be made.
1. *Residences of more than two thousand square feet in floor area and multiple family dwellings or commercial buildings of more than four thousand square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive.* Response: The square footage of the existing church and residence are not being changed. The proposed cellular facility will be only 400 sq. ft.
 2. *Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.* Response: The square footage of the existing church and residence are not being changed. The proposed cellular facility will be only 400 sq. ft.

View Protection

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: The project is not readily visible from any beach or trail or from any areas zoned open space. The closest trail to the project site is the CA Coastal Trail, which may have a view of the site from near the intersection of Main and Scenic/Patrick's Point Drive. But due to the distance, elevation difference, surrounding development, and vegetation, the cellular pole would not stand out. The applicant has provided photo simulations of the proposed pole.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: Due to the size of the project and its orientation in relation to the site and adjacent trees, it has minimal or no potential to block public views of the coast.
- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility; and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction.* Response: The project will not be located on a vacant lot, nor is it likely to affect private views of the coastline.
- D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was removed or destroyed by fire associated with this project.
- E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that*

development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards. Response: The proposed project is not within 100 feet of the Holy Trinity Church, the Memorial Lighthouse, the Tsurai Study Area or the Cemetery.

USE PERMIT FINDINGS:

As described above, §17.48.050 provides a maximum height in the PR zone of 25 ft., but it also allows a greater height with approval of a Use Permit. Pursuant to §17.72.040, a Use Permit may be granted using the findings listed below. As with the Design Review findings, these were written in a manner to allow approval. But other evidence was submitted to the contrary, then the findings were reworded accordingly. Note that, as with design review, some of the findings are based on the fact that the approval is for a two-year period, which has been included as a condition of approval.

- A. *The proposed use at the site and intensity contemplated and the proposed location will provide a development that is necessary or desirable for and compatible with the neighborhood or the community.* Response: The intent of the cellular facility is to provide cellular service to AT&T users in the community during interim period between the cellular site on Trinidad Head being discontinued and establishment of a new permanent replacement site. Cellular coverage is a necessary service to many people. However, there are other alternatives for providing cellular coverage. The proposed cellular facility is not compatible with the neighborhood as evidenced by the strong public opposition expressed at the hearing. This finding cannot be made.
- B. *Such use, as proposed, will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity or injurious to property improvements or potential development in the vicinity with respect to aspects including but not limited to the following:*
1. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;* Response: The proposed site is small, and the site and structures are not adequately maintained, already causing detriment to the neighborhood. The proposed cellular facility will be further detrimental to the general welfare of the existing neighbors because of negative aesthetic impacts, loss of property values and stress. This finding cannot be made.
 2. *The accessibility of the traffic patterns for persons and vehicles, and the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;* Response: The proposed cellular facility will not significantly affect traffic. There will be some additional vehicles during construction. After construction, the facility will not generate any traffic other than occasional (generally monthly) maintenance. Some of the existing parking area will be taken up by the proposed facility, but, as described above, ample parking for the existing uses will remain.

3. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;* Response: People are often concerned about radio frequency emissions from cellular equipment. The applicant has submitted a Radio Frequency Emissions Compliance Report prepared by a licensed electrical engineer. The report shows that emissions will be significantly below FCC standards. Section 332(c)(7) of the federal Communications Act prohibits local jurisdictions from denying cellular projects based on radio frequency emissions if the project is in compliance with FCC rules, which this site is. The proposed facility will not include any lighting or glare. The equipment inside the cabinet has small fans similar in size to those found on a desktop computer, and so will not generate substantial noise. A generator will be installed onsite for use during power outages. It will only be used in emergencies, and for about 15 minutes for testing each month.
4. *Treatment given, as appropriate, to such aspects as landscaping, screening, open space, parking and loading areas, service areas, lighting and signs;* Response: No changes to landscaping, open space, lighting, signs, or loading areas are proposed. There will be loss of some of the existing parking, but the existing gravel parking area will still provide enough parking for the existing church and caretaker residence. Although no lighting is proposed, a condition has been included to minimize lighting.
- C. *That such use or feature as proposed will comply with the applicable provisions of this title, will be consistent with the policies and programs of the general plan and will assist in carrying out and be in conformity with the Trinidad coastal program.* Response: As discussed above, under the "Zoning Ordinance / General Plan Consistency" section, the proposed project can be found to be consistent with the City's Zoning Ordinance, General Plan and Local Coastal Program.
- D. *That the proposed use or feature will have no significant adverse environmental impact or there are no feasible alternatives, or feasible mitigation measures, as provided in the California Environmental Quality Act, available which would substantially lessen any significant adverse impact that the actions allowed by the conditional use permit may have on the environment.* Response: Although the project is categorically exempt from CEQA per §15303 of the CEQA Guidelines exempting new construction of small structures and/or §15304 exempting minor alterations to land, and/or § 15332 exempting in-fill development projects, there are several feasible alternatives that would reduce potential impacts to the neighborhood. This finding cannot be made.
- E. *When the subject property is located between the sea and the first public road paralleling the sea or within three hundred feet of the inland extent of any beach or of the mean high tide line where there is no beach, whichever is the greater, that:* Response: The is not located between the sea and first public roadway and will not interfere with coastal access, so the following findings are not applicable.

1. *The development provides adequate physical access or public or private commercial use and does not interfere with such uses.*
2. *The development adequately protects public views from any public road or from a recreational area to, and along, the coast.*
3. *The development is compatible with the established physical scale of the area.*
4. *The development does not significantly alter existing natural landforms.*
5. *The development complies with shoreline erosion and geologic setback requirements.*

SLOPE STABILITY:

The project site is not mapped as being “unstable” or of “questionable stability” on Plate 3 of the General Plan. The southwest corner of the property is within an Alquist-Priolo Fault Hazard Zone, but the proposed project location is outside of the zone. Therefore, the finding can be made that no geologic study is required by the Zoning Ordinance. The City Engineer did note that a soils/geotechnical report will be required as part of the building permit application to ensure structural stability of the foundation, which has been included as a condition of approval.

SEWAGE DISPOSAL:

The existing septic system is located to the east of the church building. It is an older system, constructed in 1978, but it is a standard system, consisting of an 1,800 gallon tank and six 50-ft. leachlines. The property owner has not submitted an inspection report or application for an OWTS operating permit. However, the applicant is leasing only a small portion of the site from the property owner, and the proposed project will generate no wastewater. The applicant has no authority or control over the septic system. Therefore, compliance with the City's OWTS Management Program has not been included as a condition of approval of the project.

LANDSCAPING AND FENCING:

This project does not involve any new landscaping. The facility will be protected by a chain-link fence.

PLANNING COMMISSION ACTION

Based on the application materials, above analysis and public testimony, the project was not found to be consistent with the City's Zoning Ordinance, General Plan, Coastal Act, and other applicable policies and regulations. In addition, there was a lack of

justification for the need to site the project in the proposed location, a lack of alternatives analysis, and a lack of evidence that aesthetic impacts would not be significant. In addition, the project is not consistent with the surrounding residential neighborhood or the aesthetics and character of Trinidad. Therefore, the Design Review Findings "C" and "H" and Use Permit Findings "A," "B" and "D" required for granting approval of the project could not be made. The Planning Commission denied the project with the following motion:

Based on application materials, information and findings included in this Staff Report, and based on public testimony, I move to deny the project based on a lack of alternatives analysis, a lack of adequate visual analysis, and not being able to make required Design Review Findings "C" and "H" and Use Permit Findings "A," "B" and "D" for the project as proposed.

CONDITIONS OF APPROVAL

NA

ATTACHMENTS

- Plans and elevations (five 11"x17" pages)
- Site plan overlaid on aerial photo (1 page)
- Photo simulations (2 pages)
- RF emissions report (4 pages)
- Coverage maps (5 pages)



August 1, 2019

City of Trinidad City Clerk
409 Trinity Street
PO Box 390
Trinidad, CA 95570
(707) 677-0223

RECEIVED

AUG 01 '19

CITY OF TRINIDAD

Dear City of Trinidad City Clerk:

Pursuant to Section 17.72.100 of the Trinidad Municipal Code, AT&T would like to formally appeal the City of Trinidad Planning Commission denial of Application #2019-07 on July 17, 2019. AT&T requests the application be reviewed by the City of Trinidad City Council.

AT&T believes the proposed temporary cell site is consistent with the City's Zoning Ordinance, General Plan, Coastal Act, and other applicable policies and regulations. AT&T provided adequate justification for the need for the proposed location and an alternatives site analysis. The justification for the temp site is to provide AT&T wireless network service to the City of Trinidad once the existing Trinidad Head cell tower is decommissioned in September 2019. The primary coverage objective for the proposed AT&T temp cell site is to match as much of the coverage area that the existing Trinidad Head site provides. Providing adequate network coverage along Hwy 101 is also critical. Denial of the temp site will materially inhibit AT&T's ability to provide wireless services and result in a significant gap in service coverage in the City of Trinidad. Coverage maps were sent to the Trinidad Planning Department on June 4, 2019 (**EXHIBIT 1**). The maps are attached again and show the following information:

SLIDE 2: This slide shows the existing AT&T wireless network service area.

SLIDE 3: This slide shows that without the AT&T Trinidad Head cell tower, The City of Trinidad will not have any AT&T wireless network service.

SLIDE 4: This slide shows the AT&T wireless network service area for the temporary cell site at 12 Berry Road with a 75ft high pole.

SLIDE 5: This slide shows the AT&T wireless network service area for the temporary cell site at 12 Berry Road with a 50ft high pole.

AT&T investigated a total of seven (7) parcels in the area of the City of Trinidad. **EXHIBIT 2** attached lists the site and includes a map of the locations.

1. PROJECT SITE: 12 BERRY RD, TRINIDAD CA 95570, APN: 515-331-16
2. Hidden Creek RV Park, 199 N WESTHAVEN DR, TRINIDAD CA 95570, APN: 515-151-61
3. 140 STUMPTOWN RD, TRINIDAD CA 95570, APN: 515-192-13
4. 178 STUMPTOWN RD, TRINIDAD CA 95570, APN: 515-192-12, -47, -46
5. TRINIDAD MUSEUM & LIBRARY, 400 JANIS CT, TRINIDAD CA 9557, APN: 042-051-34
6. 333 QUARRY ROAD, Trinidad, CA 95570, APN



AT&T would also like the opportunity to discuss the conclusion that Design Review Findings "C" and "H" and Use Permit Findings "A," "B" and "D" for the project as proposed cannot be met.

