City of Trinidad

Posted: Friday, July 09, 2010

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

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

WEDNESDAY, JULY 14, 2010 at 7:00 PM

in the Town Hall at 409 Trinity Street

THERE WILL BE A CLOSED SESSION AT 6:30PM IN THE CIVIC CLUB ROOM

I. CALL TO ORDER/ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. CLOSED SESSION

Real Property Negotiations: Section 54956.8, Status of the Lease/Sale of 12.5 Acres of City Property
Parties: City of Trinidad and the Yurok Tribal Council

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

- June 9, 2010

VI. COUNCIL MEMBER REPORTS, INCLUDING COMMITTEE ASSIGNMENTS

VII. ORAL STAFF REPORTS

- City Manager
- Specific Department Reports

VIII. ITEMS FROM THE FLOOR

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

IX. CONSENT AGENDA

1. Staff Activities Report through June, 2010
2. Financial Status Reports for May, 2010
3. Update Report on Code Compliance and other Enforcement Complaints

X. DISCUSSION/ACTION AGENDA ITEMS

1. Presentation and Acceptance of the FY2009 Annual Audit
2. First Reading of Ordinance 2010-03 for the Accessory Dwelling Unit Ordinance
3. Proposed Council Policy for Commenting on County Land Use Issues
4. Approval of Agreement to Stabilize the Damaged City Property
5. Status of the Lease and Transfer of 12.5 Acre Tsurai Study Area Site

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

XII. ADJOURNMENT

(707) 677-0223 • 409 Trinity Street • P.O. Box 390 • Trinidad, CA 95570 • Fax (707) 677-3759

APPROVAL OF MINUTES FOR:

JUNE 09, 2010 CC:

Supporting Documentation follows with: 6 PAGES

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JUNE 09, 2010

I. CALL TO ORDER/ROLL CALL

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

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION – No Closed Session was scheduled.

IV. RECONVENE TO OPEN SESSION

V. APPROVAL OF AGENDA

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

VI. APPROVAL OF MINUTES

May 12, 2010 cc
May 19, 2010 scc
Motion (Fulkerson/Bhardwaj) to approve all the minutes as written. **Passed unanimously.**

VII. COMMISSIONERS REPORTS

Binnie:

- **HCAOG:** Regional trails plan approved. Updates from PlanWest Partners on the Annie & Mary Rails to Trails Plan. Staff announced retirement party for Spencer Clifton.
- **PG&E:** Met with PG&E regarding street light replacement.
- **Streets:** Work done on East Street tree pruning was completed. That Tree Guy did an excellent job.
- **Misc:** Attended the senior pen pal brunch at Trinidad School yesterday.

Bhardwaj:

- **Planning Commission**:

Morgan: Attended the Humboldt Lodging Symposium. May be asking the City to contribute 2% of its TOT to the association for 2-5 years.

Fulkerson:

- **RREDC**: Economic specialists suggest that marijuana legalization could impact the County's estimated 1 billion cash flow from the product annually.
- **Misc**: Concert at Town Hall on Sunday raised nearly $1000.

Ratzlaff: Update on energy grant.

VIII. STAFF REPORTS

City Manager - Albright: Summarized staff activities report and highlighted various other accomplishments.
Fulkerson: *Requested that the recruitment process for a Police Chief be brought back to the Council for discussion.*

City Clerk - Adams: Reported on Town Hall Rent, Upcoming election schedule, and Drinking Water Notice mailed to all water customers earlier this month

IX. ITEMS FROM THE FLOOR

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

Pat Morales – Trinidad
Requested an update on the progress of the violations for Mike Morgan and Mike Reinman. Neither individual has complied nor responded within 90 days. No permits have been issued or inspections performed.

Sungnome Madrone – Fox Farm Road
The Water Quality Violation the City recently informed its customers of is a serious threat to public safety. Every time it rains heavily there will be a problem. Water is a BIG issue, and the City should clarify the problem to its customers.

X. CONSENT AGENDA

1. Staff Activities Report through May, 2010
2. Financial Status Reports for April, 2010
3. Proclamation 2010-05 Supporting "Americans with Disabilities Act" Week
4. Resolution 2010-07 Regarding the November, 2010 General Election
5. Set Public Hearing for August 11, 2010 for the Annual Water Rate Increase
6. Set Public Hearing for August 11, 2010 for Proposed Ordinance 2010-03 for a Transient Occupancy Rate Increase

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

XI. AGENDA ITEMS

1. Public Hearing to Adopt the FY2011 Annual Budget

City Manager Albright explained that the proposed FY2011 City of Trinidad Budget is being submitted to the City Council for adoption. There was one Public Workshop meeting held on the draft budget on May 19, 2010.

There are several key points related to this year's General Fund budget proposal:

1) The proposed General Fund Budget is balanced (projected revenues exceed planned expenditures). The General Fund includes Administration, the Police Department, the Volunteer Fire Department, and the Public Works Department.

2) Overall, General Fund expenditures are down from the previous year due to decreased "special projects" spending, a decrease in insurance costs, and costs savings related to the 6-month contract with the Sheriff's Office for law enforcement services.

3) Staff salaries are proposed to increase by 2% as a cost-of living adjustment and 5% for merit increases for salaried and hourly employees.

4) Transient Occupancy Tax (TOT) is proposed to be increased from 8% to 10%. 40% of the projected revenue from TOT is proposed to be re-allocated to tourism-related support activities (Chamber of Commerce, HCCVB, Museum, others undetermined).

5) Year-end Fund Balances will be reported when the FY2009 and FY2010 Audits are complete.

6) Special Project Funds (such as grant budgets) are not included for adoption in the City's budget because they are determined by the funding source.

The City also manages two Enterprise Accounts, the Water Fund and the Cemetery Fund. The budgets are also submitted for Council consideration.

Revenue generated by the City Cemetery Fund annual fund balance nearly supports the cemetery expenses. When the actual fund balances for the Cemetery Fund are determined by the last two years' annual audits, it will be recommended that the Cemetery funds be isolated and considered as an "endowed" enterprise fund.

The Water Fund does not demonstrate a balanced budget for the coming year. There is an anticipated expenditure of approximately $40,000 for a grant match that will need to be withdrawn from Water fund reserves Minus this expenditure, the Water Fund budget's projected revenues exceed the proposed expenditures.