AT&T prefers to have the current design approved as-is, however, the tower can be re-designed to a temp POD design—**SEE EXHIBIT 3.**

Unfortunately, a standard temp wheeled Cell-on-Wheels (COW) design is not viable as the COW needs to be secured with guy wires and requires 50ft x 50ft ground space—**SEE EXHIBIT 4.**

Thank you for your consideration of this appeal request. I want to make note of a statement in the Planning Staff Report: "there would be no coverage at all in the Trinidad area without either the existing Trinidad Head site or this proposed temporary site. Cellular coverage is a necessary service to many people."

AT&T reserves the right to submit additional information to support this appeal.

Please let me know if you have any questions or require any additional information.

Thank you,

Alyssa Ferris
Relocations Project Manager
AT&T Technology Operations
RAN Construction – West
Sr Specialist-Tech Vendor Mgmt
5001 Executive Parkway, 4W5501
San Ramon, CA 94583
M: 530.966.2612
ab724b@att.com

cc: Trever Parker, City Planner, City of Trinidad

AT&T Mobility Services Wireless Communication Facility
APPLICATION NO: 2019-07
12 Berry Road, Trinidad, CA 95570
Alternate Sites Investigated—7/31/19

EXHIBIT 2



AT&T Mobility Services Wireless Communication Facility
 APPLICATION NO: 2019-07
 12 Berry Road, Trinidad, CA 95570
 Alternate Sites Investigated—7/31/19

EXHIBIT 2

The primary coverage objective for the proposed AT&T temp cell site is to match as much of the coverage area that the existing Trinidad Head site provides. Providing adequate network coverage along Hwy 101 is also important.

AT&T CANDIDATES INVESTIGATED

	SITE ADDRESS	OWNER	COMMENTS
1.	12 BERRY RD TRINIDAD CA 95570 APN: 515-331-16	ASSEMBLIES OF GOD INC PO BOX 396, TRINIDAD CA 95570 (707) 677-0958 Trinidad Living Christian Assembly	CURRENT TEMP PROJECT SITE
2.	Hidden Creek RV Park 199 N WESTHAVEN DR TRINIDAD CA 95570 APN: 515-151-61	MARTIN, PETER E; BRENNAN MORRIGAN REVOCABLE LIVING TRUST 1369 G ST, ARCATA CA 95521 (707) 268-0442 jacobycreekrealestate.com Peter Eric Martin Phone: 707.442-5869.	Owner is interested, however there is not enough space to accommodate AT&T's equipment requirements.
3.	140 STUMPTOWN RD TRINIDAD CA 95570 APN: 515-192-13	HERD ROBERT G & BERTHA M TR 136 STUMPTOWN RD, TRINIDAD CA 95570 (707) 677-3401	Owner has not responded to lease request. Letter of interest sent via FedEx.
4.	178 STUMPTOWN RD TRINIDAD CA 95570 APN: 515-192-12, -47, -46	LELANDE MARCIA 6345 CASITAS PASS RD, CARPINTERIA CA 93013 (805) 220-6133, (707) 677-3015	Owner has not responded to lease request. Letter of interest sent via FedEx.
5.	TRINIDAD MUSEUM & LIBRARY 400 JANIS CT TRINIDAD CA 95570 APN: 042-051-34	TRINIDAD COASTAL LAND TRUST PO BOX 1126 400 Janis Court at Patricks Point Dr. TRINIDAD CA 95570 TRINIDAD MUSEUM SOCIETY 707-677-3883 or 3816 baycity@sonic.net	Owner has not responded to lease request. Letter of interest sent via FedEx.
6.	333 QUARRY ROAD Trinidad, CA 95570 APN: 515-172-002-000	Justin Zabel – CEO, Mercer Fraser Company PO Box 1006, Eureka, CA 95502-1006, Phone: (707) 443-6371	This site has an existing Verizon monopole. AT&T has been working with the property owner Mercer Fraser for several years and has been unable to secure a lease agreement for a temp site to collocate on the existing Verizon tower. AT&T is working with the owner to install a new tower that will serve as a replacement for the Trinidad Head tower.



EXHIBIT 3

Rev: 04/21/2019

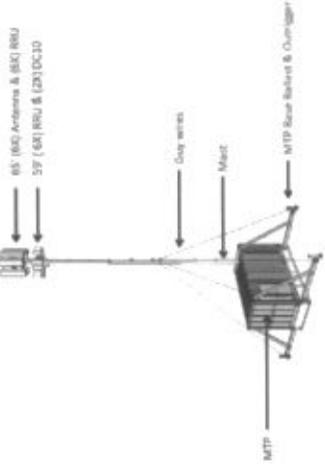
MTP – 65FT All-Inclusive

By Maverick Technologies

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MTP – 65FT All-Inclusive Angle View

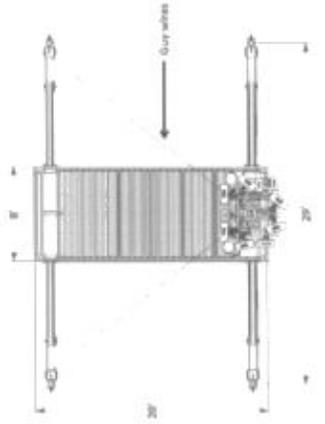


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Rev: 04/21/2019



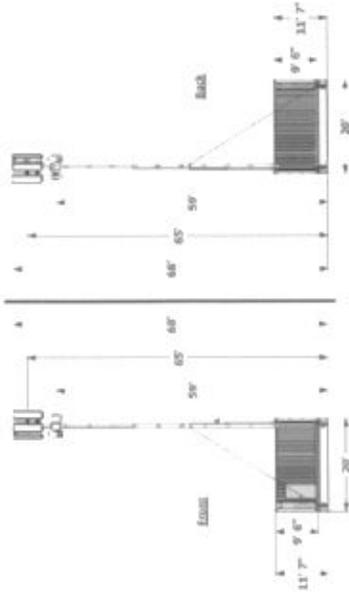
MTP – 65FT All-Inclusive Top View



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MTP – 65FT All-Inclusive Front and Back View

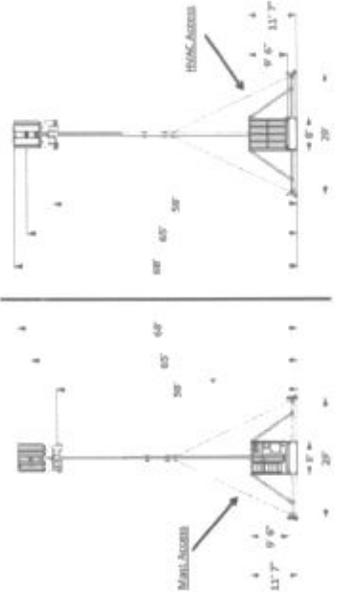


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MTP – 65FT All-Inclusive Mast Access & HVAC Access View

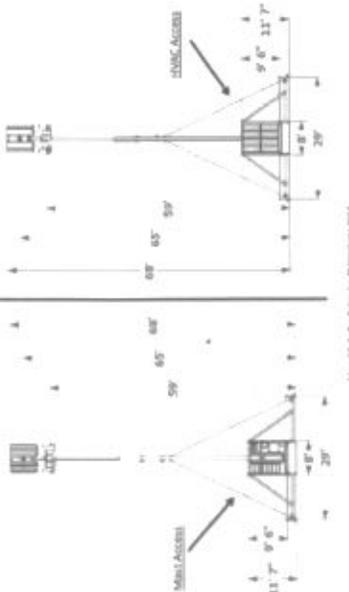


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MTP – 65FT All-Inclusive Mast Access & HVAC Access View



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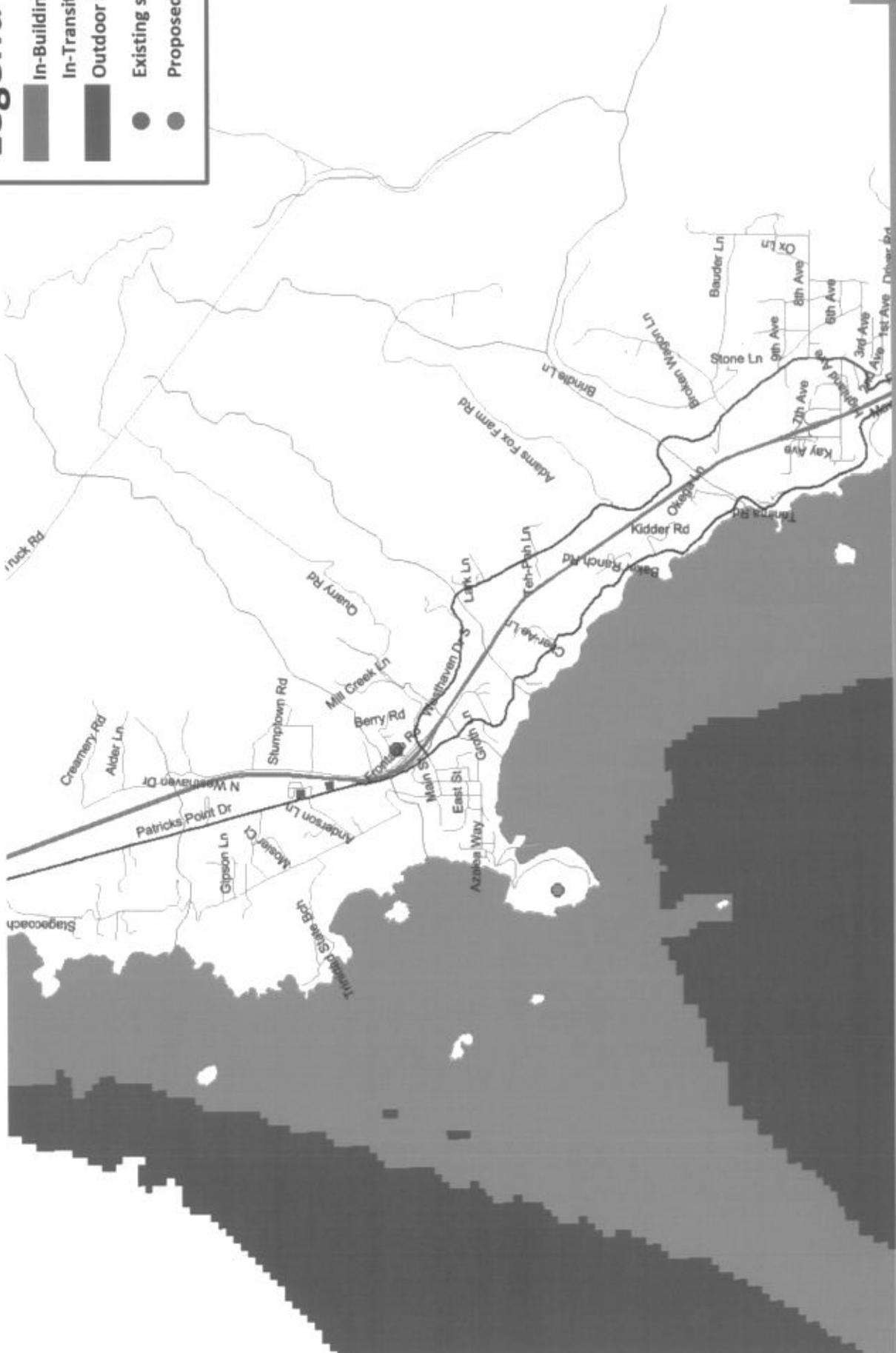
CCL01172 Zoning Propagation Map