Council comments included:
Fulkerson: City Manager's salary needs to be analyzed.

Morgan: I'd like to find Sungnome's proposal, but ask that he research grants to fund – or partially fund the spring proposal.

Public comment included:
Sungnome Madrone – Fox Farm Road
It's obvious that the ¾% sales tax is why Trinidad is so well funded. Rewarding employees is good, but be cautious how dependent the city becomes on this revenue. The Council should also consider spending a portion of TOT on Humboldt North Coast Land Trust. He also requested $20,000 spent from the Water Fund on his spring water source proposal.

Motion (Fulkerson/Ratzlaff) to Approve Resolution 2010-08 Adopting the FY2011 Annual Budget. **Passed 4-0.**

2. Report and Recommendations from the Vacation Dwelling Units Advisory Committee
City Manager Albright in December 2009, the City Council appointed members to a citizens' advisory committee to study and make recommendations regarding vacation dwelling units in the City of Trinidad.

The Committee met nine times between January and May, 2010. Of the nine members appointed by the City Council to the Committee, seven remained active throughout the process:

Tom Davies, Mike Reinman, Jenifer Fraser, Gail Saunders, Dean Heyenga, Mary Wilbur, Pat Morales

The Committee members chose to end their discussions (in most instances) by voting on a specific item. Of course, not all votes were unanimous. As a result, some of the recommendations being forwarded to the Council resulted from compromise, and the Committee members are well aware that more change and compromise will likely occur prior to the Council ever enacting any or all of the Committee's work.

Tom Davies, who was selected by the members to be the Chairman of the Committee, presented the findings to the Council on the Committee's work and recommendations.

Public comment included:
Tom Davies – Trinidad
Explained the process, research completed, and the purpose of the committee. He explained that there was a broad range of representation on the committee. The housing stock includes 32 VDU's + 5 or 6 inactive ones. They represent 15% of the current housing stock.

Recommendations discussed by the commitee:
- Limit the number of VDU's in Trinidad. (Voted down 4-3)
- Create a new business license form. (unanimous)
- Increase first-time fee to $100 (unanimous)
- Increase TOT to 10% (unanimous)
- Establish regulations for all VDU's (unanimous)

Recommended Regulations:
- No grandfather exceptions – apply all regulations to VDU's.
- 2 person/bedroom + 2 additional guests.
- 10 person limit
- One off-street parking space per bedroom.
- 2 night minimum.
- Emergency contact numbers posted.
- Signs @ unit identifying the Vacation unit posted on the home and clearly visible from the street.

Public comment included:
Pat Morales – Trinidad
I was for a cap on units. I requested that any non-active unit be dropped after 1 year and be required to re-apply or be on a waiting list. 15% ratio is plenty. Tom Davies also supported the cap.

Mike Reinman – Trinidad
Thanked the committee for their effort. The dialogue was constructive. There is a perception that a cap will dictate occupancy. Having a neighbor permanently may or may not be preferred. The economy has declined, and deals are being made. There is a saturation, but demand in Trinidad is still high.

Tom Odom – Trinidad
My home is surrounded by 6 VDU's. If a permit is required to operate a VDU then the public will be notified and have an opportunity to voice their concerns. Then, no cap would be necessary.

Jim Cuthbertson – Trinidad
The VDU's in my neighborhood are occupied more than 50% of the time. I have had no problems, and enjoy the visitor's company.

Glenn Saunders – Trinidad
This is more red-tape than it's worth. More paperwork means more work the employees. It's a hassle. You'll spend more time and money on this and the City won't be any better off.

Kathleen Lake – Trinidad
The committee was constructive and useful. It inspired communication and dialogue between individuals that wouldn't otherwise talk. The Clerk gets tired of my complaints. Over Memorial weekend I had 2 complaints that were responded to by Trinidad Retreats immediately.

Kim Tays – Trinidad
Cuthbertson doesn't have trouble with the Snell's rentals because they're incredibly particular when it comes to the tenants they allow to use the rental. However, not all rental agencies use discretion. I'm in favor of a cap. Community is important.

Tom Davies – Trinidad
We expect everyone to follow the rules and vacation rental operators should enforce them. If they don't, their right should be taken away. This is a serious problem in Trinidad and it should be taken seriously.

Council comments included:
Morgan: Thanked the committee for their hard work, and suggested the Council support their suggestions and develop a policy to enforce.

City Manager Albright explained that staff will not go around policing these units at night. Community policing will be necessary, but complaint driven regulations may assist both the owners and operators.

Motion (Fulkerson/Ratzlaff) to receive and file the report from the members of the Vacation Dwelling Units Citizens' Advisory Committee, thank the members for their service, and direct staff to develop a draft ordinance to be considered by the Council within 2 months. **Passed 4-0**.

3. Proposed Council Policy for Commenting on County Land Use Issues
City Manager Albright explained that at the City Council meeting in April, the Council had a lengthy discussion regarding how and when the City of Trinidad should comment on land use proposals in the adjacent County areas. This discussion continued in the last meeting in relation to the proposed Homan subdivision project off Stagecoach Road.

The Council requested that staff return with a proposed policy on this issue.

A number of questions are attempted to be addressed in the proposed policy:

- What type proposals being made to the County merit comment from the City of Trinidad?
- Should a "threshold criteria" be established for making comment to the County?
- What factors make a proposal significant enough to merit comment from the City to the County?
- Who should comment on a proposal (staff, Planning Commission, or City Council).

Referral Process: The City of Trinidad receives many referrals for comment on some land use or environmental review action that is within the County's jurisdiction. The ability of another jurisdiction (or a private land owner) to comment could occur through a proposed land use action (i.e. zoning change, subdivision proposal, need for a zoning variance) or through an environmental review process (i.e. a NEPA or CEQA review period). There is no mandate that the City respond to a notification of a review period, and in fact most notification that have been received in the past at Town Hall have not generated a formal response from Trinidad.

Relative Level of Importance: It would be untrue to say that some projects are unimportant to Trinidad. Every project is important to someone. In relative terms, however, those proposal that may impact the City of Trinidad in some manner rise to a level where the City may want to, at minimum, point out to the County that some potential impact needs to be addressed in the County's review process. For example, a project which may impact drinking water quality or quantity, surface drainage, traffic, municipal services, or other environmental issues may deserve attention from the City. On the other hand, a project proposal which is likely only to impact the specific property, such as a variance from a side-lot setback requirement, would have minimum if any impact on the City of Trinidad.