June 3, 2019

UMTS 1900 Coverage without CNU0257

Legend

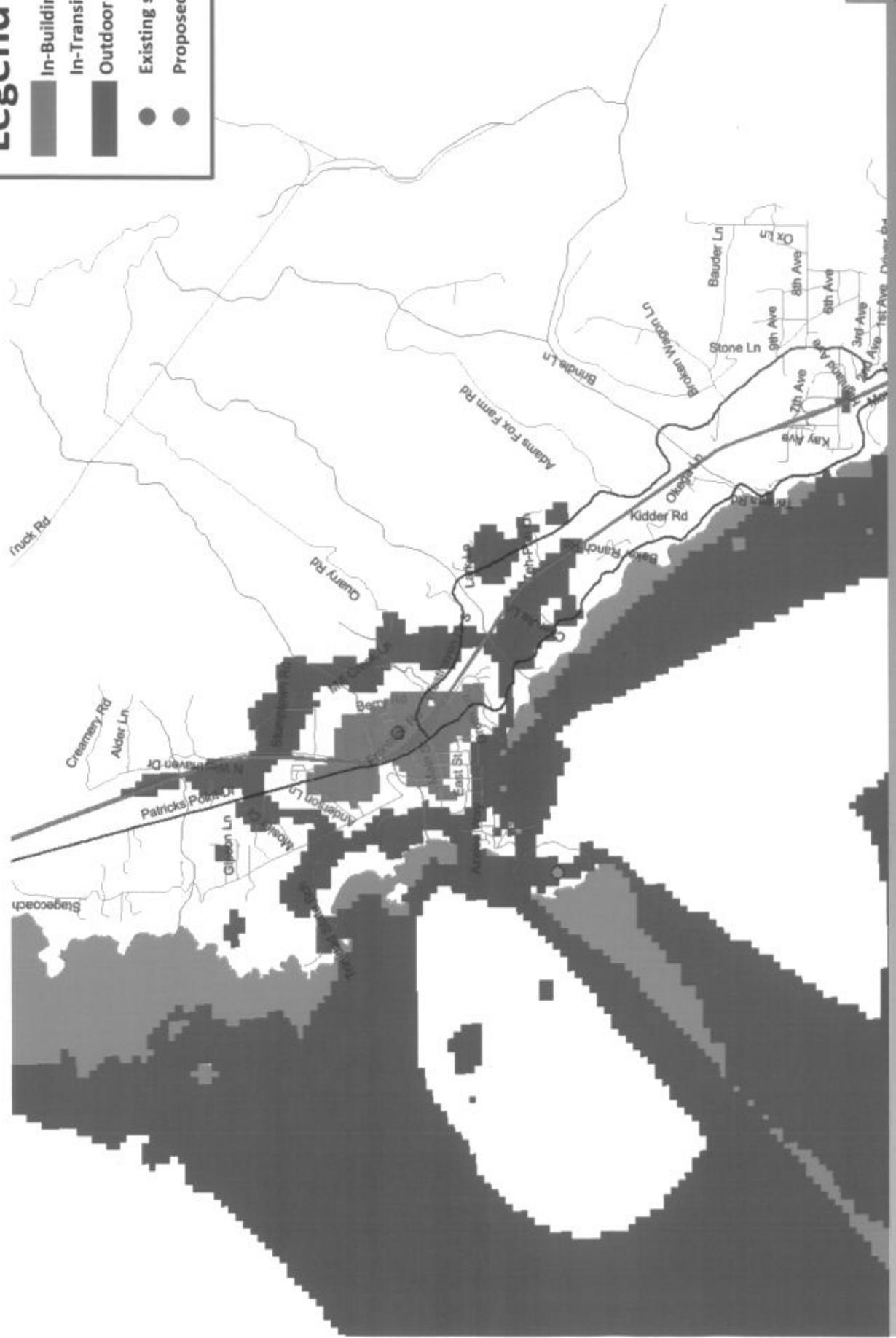
- In-Building Service
- In-Transit Service
- Outdoor Service
- Existing site
- Proposed site



Proposed UMTS 1900 Coverage - CCL01172 @ (RC = 72ft)

Legend

- In-Building Service
- In-Transit Service
- Outdoor Service
- Existing site
- Proposed site



Proposed UMTS 1900 Coverage - CCL01172 @ (RC = 48ft)

Legend

- In-Building Service
- In-Transit Service
- Outdoor Service
- Existing site
- Proposed site

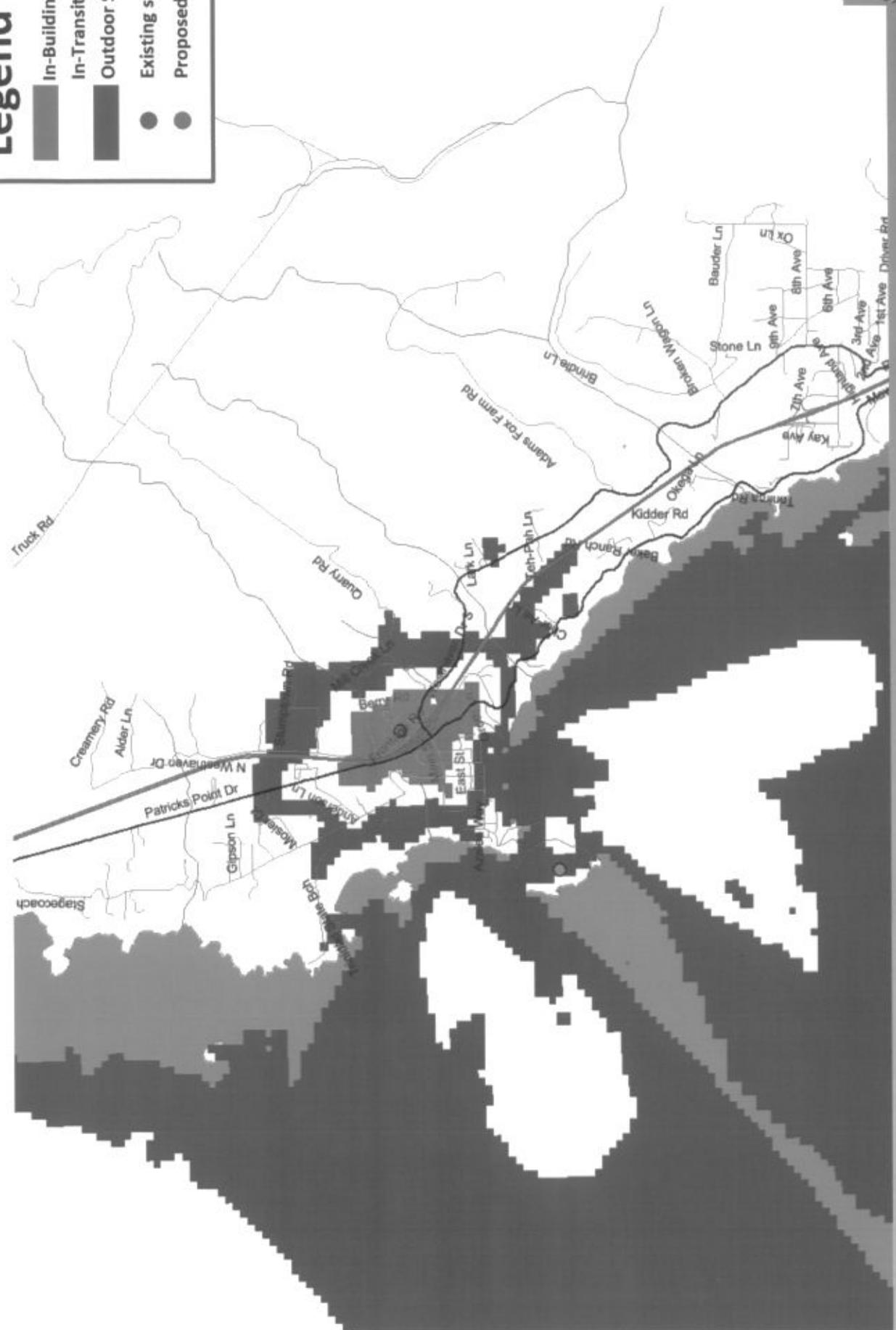
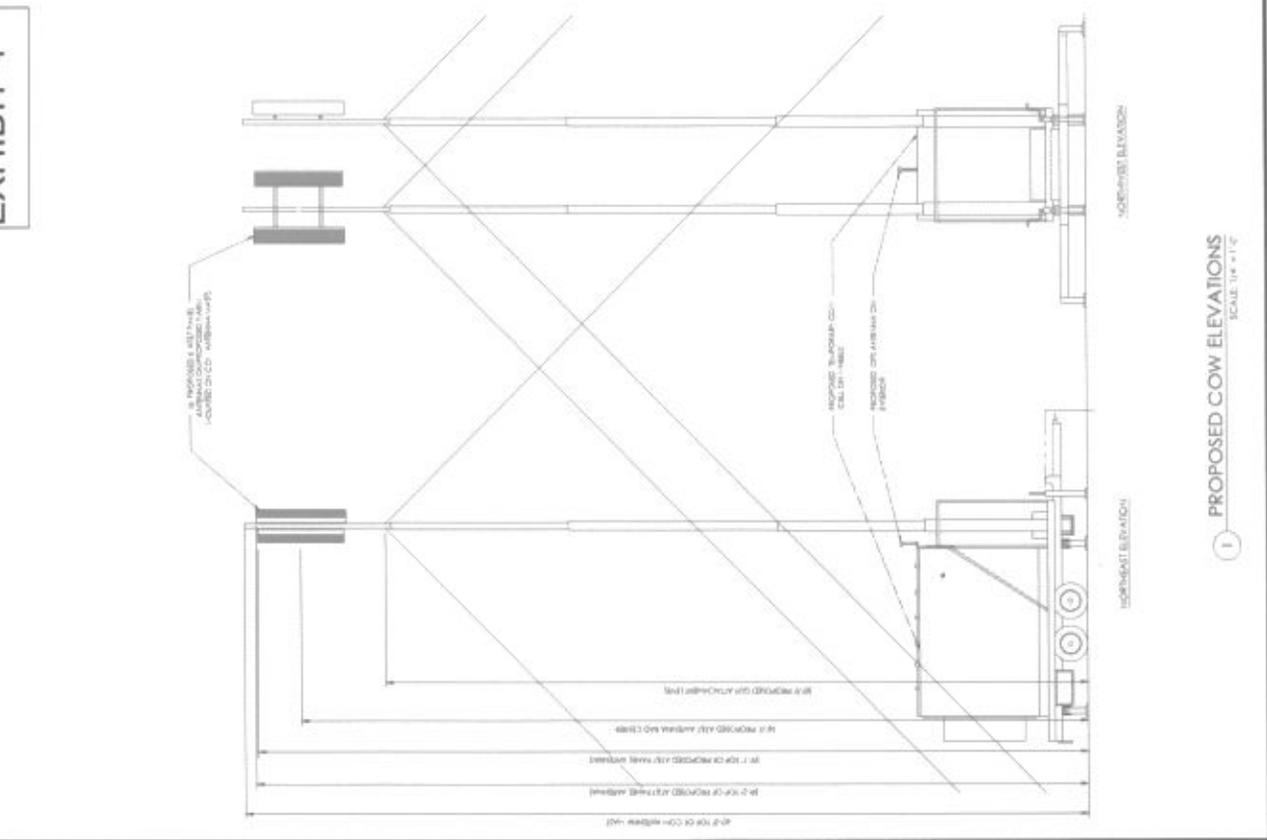
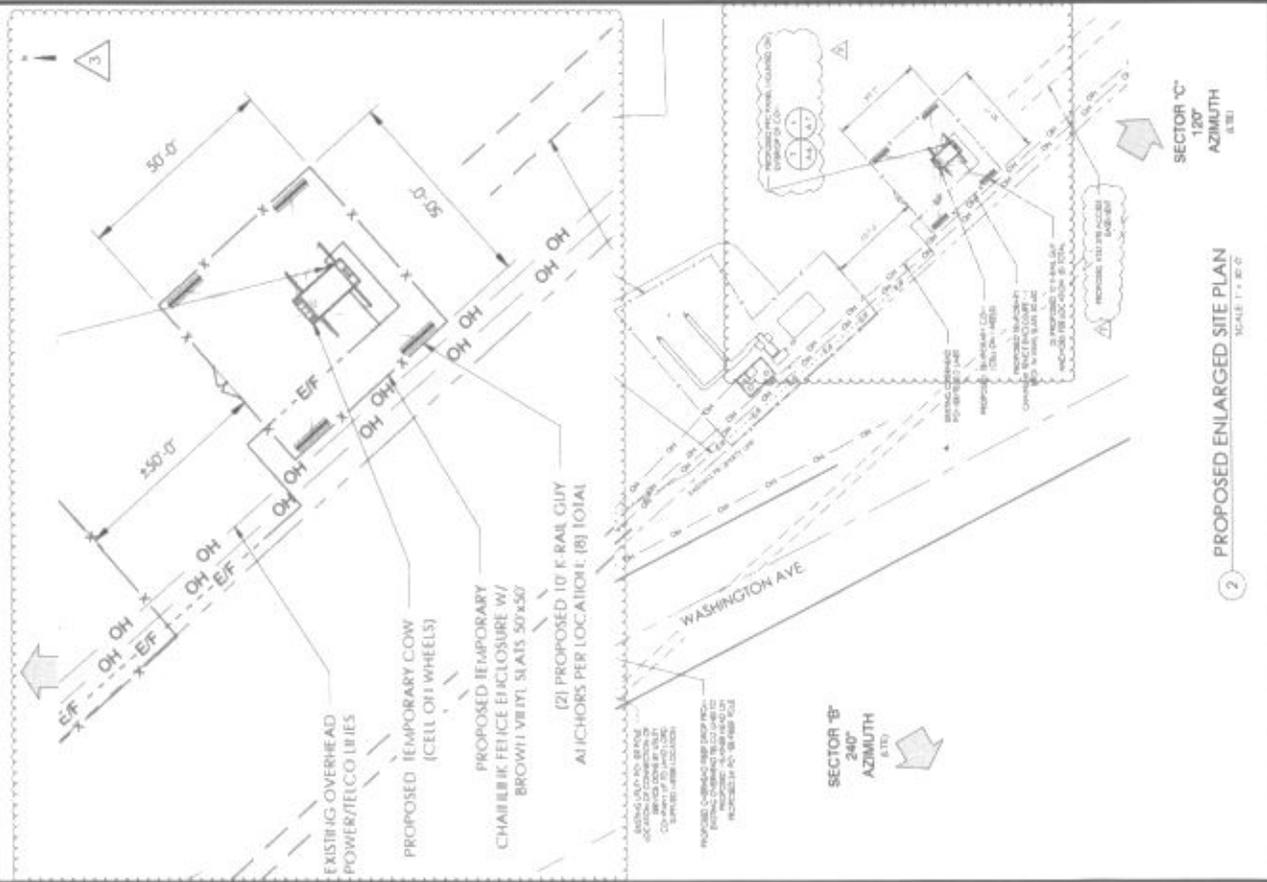