Staffing/Commission/Council Work: If it is determined that there is ample reason to comment on a proposal, there is a time and cost impact on the City staff, Planning Commission, and the City Council. That is not budgeted, especially if the burden of work falls on the City's contract Planner. Potential costs to the City even increase as the Planning Commission and/or City Council become involved. For this reason, as in the past, it is unlikely that many requests for comment will proceed as far as a public meeting in Trinidad.

Summary: Most jurisdictions leave the determination of whether or not to comment up to its professional planning staff. It is rare to see one jurisdiction actively support or oppose the actions of another jurisdiction unless a highly controversial proposal is involved. That has been the case only two times in the last three years in Trinidad, so this is not anticipated to be an ongoing concern or a huge budgetary implication. Rather, an adjacent jurisdiction will attempt to point out their "selfish concerns" that may relate to nay number of potential impacts from a proposed project. If the review process is intended to bring to light project impacts and potential problems, then the comment period is the City's opportunity to do just that.

Public comments included:
Robert Vogel – Trinidad Area Resident
It is a matter of interpretation whether a yes or no position is required on a specific project. If the citizenry doesn't like a Planning Commission decision, they can appeal it to the City Council. This is 2010, the process should be transparent. Put it on the web.

Kim Tays – Trinidad
The city did nothing wrong with regards to the Homan project noticing requirements. A development project of that scale IS the city's business. The Trinidad ASBS is a serious concern.

Sungnome Madrone – Trinidad Area Resident
Thanked the City Manager for his work on the policy. Government comments have the greatest strength. In the past 30 years only 2 projects have been raised to this level – Moss and Homan. I was at the PC hearing in Eureak. The Mayor and citizens asked for more information as to the relative impacts of the project. The City has jurisdiction to make comments and requests. Staff should not be making the call on projects of this scale.

Council comments included:
Fulkerson: This policy is way too complicated. I suggest it be re-worked, simplified, and brought back for review.

Morgan: I would like to see the City avoid taking a position on projects early on and focus on information gathering. City officials should also avoid using their positions to impact decisions of other governing agencies without Council approval.

By consensus, the Council agreed to direct staff to re-write a more simple and concise policy for consideration at a future meeting.

4. Street Light Report

City Manager Albright explained that this agenda item provides a status report on the City Street lights in Trinidad. At this time, it concentrates solely on the Museum/Library project, the Gateway Project on Main and Trinity Streets, and improvement plans for lights on Trinity Street and the Memorial Lighthouse area.

There are currently two projects, one now under construction and a second planned for construction later this year, which will be adding to or changing some of the street lights in Trinidad. Those projects affect seven (7) street lights. In addition to those lights, the City's budget includes funding for the relocation of three (3) street lights where their current location is an impediment to handicapped accessibility of the sidewalks. Finally, the improvement of the existing street light adjacent to the Memorial Lighthouse has long been a community desire, and this may also be the right time to address that light.

The street lights on Main Street, Trinity Street, and the one in front of the Memorial Lighthouse are all owned by PG&E. The City pays the electric bill for their operation. Since these lights are owned, and therefore maintained, by PG&E, it became apparent during the design of the Gateway Project improvements to either continue to use the same style of light and pole or select new lights and poles from the PG&E inventory. The street light that was chosen for the Museum Library Project is attached and reflects the style of light that was chosen by the Joint Committee.

No decision was made. Report item only.

XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

XIII. ADJOURNMENT

- **Meeting ended at 10:35pm.**

Submitted by:

_____
Gabriel Adams
City Clerk

Approved by:

_____
Stan Binnie
Mayor

DRAFT

CONSENT AGENDA ITEM #1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 10 PAGES

1. Staff Activities Report through June, 2010

CONSENT AGENDA ITEM IX.1
Date: July 14, 2010

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

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

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

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

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

Staff Recommendation:

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

Attachments: Staff Activities Report through June, 2010.

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

Stan Binnie, Mayor
Steve Albright, City Manager

STAFF ACTIVITIES REPORT

Through June, 2010

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

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

City Administration:

1. FY2011 Budget. **The FY2011 Budget was approved by the City Council on June 9, 2010. It was forwarded to our accountant to be input financial status reporting. Payroll adjustment for the employees was effective on July 1, 2010. As the actual expenditures for 2010 become known, a budget amendment will be presented to the City Council in September.**

2. 2008-09 Annual Audit. **The 2009 annual audit is finally complete. Ralph Marcello forwarded the printed audit in Late June. Year-end financial statements were provided to him in advance by Cunningham, Malone & Morton. It is generally agreed that the greatest difficulty is s software problem that must be corrected for next year's financial reporting. This is due in part to the increase in State and Federal funding programs that have required Trinidad to transition to separate fund accounting for each program. This has required an expenditure (investment) in financial software that will be included as an addition to the budget in the first amendment. The audit will be presented to the Council at the July meeting.**

3. **Town Hall Rental. Staff has been reporting in a separate format the monthly rental revenue from the public's use of Town Hall. That revenue is now included in this report. For the month of June, 2010, Town Hall was rental only two times for a total of $650.00. One event was cancelled, and all the**

facilities were used for the Fish Festival at no charge to the Chamber of Commerce.

4. City Web Site. Additional uploads and ongoing updates are being done to the web site. Comments for change and improvement are always welcomed.

5. Improvements to the City's filing/record-keeping system. Town Hall records, and those that are in the storage facility at Trinidad School, will be purged and archived over the next few months. The City Clerk will also be compiling a database of the existing files to improve the ability to retrieve and use historic files. The long-awaited project of contracting for updates to the City Municipal Code is now underway.

6. Town Hall Improvements. Estimates are being sought for painting, re-flooring, some carpentry work, and furniture replacement for the Clerk's Office in Town Hall. **Work that was planned for the last week of June and the first week of July did not occur because staff was trying to coordinate it with the planned new energy-efficient heating system, but that grant has still not been approved.**

7. Creating a 5-year Capital Improvement Plan for the City of Trinidad. No action has been taken.

8. Tsurai Management Plan Implementation. A letter was sent to the involved parties to re-open the negotiations toward transfer of the 12.5 acre site in early April, 2010. The Tsurai Ancestral Society replied that the Board was meeting in May and would get back to the City at that time. **A meeting has been set for the first week of July.**

On June 16-17, there was a brush/tree cutting incident on City-owned property within the Management Area. Staff stopped the illegal cutting in progress and documented the damage with photographs. Information was collected, and the Sheriff's Office began a detailed investigation when their contract with the City became effective on June 30. That investigation is still underway.