EXHIBIT 4

<p>PREPARED FOR at&t COMMERCIAL 1001 Lakeside Parkway, Suite 100 San Ramon, California 94583</p>	<p>PROJECT AS Infrastructure 1001 Lakeside Parkway, Suite 100 San Ramon, California 94583</p>	<p>PROJECT NO. CCL00033</p>	<p>APPROVED ECLIPSE PAGE NO. 1-01-01-001 ISSUED BY: PS CHECKED BY: SW</p>	<table border="1"> <tr><td>NO.</td><td>DATE</td><td>DESCRIPTION</td></tr> <tr><td>1</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>2</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>3</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>4</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>5</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>6</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>7</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>8</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>9</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> <tr><td>10</td><td>08/11/11</td><td>ISSUED FOR PERMITS</td></tr> </table>	NO.	DATE	DESCRIPTION	1	08/11/11	ISSUED FOR PERMITS	2	08/11/11	ISSUED FOR PERMITS	3	08/11/11	ISSUED FOR PERMITS	4	08/11/11	ISSUED FOR PERMITS	5	08/11/11	ISSUED FOR PERMITS	6	08/11/11	ISSUED FOR PERMITS	7	08/11/11	ISSUED FOR PERMITS	8	08/11/11	ISSUED FOR PERMITS	9	08/11/11	ISSUED FOR PERMITS	10	08/11/11	ISSUED FOR PERMITS	<p>PROJECT NO. CCL00033 ISSUED FOR PERMITS</p>			
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1 PROPOSED COW ELEVATIONS
SCALE: 1/4" = 1'-0"



2 PROPOSED ENLARGED SITE PLAN
SCALE: 1" = 80'-0"

verlay

LEGEND

- PROPOSED PROJECT AREA
- EXISTING PROJECT AREA
- EXISTING ROAD
- EXISTING UTILITY
- EXISTING BUILDING
- EXISTING LOT
- EXISTING FENCE
- EXISTING CURB
- EXISTING DRIVEWAY
- EXISTING SIDEWALK
- EXISTING BIKEWAY
- EXISTING TRAIL
- EXISTING WATERWAY
- EXISTING DRAINAGE
- EXISTING EROSION CONTROL
- EXISTING LANDSCAPE
- EXISTING PLANTING
- EXISTING TREES
- EXISTING SHRUBS
- EXISTING GRASS
- EXISTING SOIL
- EXISTING ROCK
- EXISTING SAND
- EXISTING SILT
- EXISTING CLAY
- EXISTING COBBLES
- EXISTING GRAVEL
- EXISTING ASPHALT
- EXISTING CONCRETE
- EXISTING BRICK
- EXISTING STONE
- EXISTING METAL
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- EXISTING CERAMIC
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- EXISTING LEATHER
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PROPOSED PROJECT AREA