9. General Plan. The Open Space, Conservation, and Recreation Elements were presented and discussed at the Council's meeting on April 28, 2010. The new General Plan is now scheduled for Council adoption hearings after the Planning Commission completes its review of the remaining elements.

10. On-Site Waste Water Treatment (OWTS) Ordinance. The City Council adopted the Ordinance on December 10, 2008. In November, Planning Commission requested that a change in the OWTS Ordinance be made to make either the City Manager (administratively) or the City Council responsible for approving the implementation guidelines. An amendment to the Ordinance was prepared to

shift this responsibility to the Council, and it was approved in March 2010. The Guidelines can now be finalized and brought to the Council for consideration as staff time allows.

11. Accessory Dwelling Unit (ADU) Code. The Planning Commission has completed its work on a proposed ADU Ordinance that would put the City of Trinidad in compliance with State requirements. The ordinance was referred to the City Attorney for review in early 2008. The Planning Commission has recommended that it be considered by the City Council, but that will not happen until the Council acts on the OWTS Ordinance. The proposed ADU Ordinance is on the City's website as a downloadable document for public review and comment. It is now planned for a first reading for adoption in July, 2010.

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

Status of Grants and Funding Programs

- Project Name: Gateway Project
  Source of Funds: CA State Transportation Improvement (STIP)
  Amount of Funding: $145,000
  Local Match/Source: Prop 1B funds
  Status: Environmental Complete, Design Complete, Construction in 2010
  The Construction Authorization request has been submitted to Cal Trans. The Encroachment Permit was received in April. Staff is now arranging for construction easements with adjacent property owners and utility relocations with PG&E and AT&T. The bid process will occur this Summer, and construction should begin in September to avoid tourist season in Trinidad.

  and

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

- Project Name: New Library/Museum Road
  Source of Funds: CA State Proposition 1B
  Funding Amount: $100,000

Status: Road Open, Completion of curb/gutter/paving and diagonal parking along Patrick's Point Drive finished by Alves. Project completed in March, 2010 on budget, final payment made, **and striping of new parking spaces was completed in late June 2010.**

- Project Name: Library Museum Project Access Improvements
  Source of Funding: American Recovery and Reinvestment Act (ARRA)
  Amount of Funding: $186,000
  Status: Environmental Complete, Design Complete, Construction begun on April 15, 2010 by Gray Construction. 60-day construction anticipated. Significant reporting requirements and documentation to CalTrans for reimbursement for project costs. **The construction extended about three additional weeks due to multiple weather delays. As of June 30, the project is nearing completion. The last item will be installation of the street lights, which were on a delayed back-order.**

- Project Name: Saunders Park Development
  Source of Funding: State Park Bond
  Amount of Funding: Approximately $120,000 remaining.
  Status: Funding received in 2007. Design by Freeman Architects complete, planned bid to be advertised in June 2010, Construction to begin in late Summer 2010.

- Project Name: Azalea and Pacific Streets Reconstruction
  Source of Funds: CA State Transportation Improvement (STIP)
  Amount of Funding:
  Status: Environmental in Process. Delay for construction authorization submitted in March, 2010, due to lack of funds available at the State level. Construction funding now programmed for 2013-14. Funding for final design undetermined and may delay the project indefinitely. No additional expenditures recommended at this time, which means some Prop 1B money needs to be reallocated.

- Project Name: Energy Efficiency and Conservation Block Grant (EECBG)
  Source of Funding: American Recovery and Reinvestment Act
  Amount of Funding: $25,000
  Status: Grant Application was submitted by 1/15/10. Award announcement anticipated by the end of March, 2010, has been delayed with no explanation. Date of determination still unknown.

- Project Name: North Coast Energy Independence Program
  Source of Funds: State Assembly Bill 811 Authorization
  Amount of Funding: N/A, Loan Program to Property Owners
  Status: Program/Rules being established.

- Project Name: Safe Drinking Water Revolving Fund (SDWSRF)

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

- Project Name: Clean Beaches Program
  Source of Funding: State Proposition 50
  Amount of Funding: $400,000
  Status: This project was delayed by the state budget crisis for 16 months. It was reactivated in February 2010, but the end date for grant expenditure is now 11/30/10. A grant amendment was signed in April 2010. Nearly $300,000 of the funds are for the replacement of failing and unsafe septic systems in the watershed area (inside and outside the City limits), and Streamline Planning is identifying and contracting for the replacement of approximately 10 of the worst systems in the area. **Seven replacement systems have been approved and have been constructed, and several more are pending approval and construction.**

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

- Project Name: Drainage Improvements (ASBS Project)
  Source of Funding: CA State Proposition 84
  Amount of Funding: $2,500,000
  Status: State announced in late April that bond funds have been raised and this project may proceed. Now awaiting contract to establish agreement with State for use of funds. **Staff is responding to a request from the State to address "scope of services" issues that arose during the State's review and approval process. When this is complete, an agreement will be brought to the Council for approval, which will probably occur in August or Septemeber.**

- Project Name: Trinidad Pier Reconstruction (ASBS Project)
  Source of Funding: CA State Proposition 84
  Amount of Funding: $2,500,000
  Status: State announced in late April that bond funds have been raised and this project may proceed. Now awaiting contract to establish agreement with State for use of funds. **The State sent the City a letter with many concerns in it in June. A response was jointly prepared by City and Rancheria staff an sent to the State on June 30. Their response time**

and the next steps needed to prepare and agreement to proceed are undetermined.

- Project Name: Trinidad Safe Streets
  Source of Funding: CalTrans Planning Funds
  Amount of Funding: $80,000
  Status: Grant application completed by staff and Local Government Commission. Council approved Resolution to submit application in March, 2010, and application filed with District 1 Caltrans by April, 1, 2010. **It is unknown if and when this application will be approved.**

Police Department

1. Staffing. Chief Thrailkill resigned in April, and his last day in Trinidad was April 23, 2010. Deputy Ryan Lemons was placed on administrative duty and worked on-site through May 17, 2010. At his request, he was subsequently released in accordance with the terms of his contract and paid for the 30-day notification period. Current reserve officers will remain in that status but will not be working any hours until the status of the department becomes clear. Sandra Cuthbertson remains as a part-time Office Manager for at least the remainder of the calendar year. It is planned to recruit for a new Police Chief during the summer to determine whether or not suitable candidate(s) are available.

2. Law Enforcement Functions. **In May, the Council approved proceeding with a six-month contract with the Sheriff's Office for law enforcement functions in Trinidad. That contract was reviewed by Counsel and the County's Risk Management office and will be on the Agenda of the Board of Supervisors in June. It was approved by the Board on June 22 and became effective on June 30. Deputy Scott Hicks has been assigned to Trinidad on an interim basis until the Department's internal recruitment process is completed, and then the City will participate in interviewing the applicants. In the meantime, Deputy Hicks is on duty and has full access to the City's police department offices, as agreed.**

3. Equipment Issues. Staff has arranged to transfer to the Sheriff's Office all existing inventory of weapons and ammunition. **The ammunition was transferred in June. A credit will be given to the City for the value of the ammunition against the first month contract, and the weapons will be safely stored by the Sheriff's office.**

Fire Department

1. No New Information to Report.

Public Works Department

1. Grounds Maintenance. City maintained grounds are now in good condition and will be maintained on a regular schedule through the summer. A new riding mower was purchased that will improve ongoing operations efficiency and will specifically address the increased maintenance demands of the museum and library grounds.

2. Streets Maintenance. **The project on Edwards Street to move the center line, add fog lines (parking striping), and revise the red curb no parking areas is nearly complete. Staff worked through some complications that arose during the project and now awaits citizens' reactions to these changes. Staff also coordinated partial re-surfacing of Patrick's Point Drive in the City in conjunction with a County-planned project outside the City limits. This was a very good financial arrangement for the City and was paid for from TDA streets maintenance funds.**

3. Street Trees/Maintenance. The City has been requested to pay for the removal of a tree in the public right-of-way on frontage road. That issue was presented to the Council, and the Council in turn forwarded it to the Planning Commission to follow normal procedures. **That was approved by the Commission, and the tree will be removed in the second week of July. The City also assisted in the cost of a tree trimming on West Street on a tree that is partially in the public right-of way. That project has also been completed.**

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

City Water Department

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

2. Maintenance. Valves were installed adjacent to the Van Wycke Trail for the purpose of isolating this portion of the water line in case of failure of the trail. The cost to do this was funded by the lines maintenance/repair budget line item. **The new water meter was installed for the Marshall single family home on Edwards Street.**

3. Water Quality: **The Council requested that staff provide additional information at the July meeting on a notice of violation and staff's reaction that was received by the City in April. A report from Bryan Buckman explaining the violation and the action taken by the City is attached to this Staff Report,**

4. Water Service Extension. A request filed by CalFire to extend Trinidad water to its facility on Patrick's Point Drive is being reviewed. **That project will not be going forward in the near future because potential funding from the State expired with the end of the fiscal year.**

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

City Cemetery

1. Annual Maintenance. The Public Works staff maintains the Cemetery Grounds on an ongoing basis. During the week of June 1 additional maintenance was done to clean up a number of specific locations on the Cemetery grounds.

July 8, 2010

To: Trinidad City Council Members

From: Bryan Buckman

In accordance with the Safe Drinking Water Act, Title 22, CCR, Section 64463.4 notice was sent to water customers and posted on the City website on June 4, 2010, to notify them that the City of Trinidad was in violation of the Safe Drinking Water Act. The City is required to notify customers of a violation within 30 days upon receipt of a State Department of Public Health letter of violation, which was fulfilled.

The following required language was used: "The average level of Haloacetic acids (HAAs), byproducts of the chlorination of your drinking water, exceeded the maximum contaminant level (MCL) allowed. MCL for HAAs is 60 parts per billion. Samples for HAAs are taken quarterly. The running annual average for the first quarter ending March, 2010, samples from our water is 76 parts per billion. The running annual average for the second quarter ending June 2010 samples from our water is 81 parts per billion. Haloacetic Acids form when chlorine interacts with total organic carbon in the water."

The following language was also included as required to address health concerns: *"Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection byproducts. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer."*

Simply put, not much is known about potential health impacts as monitoring for these particular disinfection byproducts(DBPs) just began fairly recently and the impact may require several years of exposure.

DBPs form in our system when chlorine used as a disinfectant reacts with organic carbon in our water. Disinfection is required as well as a certain level of residual disinfectant in our distribution system. Chlorine is added at our treatment plant following filtration as it enters our distribution system after removal of filterable organic carbon.

Total organic carbon (TOC) is comprised of dissolved organic carbon (DOC) and filterable organic carbon. DOC is dissolved in the water making it un-filterable.

In 2006, the City ceased adding pre-treatment chlorine to the raw water containing higher levels of filterable organic carbon prior to filtration in an effort to mitigate formation of DBPs.

Based on sampling performed in June of this year, the treatment technique employed by the City is highly effective at removing filterable carbon prior to disinfection. DOC accounts for about half of our TOC. The City presently employs no treatment technique to remove DOC.

As has been discussed in the past, multiple chlorine injection points in our distribution system could potentially mitigate DBP formation by reducing the amount of total chlorine needed and eliminating relatively high doses at the singular injection point at the treatment plant needed to maintain a residual of disinfectant.

CONSENT AGENDA ITEM #2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 12 PAGES

2. Financial Status Reports for May, 2010

CONSENT AGENDA ITEM IX.2
Date: July 14, 2010

Item: **FINANCIAL STATUS REPORT**

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

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

This Financial Status Report provides the status on seven pages:

General Fund Revenue;
1. General Fund-Administration;
2. General Fund-Public Works;
3. General Fund-Police;
4. General Fund-Fire;

Enterprise Account-Water Department; and
Enterprise Account-Cemetery.

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

Staff Recommendation:

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

Attachments: Financial Status Report through May, 2010.