EXISTING PROJECT AREA

EXISTING ROAD

Le



12 Berry Rd

SPECIAL PROJECT AREA

LEASE AREA DETAIL

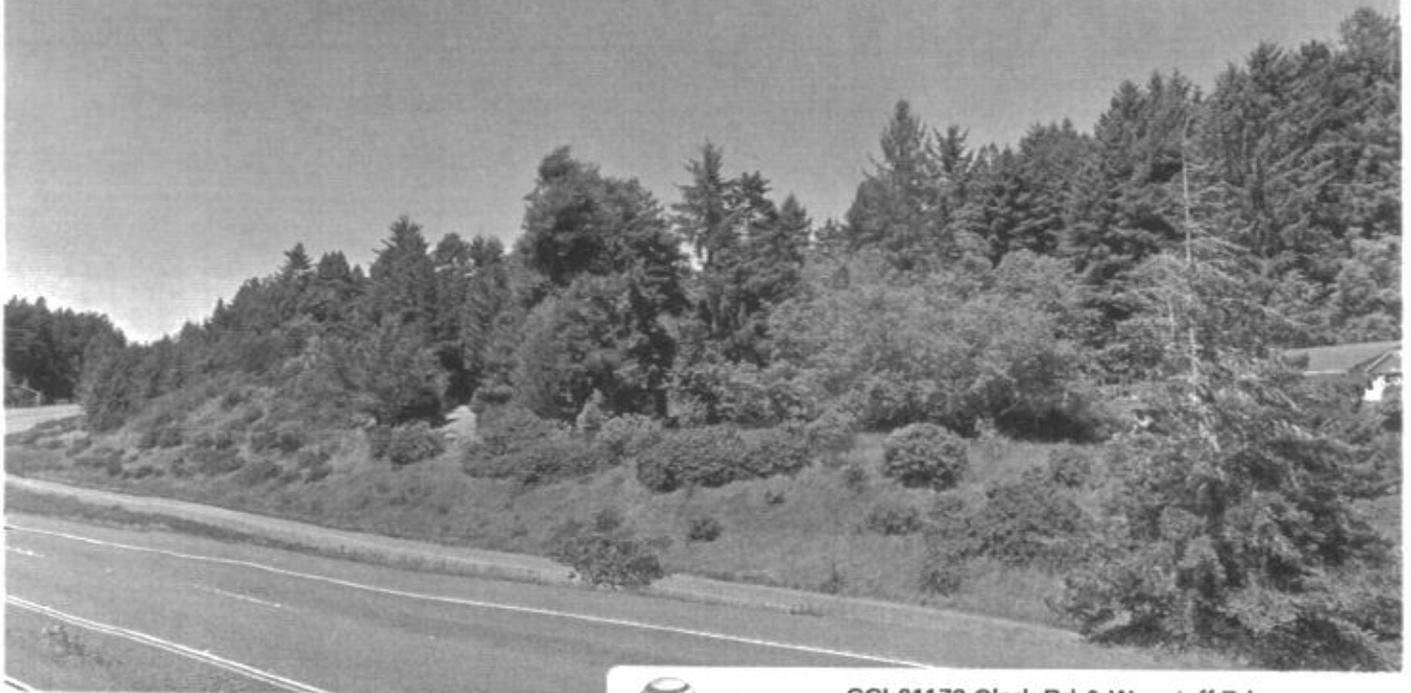
BERRY RD

AND SUB-111-110

1201178 BERRY RD
7000 1/4

Existing

06.03.2019



CCL01172 Clark Rd & Wagstaff Rd
12 Berry Road, Trinidad, CA 95570

Proposed

proposed AT&T temporary site

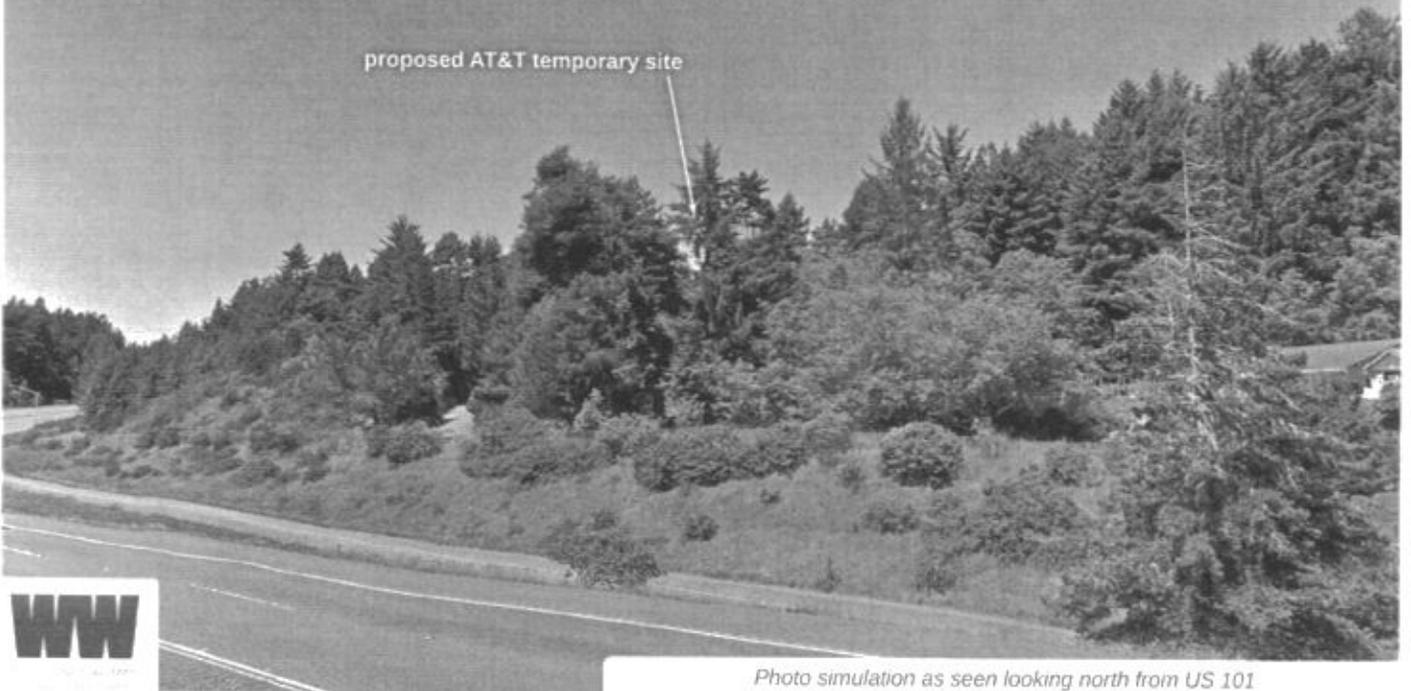
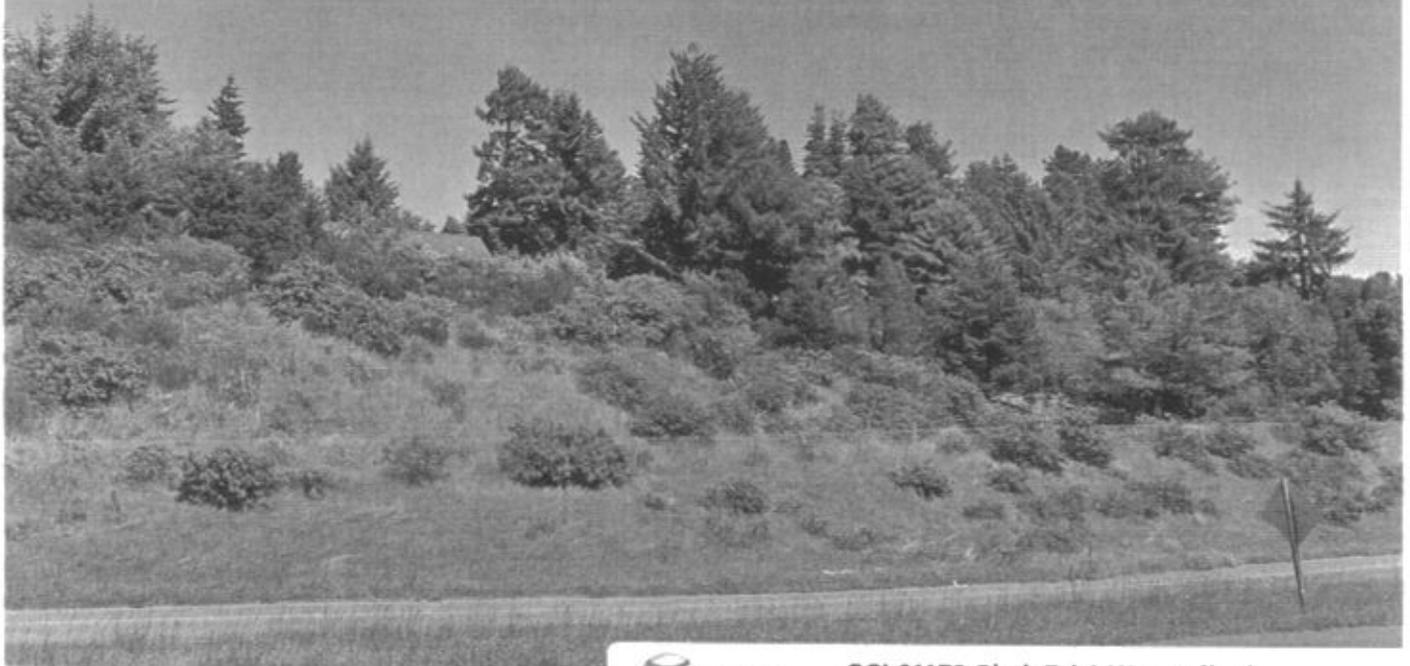


Photo simulation as seen looking north from US 101

Existing

06.03.2019



CCL01172 Clark Rd & Wagstaff Rd
12 Berry Road, Trinidad, CA 95570

Proposed

proposed AT&T temporary site



Photo simulation as seen looking east from US 101.



500 EXECUTIVE PARKWAY
SUN BAY, CA 94953

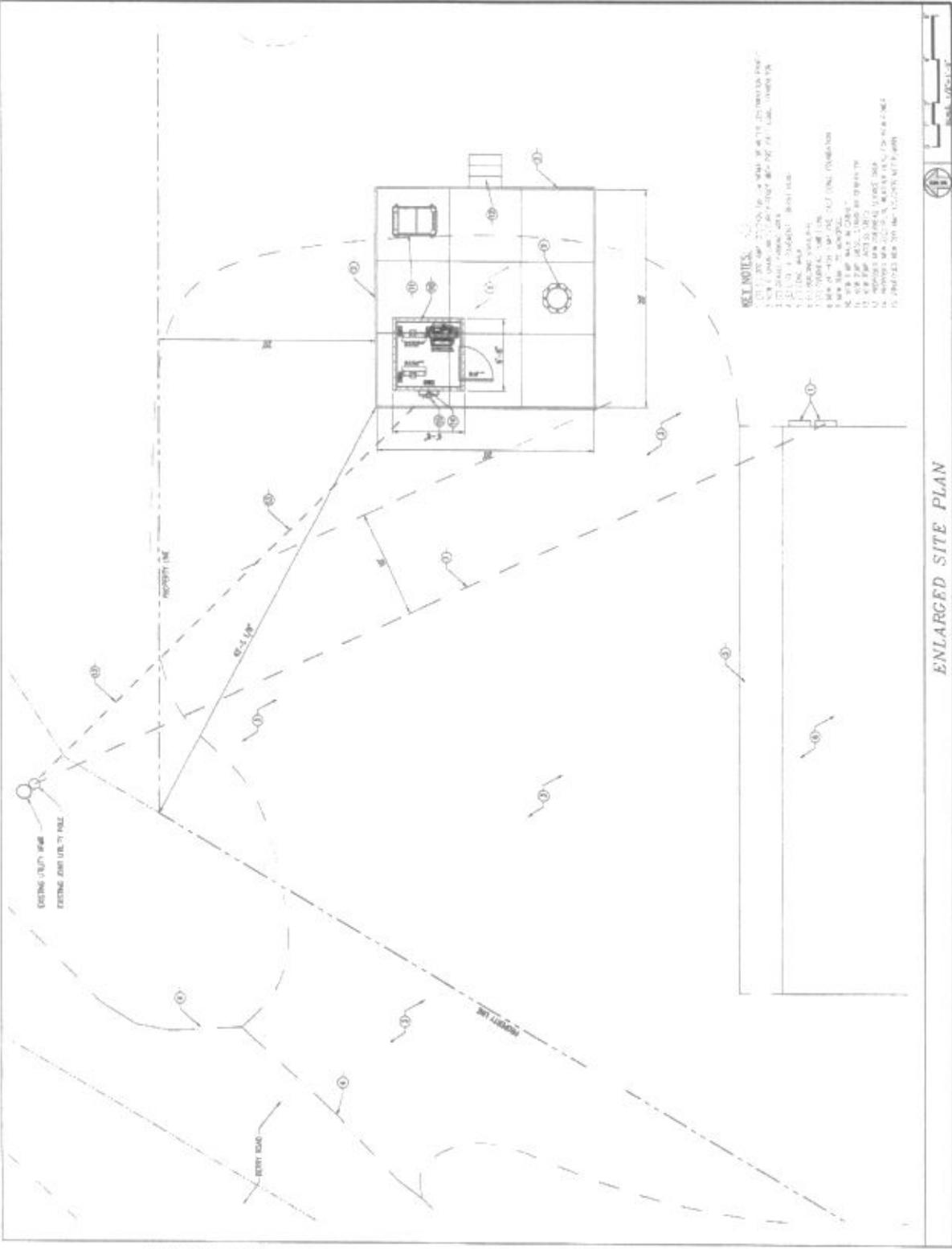
Peak Site-Com
17927 Lemond Ave. Suite 101
Alhambra, California 91807
Phone (323) 887-6160
E-Mail info@peaksitecom.com

CCL01172
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12/11/04

NO.	DATE	DESCRIPTION	BY
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JOB NO. 04-0000-01
DATE 12/11/04
SHEET NO. 01 OF 01
PROJECT NAME
ENLARGED SITE PLAN

A-1 0



- REL NOTES:**
1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
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ENLARGED SITE PLAN



DISCUSSION AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 0 PAGES

2. Discussion/Presentation/Update from The Greater Trinidad Chamber of Commerce.

Presentation item. No supporting documents were provided.