City of Trinidad
Statements of Revenues - Budget and Actual
General Fund - Revenues
May 31, 2010
92%
Percent of the Year

		Current Month	Year To Date	Annual Budget	Percent of Budget
1.01 4100	Property Taxes	$ 5,100	$ 5,100	$ 110,200	5%
1.01 4101	Property Tax - Secured	-	37,836	-	100%
1.01 4102	Property Tax - Unsecured	-	8,285	-	100%
1.01 4105	Property Tax - Current Suppl	-	512	-	100%
1.01 4106	Property Tax - Prior Suppl	-	313	-	100%
1.01 4107.1	Property Tax - Motor Vehicles	-	2,835	-	100%
1.01 4107.2	Property Tax - Booking Fees	-	83	-	100%
1.01 4108	Property Tax - Homeowners	-	635	-	100%
1.01 4109	Real Property Transfer Tax	-	(5,100)	-	100%
1.01 4110	Property Tax - Interest +	-	362	-	100%
1.01 4113	Public Safety 1/2 Cent	-	622	-	100%
1.01 4114	Property Tax - Documentary Fee	-	1,874	-	100%
1.01 4119	Property Tax Administration Fee	-	(1,881)	-	100%
1.01 4120	LAFCO Charge	-	(403)	-	100%
1.01 4121	In-Lieu Sales & Use Tax	-	10,198	-	100%
1.01 4122	In Lieu VLF	-	12,828	-	100%
1.01 4200	Sales & Use Tax	4,400	131,008	210,000	62%
1.01 4300	Transient Lodging Tax	-	69,597	60,000	116%
1.01 4605	Traffic Relief Fund	-	-	-	100%
1.01 4606.4	ASBS Grant	-	-	-	100%
1.01 4606.5	Clean Beaches Grant	-	-	-	100%
1.01 4611	Parks & Recreation	-	-	-	100%
1.01 4600	State Grants - Other	-	-	-	100%
1.01 4731	Motor Vehicle in Lieu Tax	-	-	-	100%
1.01 4732	Vehicle License Collection	-	336	-	100%
1.01 4737	Motor Vehicle License Fee Gap	-	-	-	100%
1.01 4761	Blue Bag Sales	-	-	-	100%
1.01 4765	Recycling Revenue	-	-	-	100%
1.01 4901	Peace Officer Standards & Train	-	1,856	1,500	124%
1.01 4902	Reports	-	35	200	18%
1.01 4903	Patch Fund	-	20	-	100%
1.01 4904	Towing Fees	-	2,145	2,000	107%
1.01 4905	Criminal	-	225	700	32%
1.01 4906	Booking Fees	-	-	-	100%
1.01 4908	Motor Vehicle Fine	148	468	3,500	13%
1.01 4909	Donations/Fundraising/Grants	-	-	1,000	0%
1.01 4910	Airport Security	-	-	-	100%
1.01 4900	Police Revenue - Other	-	310		100%
1.01 4990	Other Grants	-	-	-	100%
1.01 5310	Copy Machine Fee	7	70	100	70%
1.01 5320	Interest Income	5,388	41,969	40,000	105%
1.01 5380	Other Fees for Service	-	75	-	100%
1.01 5390	Other Miscellaneous Income	371	1,805	4,600	39%
1.01 5300	Other Income - Other	-	-	-	100%
1.01 5400.2	Planner - Application Processing	750	6,523	10,000	65%
1.01 5400.4	Engineer-Application Processing	-	-	500	0%
1.01 5400.5	Bldg. Insp-Application Process.	576	4,751	6,000	79%

Restricted For Management's Use Only

1.01 5400.6	Bldg. Insp-Enforcement	-	-	-	100%
1.01 5410	Animal License Fees	-	52	200	26%
1.01 5413	Farmers Market Business License	70	205	-	100%
1.01 5415	Business License	-	3,468	12,000	29%
1.01 5430	Encroachment Permit Fees	50	600	400	150%
1.01 5490	Other Permits	-	63	-	100%
1.01 5615	Franchise Fees	-	-	6,000	0%
1.01 5640	Rent - Verizon	1,611	17,423	18,000	97%
1.01 5645	Rent - Cox Cable	-	-		100%
1.01 5650	Rent - Harbor	-	-	5,000	0%
1.01 5655	Rent - PG&E	-	5,079		100%
1.01 5660	Rent - Other Tennis Court	-	70		100%
1.01 5665	Rent - Suddenlink	-	4,061		100%
1.01 5670	Rent - Town Hall	1,000	7,263	10,000	73%
1.01 5600	Rent & Franchise Income - Other	-	-	500	0%
1.01 5999	PROP 1B Transfer	-	-	65,800	0%
1.01 5395	Gain/Loss on Sale of Assets	-	16,502	17,500	94%
TOTAL REVENUES		$ 19,471	$ 390,078	$ 585,700	67%

Restricted For Management's Use Only

City of Trinidad
Statements of Revenues - Budget and Actual
General Fund - Administrative Expenses
May 31, 2010
92%
Percent of the Year