DISCUSSION AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 0 PAGES

3. Discussion/Presentation from Steve Madrone and Dave Hankin Regarding Water and Rain Catchment Systems

Presentation item. No supporting documents were provided.



DISCUSSION AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 16 PAGES

4. Discussion/Decision regarding the Introduction and Vision Statement of the Draft General Plan.

AGENDA ITEM REPORT
September 10, 2019

Item: Draft Introduction Chapter and Vision Statement of the Trinidad General Plan

Background

At their meeting on August 21, 2019, the Planning Commission reviewed, discussed, and amended the draft Introduction Chapter of the General Plan update with a particular focus on the vision statement. The version reviewed by the Planning Commission had also been revised by City staff to address Coastal Commission staff comments that have been received. The Planning Commission voted 4-0 to recommend the document, as amended, to the City Council. The revised document was also brought back to the Planning Commission for a final review at their meeting of September 4, 2019.

As the name implies, the Introduction provides an overview of the General Plan, which includes things like regulatory requirements, an executive summary, administrative issues, and the vision statement. California's General Plan Guidelines (available at: <http://opr.ca.gov/planning/general-plan/guidelines.html>) state: "A local general plan should start with a shared community vision that will help set priorities through the planning process, and inform decision makers about community values." The current Vision Statement also includes a set of strategic goals that help guide the development and interpretation of General Plan policies.

Attachments

Chapter 1: Introduction, of the Draft Trinidad General Plan.

Recommended Action:

Review and discuss the Introduction, ask questions of staff, take public input, and direct staff to make changes as needed based on the discussion.

CHAPTER 1: INTRODUCTION

A. What is a General Plan

1. Legislative Requirements
2. CA Coastal Act
3. Policies Not Part of the Certified Local Coastal Program
4. Purpose

B. Plan Administration

1. Organization
2. Plan Interpretation
 - i. Background Reports
 - ii. Goals and Policies
3. Administering the Coastal General Plan

C. Current General Plan 2020

1. Plan Highlights
2. General Plan Update Process and Public Input
3. Vision Statement
4. Planning Outside City Limits
5. Relationship to County General Plan
6. General Plan Amendment

A. WHAT IS A GENERAL PLAN?

A General Plan is a legal document that serves as the Community's "constitution" for land, use, development and conservation. A General Plan must be comprehensive and long term, outlining proposals for the physical development of the City and any land outside its boundaries that, in the City's judgment, bears relation to its planning. The Trinidad General Plan is a legislative document that sets forth development constraints and preferences, and develops a program for the orderly development of public service facilities and private lands and identifies steps to implement the plan. The City of Trinidad General Plan 2020 is a comprehensive update of the 1978 Plan. This plan makes use of existing and new data, trends, and desires to provide a glimpse of what the community is and will be twenty years in the future.

1. Legislative Requirements

The State of California requires that each municipality to prepare and adopt a General Plan, generally with a 20 year planning horizon (Government Code 65300 et seq). The General Plan should comprise an integrated, internally consistent and compatible statement of policies for the adopting agency. General Plans are required to address at least seven elements: (1) land use; (2) circulation; (3) housing; (4) conservation; (5) open-space; (6) noise; and, (7) safety. The General Plan may include any other elements or address any other subjects, which, in the judgment of the legislative body, relate to the physical development of the county or city.

In addition to establishing requirements for the development of a General Plan, the Government Code stipulates that zoning and subdivision regulations and specific plans must conform to the adopted General Plan. Because Trinidad lies almost exclusively within the Coastal Zone, portions of this General Plan serve as the Land Use Plan (LUP) portion of the Local Coastal Program (LCP) as required by the Coastal Act (see below). The General Plan consists of narrative text and maps, along with goals, principles, policies, and programs to be used in making land use decisions. It is organized into the seven elements required by State law, and two optional elements dealing with Community Design and Cultural Historic Preservation.

The nine (**DRAFT**) elements of the Trinidad General Plan are outlined below:

1. *Land Use*: Establishes land use designations with types and intensities of land use, and policies and programs regarding development and redevelopment of land, including priority uses under the Coastal Act. The Land Use Element also discusses the City's relationship to lands outside City limits, including the City's Planning Area, Service Area, and Sphere of Influence.
2. *Conservation, Open Space, and Recreation*: Contains the State-mandated open space and conservation elements. Emphasis is placed on protecting the City's natural resources, protecting and enhancing environmentally sensitive areas, and providing open space and parks to meet the community's recreational needs. This element also includes specific policies and programs to ensure continued public access, preserve and enhance scenic views, protect Environmentally Sensitive Habitat Areas (ESHAs), water quality, the Trinidad Bay Area of Special Biological Significance (ASBS), and other natural resources.
3. *Circulation, Energy and Public Services*: Establishes the public facilities and services essential to ensure that the existing and future population of Trinidad is provided with the highest feasible and efficient level of public services. This element contains policies and standards for the roadway system, as well as policies for public transit, bicycle facilities, parking and transportation for the mobility impaired, taking into account the relationship between land use and transportation needs of the community. This element also addresses energy consumption and conservation.
4. *Noise and Safety*: Contains policies and programs to reduce the risk of injury, loss of life, and property damage resulting from natural disasters and hazardous conditions and materials. The element also contains policies and programs to reduce the community's exposure to excessive noise.
5. *Housing*: Includes policies and programs to meet the housing needs of all economic segments of the community. It evaluates existing and potential development in the context of community demographics and balances the need for housing the considerations of water supply, wastewater, environmental quality and social equality.

6. *Cultural and Historic Preservation*: An optional element that provides a framework for assessing, protecting and interpreting Trinidad's unique cultural and historic heritage.
7. *Community Design*: This optional element establishes policies and programs dealing with the appearance of the community. It includes design guidelines to ensure that development contributes to the community's identity and unique sense of place, and policies to preserve historic sites and buildings.

State law requires that all parts of the General Plan comprise an integrated, internally consistent and compatible statement of policies. This standard, as well as court cases which have interpreted it, implies that all elements of the General Plan have equal status, that all goals and policies must be internally consistent, and that implementation activities must follow logically from the Plan's goals and policies. This General Plan meets these standards.

2. California Coastal Act

The California Coastal Act of 1976 established a comprehensive plan to protect resources and regulate development along California's coast. The Coastal Act requires every city and county located partly or wholly within the designated Coastal Zone to prepare an LCP, which is reviewed and certified by the California Coastal Commission. The Coastal Act defines an LCP as "a local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resource areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of this division at the local level" (Public Resources Code (PRC) Section 30108.6). In other words, the purpose of the LCP is to meet the requirements of and implement the Coastal Act at the local level.

The LCP consists of both an LUP and an Implementation Plan (IP). The IP consists of the zoning and other ordinances and regulations that implement the provisions of the certified LUP, and by extension, policies of the Coastal Act. The Coastal Commission will certify an LUP if it finds that the LUP meets the requirements of, and is in conformity with, the policies of Chapter 3 of the Coastal Act. Though developed in 1976, the City's former LUP was the first in the State to be certified by the Coastal Commission in 1978. The implementation ordinances, which include zoning, building, grading and subdivision ordinances, were certified in 1980. The Coastal Act (per PRC Section 30001.5), sets the following goals for LCPs in the Coastal Zone:

- Protect, maintain, and, where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and artificial resources.
- Assure orderly, balanced utilization and conservation of Coastal Zone resources taking into account the social and economic needs of the people of the state.

- Maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the Coastal Zone.

Portions of this document establish the LUP of the City of Trinidad LCP and have been prepared in accordance with the California Coastal Act. The LUP is defined as *"the relevant portion of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies, and where necessary, a listing of implementing actions"* (PRC Section 30108.5). Once certified by the Coastal Commission, the portions of this General Plan update constituting the LUP supersedes the City's 1978 certified LUP.

3. Policies not part of the Certified Local Coastal Program

Because the City of Trinidad is almost entirely within the Coastal Zone, the City has not developed a separate General Plan for outside the Coastal Zone and an LUP for inside the Coastal Zone. However, not every General Plan policy is required as part of the LUP. Because the adoption and amendment of all LUP policies requires certification by the Coastal Commission, it makes sense to identify those policies that do not apply to the LUP. The policies demarcated with the City of Trinidad seal:  are not part of the certified LCP and do not govern the review and approval of Coastal Development Permits (CDPs). These policies are not part of the standard of review for CDP purposes, as they are not relevant to indicate the *"kinds, location, and intensity of land uses"* as required of Coastal LUPs (PRC Section 30108.5). However, the policies demarcated with the City seal are included in the General Plan document as the City will apply these policies under its own separate authority.

The policies and associated programs herein, which are demarcated with the City seal within the General Plan, are not considered part of the City's certified Local Coastal Program for purposes of the review and approval of CDPs. The policies and associated programs herein, which are not demarcated with the City seal within the General Plan, are considered part of the City's certified Local Coastal Program and govern the review and approval of CDPs within the City's jurisdiction.

Note City staff is working with Coastal Commission staff to determine the best way to separate coastal from non-coastal policies in the General Plan. Therefore, these policies have yet to be determined, and so have not yet been listed or demarcated.