		Current Month	Year To Date	Annual Budget	% of Budget
EXPENDITURES					
2.01 6090	Honorariums	$ 250	$ 2,750	$ 3,000	92%
2.01 6100	Employee Wages	3,446	52,483	48,660	108%
2.01 6500	Employee Benefits/Ins/Taxes	2,427	30,756	27,200	113%
2.01 6809	Crime Bond	-	490	-	100%
2.01 6810	Fidelity Bond	-	-	-	100%
2.01 6820	Insurance - Liability	-	79	4,000	2%
2.01 6830	Property & Casualty Insurance	-	-	1,500	0%
2.01 7101.1	Attorney - Meetings	50	12,532	28,000	45%
2.01 7101.2	Attorney - Admin Tasks	-	1,480	-	100%
2.01 7101.4	Attorney - Litigation	-	16,935	12,000	141%
2.01 7105	City Engineer - Meetings	-	-	-	100%
2.01 7106	City Engineer - Project Fees	-	-	-	100%
2.01 7107.2	City Engineer - Admin Tasks	504	6,051	6,000	101%
2.01 7107.3	City Engineer - Application Process	-	442	1,000	44%
2.01 7107.4	City Engineer - Special Projects	-	3,615	-	100%
2.01 7130.1	City Planner - Meetings	261	1,020	-	100%
2.01 7130.2	City Planner - Admin Tasks	1,131	15,609	20,000	78%
2.01 7130.3	City Planner - Application Process	540	4,197	8,000	52%
2.01 7130.6	City Planner - Special Projects	990	28,572	30,000	95%
2.01 7140.2	Bldg Inspector - Admin Tasks	-	374	-	100%
2.01 7140.3	Bldg Inspector - Permit Proc	-	84	-	100%
2.01 7140.4	Bldg Inspector - Enforcement	300	3,314	2,000	166%
2.01 7150.2	Accountant - Admin Tasks	559	9,576	6,000	160%
2.01 7150	Accountant - Other	-	-	-	100%
2.01 7160.3	Auditor - Admin Tasks	-	9,639	6,500	148%
2.01 7202	Chamber of Commerce	-	-	3,000	0%
2.01 7204	Bad Debts	-	336	-	100%
2.01 7170	Financial Advisor/Tech Support	180	2,307	2,000	115%
2.01 7505	Library Rent & Local Contrib.	-	5,500	12,000	46%
2.01 7506	Rent	-	-	5,600	0%
2.01 7507	Utilities	990	3,424	4,000	86%
2.01 7509	Dues & Membership	-	222	1,000	22%
2.01 7510	Municpal/Update Expense	-	53,226	65,000	82%
2.01 7512	Licenses & Fees	-	22	-	100%
2.01 7513	Office Supplies & Expense	1,039	4,889	4,500	109%
2.01 7515	Interest Expense	-	4,304	-	100%
2.01 7516	Bank Charges	-	10	-	100%
2.01 7519	Contracted Services	-	60	-	100%
2.01 7599	Miscellaneous Expense	41	2,286	1,000	229%
2.01 7602	Telephone	216	1,810	3,000	60%
2.01 7603	Cell Phone & Pager Expense	-	-	-	100%
2.01 7604	Cable & Internet Service	161	1,610	1,500	107%
2.01 7606	Travel	-	59	500	12%
2.01 7806	Building Repairs & Maintenance	-	650	5,000	13%
2.01 7807	Security System	-	258	-	100%
2.01 7808	Other Repair & Maintenance	-	93	-	100%
2.01 7809	Materials, Supplies & Equipment	201	8,694	7,000	124%

Restricted For Management's Use Only

		Current Month	Year To Date	Annual Budget	% of Budget
2.01 7822	Disaster Planning & Preparedness	-	-	-	100%
2.01 8000	Depreciation	-	3,560		
2.01 8950	Penalties - Non-Deductible	-	-	-	100%
2.01 9200	Unrealized Loss/Gains	-	3,337	-	100%
2.01 9300	Unrealized Invest. Loss/Gains	(1,537)	8,384	-	100%
TOTAL EXPENDITURES		$ 11,749	$ 305,039	$ 318,960	

Restricted For Management's Use Only

City of Trinidad
Statements of Revenues - Budget and Actual
General Fund - Police
May 31, 2010
92%
Percent of the Year

		Current Month	Year To Date	Annual Budget	% of Budget
EXPENDITURES					
3.01 6100	Employee Wages	$ 3,311	$ 58,889	$ 50,898	116%
3.01 6500	Employee Benefits/Ins/Taxes	324	12,242	29,539	41%
3.01 6609	Commercial Crime Bond	-	210	-	100%
3.01 6810	Fidelity Bond	-	-	-	100%
3.01 6820	Insurance - Liability	-	99	4,500	2%
3.01 6830	Property & Casualty Insurance	-	-	1,500	0%
3.01 7101.1	Attorney - Meetings	-	-	1,000	0%
3.01 7150.2	Accountant - Admin Tasks	479	6,941	6,000	116%
3.01 7150	Accountant - Other	-	-	-	100%
3.01 7160.3	Auditor - Admin Tasks	-	1,134	6,000	19%
3.01 7506	Rent	1,300	14,300	5,000	286%
3.01 7507	Utilities	33	1,352	1,000	135%
3.01 7509	Dues & Membership	-	555	750	74%
3.01 7513	Office Supplies & Expense	91	2,710	2,000	136%
3.01 7518	Backgrounds / Education	-	5,941	3,500	170%
3.01 7519	Contracted Services	-	83	-	100%
3.01 7520	Animal Control	113	1,236	1,500	82%
3.01 7525	Uniforms/Safety Equip.	82	6,739	4,000	168%
3.01 7526	Investigation	-	1,172	1,500	78%
3.01 7599	Miscellaneous Expense	-	216	-	100%
3.01 7602	Telephone	349	5,065	4,000	127%
3.01 7603	Cell Phone & Pager Expense	-	-	-	100%
3.01 7604	Cable & Internet Service	-	-	-	100%
3.01 7605	Radio & Dispatch	375	4,125	4,500	92%
3.01 7600	Telephone & Comm. - Other	-	-	-	100%
3.01 7804	Vehicle Fuel & Oil	110	5,741	7,500	77%
3.01 7805	Vehicle Repairs	-	1,994	3,000	66%
3.01 7806	Building Repairs & Maintenance	-	28	-	100%
3.01 7807	Security System	-	120	-	100%
3.01 7808	Other Repair & Maintenance	-	2,862	3,000	95%
3.01 7809	Materials, Supplies & Equipment	-	-	-	100%
3.01 7822	Disaster Planning & Preparedness	-	-	-	100%
3.01 8000	Depreciation	-	2,340	-	100%
3.01 8500	Capital Reserve	-	-	13,200	0%
3.01 8590	Capital Outlay	-	-		100%
TOTAL EXPENSES		$ 6,567	$ 136,094	$ 153,887	88%

Restricted For Management's Use Only

City of Trinidad
Statements of Revenues - Budget and Actual
Special Revenue Fund - COPS Grant
May 31, 2010
92%
Percent of the Year