4. Purpose

The Trinidad General Plan serves the following functions:

- Expresses the community's vision of the future physical development of the City of Trinidad
- Enables the Planning Commission and the City Council to establish long-range conservation and sustainable development policies in the City.
- Provides the basis for judging whether specific private development proposals and public projects are consistent with these policies in the City.
- Informs the residents, developers, decision makers, and other jurisdictions of the ground rules that will guide development and conservation in the City.
- Provides the framework for ordinances that implement the general plan policies through specific regulations.
- Serves as the standard of review for CDPs in the City's delegated permit jurisdiction

B. PLAN ADMINISTRATION

1. Organization

The Introduction chapter focuses on the legislative requirements and purposes of a general plan. It further describes past planning efforts by the City, the relationship of planning within City limits and those areas adjacent to and outside of the City, and opportunities for public input and future amendment. It also contains the City's vision statement and information on using and interpreting the various General Plan Elements.

The chapters following the Introduction constitute the various (9) elements contained with the General Plan. A Glossary is included as a final section. Figures are located at the end of each element, and a list of figures can be found within the Table of Contents. In addition, there are various background reports that are referenced in the General Plan and that were used to inform and shape the policies of each element. However, these background reports should not be considered part of this General Plan.

2. Plan Interpretation

Much of the background information and analysis that supports the policies in this General Plan is included in several background reports and other supporting documents described below. These documents are available for public review at City Hall. The narrative that precedes the General Plan policies should be considered part of the supporting information and was used in the development of the policies. While it is

intended that the policies be fully respected and achieved, circumstances may occur that result in a change in how a specific policy is to be implemented. Decisions relating to the General Plan need not be entirely consistent with the narrative as long as adherence to the policies occurs.

The Land Use Map and the General Plan Policies are the core of the General Plan. Zoning regulations, subdivision decisions, and other City policy deliberations shall be consistent with these policies. If the General Plan is found to be inconsistent with community preferences, the General Plan should be amended accordingly rather than approving developments or actions inconsistent with the General Plan policies. Many policies apply to more than one element of the General Plan. For ease of use in finding applicable policies, they have been repeated in each appropriate element and cross-referenced.

i. Background Reports (DRAFT)

- *Sphere of Influence*
 - *Master Services Element*
 - *Municipal Service Review*
- Impervious Surfaces Study and LID Recommendations, April 2006
- Background Report: Geologic and Seismic Characteristics of Trinidad, CA, April 2007
- Trinidad-Westhaven Integrated Coastal Watershed Management Plan, May 2008
- Trinidad Walkability Study, May 2008
- Fundamentals of a Circulation Element for the City of Trinidad, May 2009
- Background Report: Biology and Environment of the Trinidad Area, October 2009
- Background Report: Soil Characteristics of Trinidad, CA, October 2009
- Trinidad Architectural Survey (incomplete), November 2009
- Draft Trinidad Climate Action Plan, April 2010
- Coastal Resilience Planning For the City of Trinidad, October 2014
- LCP Update Guide Land Use Plan Policy Compliance Analysis, December 2015
- LCP Update Guide Implementation Plan Needs Assessment, April 2016
- Climate Change Vulnerability Report and Adaption Response, April 2016

ii. Goals, Principles, Policies, Programs, and Other Initiatives

The City's vision statement forms the foundation for the goals and policies included in each element of the General Plan. Goals, principles, policies and programs are the essence of the General Plan and are defined below.

- Goal: A general, overall, ultimate purpose, aim or end toward which the City will direct effort. Goals are a general expression of community values and, therefore, are abstract in nature. Consequently, a goal is not quantifiable, time-dependent, or suggestive of specific actions for its achievement.
- Principle: An assumption, fundamental rule, or doctrine guiding general plan policies, standards and implementation measures (programs). Principles are

based on community values, generally accepted planning doctrine, current technology, and the general plan's goals. Principles underlie the process of developing the general plan policies but are only explicitly stated when they help frame and clarify the policies, generally for more complex topics such as water resources.

- **Policy:** A specific mandatory statement binding the City's action and establishing the standard of review to determine whether land use and development decisions, zoning changes or other City actions are consistent with the General Plan. Policies are based on and help implement the City's goals and principles. Policies also govern the review and approval of CDPs, except for those policies demarcated with the Trinidad City seal, which are not part of the certified LUP.
- **Program:** An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal.
- **Other Initiatives:** Nonbinding and/or advisory statements of intent, encouragement, or pledges of support for specific endeavors, programs, or outcomes. Other Initiatives may set guidelines and priorities for City actions, but are not intended for permit governance or to serve as regulatory standards by which development projects or zoning amendments are to be assessed for conformity and consistency, and are not a valid basis for appealing a permit action.

3. Administering the Coastal Land Use Plan

All development (as defined by §30106) in the Coastal Zone requires a CDP, unless otherwise exempt. For the purposes of reviewing and processing CDPs, conformity with the standards set forth in Trinidad's certified LCP serves as the standard of review for all proposed development within the City's delegated permit jurisdiction. In authorizing CDPs after LCP certification, the City must make the finding that the development conforms to the certified LCP as well as all other findings required by various sections regulating the issuance of permits of the Trinidad Zoning Ordinance. Any amendments to the certified LUP will require review and approval by the Coastal Commission prior to becoming effective. The following general policies shall provide the framework for the Coastal LUP and the Trinidad General Plan:

Policy 1-1: The policies of the Coastal Act (Coastal Act Sections 30210 through 30264) shall guide the interpretation of the LUP.

Policy 1-2: Where conflicts occur between the policies contained in the certified LUP and those contained in other local plans, policies and regulations, the policies of the LUP shall take precedence in the City's Coastal Zone.

Policy 1-3: Where policies within the General Plan overlap or conflict, the policy which is the most protective of coastal resources shall take precedence.

Policy 1-4: Prior to the approval of any development permit required by this Plan, the City, or the Commission on appeal, shall make the finding that the development meets the standards set forth in all applicable Coastal LUP/General Plan policies.

Policy 1-5: The textual discussion is intended as elaboration of and justification for the Plan policies and map designations. Therefore, the text shall be considered as the findings justifying the specified policies and Land Use Maps.

Policy 1-6: Where a conflict exists between the enumerated policies of the LUP and the maps, the enumerated policies control.

Policy 1-7: When acting on a CDP, the issuing agency, or the Coastal Commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the State. In all instances the standard of review for issuance of a CDP shall be the Coastal Act or certified LCP.

Policy 1-8: The City does not have the power to grant or deny a permit in a manner which will cause a physical or regulatory taking of private property, without the payment of just compensation. This policy is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States.

In addition, certain types of development, as well as development within certain geographic areas that are acted on by the City after certification of the LCP, are appealable to the Coastal Commission (PRC Section 30603). These include:

- (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.
- (2) Developments approved by the local government not included in paragraph (1) that are located on tidelands, submerged lands, and public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.
- (3) Developments approved by the local government not included with paragraphs (1) or (2) that are located in a sensitive coastal resource area.
- (4) Any development which constitutes a major public works project or a major energy facility (whether approved or denied by the local government).

The grounds for an appeal of an approval of a permit are limited to an allegation that the development does not conform to the standards set forth in the certified LCP or the public access policies of the Coastal Act. In addition, the grounds for appealing of a denial of a

permit for a major public works project or major energy facility, referenced in number (4) above, are limited to an allegation that the development conforms to the standards set forth in the certified LCP and the public access policies of the Coastal Act. The Coastal Commission retains coastal development permitting jurisdiction on submerged lands, tidelands, and public trust lands (PRC Section 30519). See Figure # for retained jurisdiction and appealable areas.

C. CURRENT GENERAL PLAN

This General Plan includes a revision of the previous General Plan/LUP policies based on numerous background reports and other inputs, as referenced in each element, and is intended, based on current knowledge, to extend forward for a twenty-year period. It updates all the existing General Plan elements, including the 1976 Land Use, Conservation, Open Space and Circulation Elements, the 1975 Public Safety, Noise and Scenic highway Elements, and the 1998 Housing Element. The policies contained within this document govern the use of land and water within the City limits of the City of Trinidad and supersede those previous documents.

1. Plan Highlights

The City of Trinidad General Plan and LUP is intended to implement the community's vision for the future. The Plan is a comprehensive, long-range plan and identifies Trinidad's Land Use, Housing, Conservation, Open Space & Recreation, Circulation, Public Services & Energy, Noise & Public Safety, Community Design and Cultural & Historic Preservation goals and policies related to the conservation and development of land in Trinidad.

Land Use

The Land Use Chapter establishes policies and programs to create the general framework for the future pattern of growth, development and sustainability in Trinidad, CA. The element consists of the following components:

Land Use Designations illustrate the pattern of conservation and development that the General Plan envisions. In this section, land uses are defined as Suburban Residential (SR), Urban Residential (UR), Commercial (C), Visitor Services (VS), Mixed Use (MU), Open Space (OS), Special Environment (SE), Public and Community (PC) and the new Harbor (H) designation. Associated development constraints, maximum densities and land use policies are identified for each land use category and the land use areas are graphically depicted on the *Land Use Designations Map*.

Development Outside the City Limits

This section covers Trinidad's *Sphere of Influence*, the *City Service Area* and the *Planning Area*. It begins with a brief review of the benefits and disadvantages of annexation of surrounding properties into the Trinidad City limits. Trinidad's current Sphere of Influence is defined as the properties to which the City can provide water service connections, those adjacent to the City's trunk line and/or those within the

Luffenholtz and Mill Creek watersheds that are not zoned for timber production. The City Service Area refers to areas that receive all, or most, of the urban services (water, police protection, road maintenance, etc.) Finally, the Planning Area includes twelve critical coastal watersheds into the planning framework in support of the Strategic Goal to provide clean and pure water to Trinidad residents.

Conservation, Open Space and Recreation

This chapter focuses on two State required elements -- Conservation and Open Space -- as well as public access and recreational opportunities, which are two key issues for the Coastal LUP. It includes policies and programs that address ESHAs, threatened and endangered species, water quality, and the protection of natural resources, including open space. The principles for *water resource protection* and conservation outlined in this section support the strategic goal to reduce water pollution and ensure safe drinking water and the principles for *biological resource protection* focus on sensitive flora and fauna with limitations placed on development on or near areas where 'special status' species are located. *Open Space guidelines* in this section focus on preservation and management of natural resources, outdoor recreation opportunities, watershed protection and public health and safety. Finally, *Public Recreation policies* are covered in this section including visitor services information, litter control, Town Hall availability for community events, trail maintenance and the provisioning of public restroom facilities with the overarching goal of providing maximum access to and along the coastline for the public.

Circulation, Public Services and Energy

As the California General Plan Guidelines state: "*The circulation element is not simply a transportation plan, but rather a strategy addressing infrastructure needs for the circulation of people, goods, energy, water, sewage, storm drainage, and communications.*"

This chapter highlights transportation related policies: Traffic and Parking, Public Transportation and other Alternate Modes of Transportation. Also, because CO2 emissions in Trinidad are largely tied to traffic patterns, this chapter includes sections on Energy Policy, Air Quality and Greenhouse Gases. Finally, Public Services such as *water, solid waste* and *utilities* are also included in this substantive chapter. It is important to note that, in support of the City's Strategic Goals, a Climate Action Plan has been developed to provide measures and recommendations for reducing Greenhouse Gas (GHG) to demonstrate progress towards meeting State requirements and the goal of becoming Net Carbon Neutral and Zero Waste.

Noise and Public Safety

The Noise section identifies and evaluates community noise sources and problems, with policies and programs keyed to ensuring that development is compatible with established noise standards, though Trinidad is generally a very quiet community. The Public Safety section focuses on the protection of the community from unreasonable risks associated with the effects of earthquake, ground shaking, tsunamis and seiches, slope instability, landslides, surface rupture, erosion and flooding. Other hazards or potential hazards

such as fire hazards and hazardous materials are also covered in this chapter. The City's plans to mitigate the effects of disasters and emergencies begins with assessing and reducing risk. However, should an event occur, the City has adopted a City Emergency Plan. The purpose of this plan is to ensure that the City will be prepared to respond effectively in the event of emergencies to save lives, restore and protect property, repair and restore essential public services, and provide for the storage and distribution of medical, food, water, shelter sites, and other vital supplies to maintain the continuity of government.

Housing

The Housing Chapter is an extension of the Residential section of the Land Use Element of the General Plan and focuses on neighborhood preservation and *provision of housing for all segments of the community*. The State requires communities to provide their fair share of housing based on a Regional Housing Needs Assessment, and the Housing Element is intended to help the State meet its housing goals. This is the one element where there are repercussions for the City if it is not in compliance with State goals and requirements. It is noted here, however, that there are constraints in Trinidad that limit provisioning of housing across segments due to the small city footprint, proximity to open space and areas of environmental and cultural sensitivity, lack of a municipal sewer system and relative high property values. The successful development of an Accessory Dwelling Units (ADUs) policy as part of the Housing five-year plan is a highlight.

Cultural and Historic Resources

Trinidad has a rich cultural history, and cultural and historic resources abound. This Element discusses the purpose and importance of preserving archeological and historical resources, describes methods for protecting these resources and provides local policies to guide the implementation of cultural resource preservation, beyond the projections afforded by applicable federal, State and local laws. The Cultural & Historic Resources Element identifies important local cultural, archaeological, and historic resources and establishes goals, policies, and actions for the protection and preservation of those resources. Though this is not one of the seven elements required by state planning law, Trinidad has a rich history and contains significant cultural resources deserving of intentional on-going robust protections.

Community Design

The Community Design Element is primarily concerned with the aesthetic quality of the City, and what residents and visitors see. The City's appearance is essential to the quality of life in Trinidad. The Community Design Element establishes goals, policies, and programs to preserve and enhance Trinidad's authentic, small town, coastal character. The community is defined in part by its isolated location on the magnificent coastline of Humboldt County. As the economy evolves to a more tourism and service-based economy, the community has acknowledged the importance of maintaining the cultural and scenic identity of the town and the integrity of the residential neighborhoods, while enhancing views and access to the coastline and planning for managed growth and development. This element contains sections addressing design review, view protection, lighting, signs and other aspects that contribute to the aesthetic setting of the community.

2. General Plan Update Process and Public Input

The Trinidad General Plan update process has occurred over many years and involved several steps and iterations. As in the 1978 General Plan, steps were taken to ensure that property owners and residents would be involved in the planning process. This update originally started in the late 1990's with a series of Town Hall meetings. The update was suspended in 2002 due to a lack of funds, and was resumed again in 2007. And it has been put on hold several times since then to focus on other priorities. Therefore, this General Plan has been reviewed by several different Planning Commissions, City Councils and members public over those years.

The development of the update to the General Plan included several community "Visioning" meetings to obtain early public input. In October 1997, the Center for Economic Development (CEED) facilitated Town Hall Meeting #1 and created a verbatim record of participants' responses as well as a shared community vision statement. This document was given considerable weight in the efforts to determine appropriate recommendations for amending the General Plan. A second Town Hall meeting in October 1998 discussed a few of the issues of top concern from Meeting #1, including septic systems and community design. A third town hall meeting in November 1998 resulted in an action plan where several small groups were formed to implement the goals developed from the first meeting.

To include more recent community input, ideas, statements and issues from a community meeting sponsored by the City Council in November 2007 as well as from a community goals meeting and survey in spring 2015 were also incorporated into this update. In addition, public input from several other types of community and public meetings, such as those associated with the development of the Trinidad-Westhaven Coastal Watershed Management Plan between 2006 and 2008, was also included. Additional community input was gathered from an information booth at the 2009 Trinidad Fish Festival. The update to this General Plan also included numerous public hearings before the City Planning Commission and the City Council where concerned parties were able to voice their concerns and opinions. Additional opportunities for public input were also provided during the California Coastal Commission's certification process for the City's LUP.

3. Vision Statement

The Vision is a statement of what Trinidad looks and feels like 20 years in the future, and the General Plan is the road map to achieve this Vision. This vision statement, along with the supporting Strategic Goals, should be considered when interpreting policies contained herein.

Vision

Our community is situated in an area of unique natural beauty among redwood forests, beaches, and sea stacks within the magnificent coastal expanse of the Pacific Ocean and

Trinidad Bay. These natural riches, coupled with a quiet village atmosphere, engaged community, safe and family-friendly streets and trails, rich cultural and historical heritage and a sharp focus on environmental protection and sustainability makes Trinidad, California a welcoming, healthy and vibrant place to live.

Strategic Goals

The General Plan was developed through an extensive public participation process including a community survey and several public comment sessions at both Planning Commission and City Council meetings. Early public comments created a foundation for the following strategic goals adopted by the City Council. The goals are as follows:

1. Retain the small-town character of Trinidad through sustainable development and the preservation of valuable cultural and historic assets.
2. Preserve, protect and enhance the natural setting and open spaces throughout the community providing recreational opportunities and clear views of coastline for all to enjoy.
3. Promote a strong sense of community identity and overall quality of life through continued community involvement in city government, Town Hall events and activities and the maintenance of community services including the community park, library, museum.
4. Provide for a variety of housing types to accommodate an economically and socially diverse population, while preserving the character of the community.
5. Develop planning and response strategies that help protect the citizens of Trinidad from natural disaster (including the effects of climate change).
6. Extend resource preservation and conservation to Trinidad's water resources including the Bay and streams and overall watershed with a goal to eliminate water pollution and to ensure adequate community access to clean and pure drinking water.
7. Provide support for a mixed-use small business district (locally made products, bookstores, restaurants, clothing and gift shops) along with a vibrant fishing industry.
8. Maintain clean, quiet and safe streets, trails, residences, beaches and public properties and a welcoming entrance for visitors.
9. Offer safe and accessible transportation options, adequate parking, and sensible traffic rules to ensure public safety and minimize traffic congestion.
10. Embrace the environmental practices and technologies necessary to help offset the negative impact of Climate Change
11. Work toward the goal of becoming a Zero Waste, Net Carbon Neutral community.

4. Planning Outside City Limits

Land use activities outside the City limits affect the City in a variety of ways. Residents and visitors outside City limits may shop, eat, work or send their kids to school in Trinidad. This may affect traffic and City revenues among other things. Development adjacent to the City can affect City services and future annexation potential. Upstream activities also affect downstream resources, such as the coastal creeks that flow through town and the ocean. Development in the Luffenholtz Creek watershed can affect both the quantity and quality of the City's water supply.

There are a variety of mechanisms the City has to affect and plan for land use decisions outside City boundaries. The City has a Sphere of Influence, developed by the Local Agency Formation Commission (LAFCo) that represents the probable future annexation areas. The City's Service Area includes those areas where the City is currently providing water service, or may expand service in the future. An Urban Limit Line in Humboldt County's Trinidad Area Plan defines the intensive growth area near the City. Finally, the City's Planning Area is based on watersheds, and represents the area of interest to the City in land use decisions. All four of these areas outside City limits are within the jurisdiction of Humboldt County, with the exception of Trinidad Rancheria and some State-owned lands. Additional information regarding the status and development of these areas can be found in Section C of the Land Use Element.

5. Relationship to County General Plan

Sections of the Planning area that extend beyond the boundaries of the City will overlap areas covered by Humboldt County plans, including the Trinidad Area Plan (of the Humboldt County Local Coastal Program), and the County General Plan, which includes the Trinidad-Westhaven Community Planning Area. County General Plan and zoning designations are to be considered the "real" designations for areas not incorporated into the City. Any designations in City documents that exist for areas outside the City boundaries serve to recommend changes in County zoning designations as well as suggest designations should the City ever annex the area. However, they are not part of the certified LUP and would only go into effect after an area has been annexed and after certification by the Coastal Commission.

The County recently updated its general plan for areas outside the Coastal Zone, which will, to some extent, change how surrounding lands should be managed. Policies have been included herein that should be used in commenting on referrals from the County since development on affected properties could impact the City. These policies are based on existing known information. To the extent that the County develops new data, more appropriate policies that address this information should be developed by the County. The City should be involved in any County General Plan or Zoning update process and shall encourage the County to adopt the policies herein within the City's Planning Area.

6. General Plan Amendment

An amendment to this General Plan may be initiated by motion of the City Council on its own initiative. The Planning Commission or individuals may submit requests for amendments to the General Plan specifying why such an amendment is necessary. Generally, local governments may not amend any one of the mandatory elements of the general plan more than four times in one calendar year (Government Code § 65358(b)).

Amendments to the General Plan Land Use Map may be initiated by the owner of the subject property or his authorized agent, or by either the Planning Commission or City

Council. The filing of an amendment application, payment of fees, notice of hearing and procedural requirements shall follow the guidelines in the Trinidad Zoning Ordinance for amendments to the General Plan/LUP.

Amendments must follow the noticing and hearing requirements outlined in various sections of the Government Code (e.g. §65091, 65350, 65352) and the Coastal Act and associated regulations (e.g. §30503 and 14 CCR §13515). The County, Local Agency Formation Commission (LAFCO) and other affected agencies must be notified and provided a 45-day comment period. In addition, any amendments must include formal Tribal Consultation in accordance with SB18. Finally, any amendment to the City's Local Coastal Program requires application to and approval from the CA Coastal Commission and shall only become effective following certification by the Coastal Commission.