		Current Month	Year To Date	Annual Budget	% of Budget
	FUND BALANCE - JULY 1, 2009		$ 15,121		
	REVENUES				
3.03 4601	COPS Grant Income	$ -	$ 89,870	$ 100,000	90%
3.03 5320	Interest Income	-	-	-	100%
TOTAL REVENUES		$ -	$ 89,870	$ 100,000	
	EXPENDITURES				
3.03 6100	Employee Wages	$ 4,050	$ 44,866	$ 58,848	76%
3.03 6500	Employee Benefits/Ins/Taxes	957	13,828	24931	55%
3.03 7506	Rent	-	-	3,000	0%
3.03 7507	Utilities	33	1,503	625	240%
3.03 7509	Dues & Membership	-	250	-	100%
3.03 7513	Office Supplies & Expense	-	2,099	3,000	70%
3.03 7518	Backgrounds / Education	-	2,863	3,000	95%
3.03 7518.1	Background Checks	-	536	-	100%
3.03 7518.2	Training/Education	-	789	-	100%
3.03 7519	Contracted Services	-	606	3,000	20%
3.03 7520	Animal Control	-	-	-	100%
3.03 7524	Booking Fees Expense	-	190	-	100%
3.03 7525	Police Uniforms/Personal Equip.	-	1,737	500	347%
3.03 7526	Investigation	-	1,287	2,000	64%
3.03 7599	Miscellaneous Expense	-	-	-	100%
3.03 7602	Telephone	48	1,188	1,000	119%
3.03 7605	Radio & Dispatch	375	4,125	4,500	92%
3.03 7600	Telephone & Comm. - Other	-	-	-	100%
3.03 7804	Vehicle Fuel & Oil	53	4,422	9,000	49%
3.03 7805	Vehicle Repairs	-	2,591	2,000	130%
3.03 7806	Building Repairs & Maintenance	-	924	1,000	92%
3.03 7807	Security System	-	378	-	100%
3.03 7808	Other Repair & Maintenance	-	2,166	1,000	217%
3.03 7809	Materials, Supplies & Equipment	-	364	-	100%
3.03 7821	Community Safety Programs	-	1,306	500	261%
3.03 8500	Capital Outlay	-	-	2,000	0%
TOTAL EXPENSES		$ 5,516	$ 88,018	$ 119,904	73%

Restricted For Management's Use Only

City of Trinidad
Statements of Revenues - Budget and Actual
General Fund - Fire
May 31, 2010
92%
Percent of the Year

		Current Month	Year To Date	Annual Budget	Percentage of Budget
EXPENDITURES					
4.01 6090	Honorariums	$ 150	$ 1,650	$ 2,400	69%
4.01 6820	Insurance - Liability	-	40	1,500	3%
4.01 6830	Property & Casualty Insurance	-	-	-	100%
4.01 7507	Utilities	93	691	600	115%
4.01 7509	Dues and Memberships	-	10	-	100%
4.01 7518	Backgrounds / Education	-	-	1,000	0%
4.01 7519	Contracted Services	-	5,963	5,700	105%
4.01 7599	Miscellaneous Expense	-	-	-	100%
4.01 7602	Telephone	5	76	100	76%
4.01 7603	Cell Phone & Pager Expense	-	-	-	100%
4.01 7604	Cable & Internet Service	-	-	-	100%
4.01 7605	Radio & Dispatch	-	152	1,000	15%
4.01 7804	Vehicle Fuel & Oil	-	374	750	50%
4.01 7805	Vehicle Repairs	-	2,405	3,000	80%
4.01 7806	Building Repairs & Maintenance	-	-	500	0%
4.01 7807	Security System	-	-	-	100%
4.01 7808	Other Repair & Maintenance	-	143	1,500	10%
4.01 7809	Materials, Supplies & Equipment	110	935	7,500	12%
4.01 7815	Non Capital Equipment	-	-	-	100%
4.01	Capital Equipment - Purchases	-	-	15,000	0%
4.01 8500	Capital Reserves	-	-	30,000	0%
4.01 8000	Depreciation	-	1,315		
TOTAL EXPENDITURES		$ 358	$ 13,754	$ 70,550	19%

Restricted For Management's Use Only

City of Trinidad
Statements of Revenues - Budget and Actual
General Fund - Public Works
May 31, 2010
92%
Percent of the Year

		Current Month	Year To Date	Annual Budget	% of Budget
EXPENDITURES					
5.01 6100	Employee Wages	1,775	19,387	23,256	83%
5.01 6500	Employee Benefits/Ins/Taxes	826	10,263	12,343	83%
5.01 6810	Fidelity Bond	-	-	-	100%
5.01 6820	Insurance - Liability	-	40	1,500	3%
5.01 6830	Property & Casualty Insurance	-	-	-	100%
5.01 7106	City Engineer - Project Fees	-	-	-	100%
5.01 7519	Contracted Services	-	9,775	12,800	76%
5.01 7525	Uniforms/Personal Equip	-	-	-	100%
5.01 7801	Street Maint/Repair/Sanitation	-	6,979	32,000	22%
5.01 7801.1	Sanitation	-	-	-	100%
5.01 7801.2	Street Safety Improvements	-	2,870	15,800	18%
5.01 7802	Street Lighting	313	3,442	4,000	86%
5.01 7802.1	Street Lighting - Improvements	-	-	15,000	0%
5.01 7803	Trail Maintenance	-	807	3,000	27%
5.01 7804	Vehicle Fuel & Oil	103	1,611	3,000	54%
5.01 7805	Vehicle Repairs	-	-	1,500	0%
5.01 7809	Materials, Supplies & Equipment	188	1,153	2,500	46%
5.01 8000	Depreciation	-	5,891	-	100%
TOTAL EXPENSES		$ 3,205	$ 62,218	$ 126,699	49%

Restricted For Management's Use Only

City of Trinidad
Statements of Revenues - Budget and Actual
Enterprise Fund - Water
May 31, 2010
92%
Percent of the Year

FUND BALANCE - JULY 1, 2009 $ 1,013,763

		Current Month	Year To Date	Annual Budget	Percentage of Budget
REVENUES					
6.01 5710	Water Sales	16,877	$ 194,833	$ 210,000	93%
6.01 5750	Water A/R Penalties	1,324	2,992	4,000	75%
6.01 5390	Miscellaneous	-	524	-	100%
6.01 5300	Other Income	-	-	-	100%
6.01 5320	Interest Received	-	-	30,000	0%
6.01 5380	Other Fees for Service	-	270	-	100%
6.01 4990	Other Grants	-	-	-	100%
	Transfers from Other Funds	-	-		100%
TOTAL REVENUES		$ 18,201	$ 198,619	$ 244,000	
EXPENDITURES					
6.01 6100	Employee Wages	$ 5,159	$ 59,323	$ 73,000	81%
6.01 6500	Employee Benefts/Ins/Taxes	2,630	31,484	37,300	84%
6.01 6810	Fidelity Bond	-	-	-	100%
6.01 6820	Insurance - Liability	-	119	4,200	3%
6.01 6830	Property & Casualty Insurance	-	-	1,050	0%
6.01 7106	City Engineer - Project Fees	-	-	-	100%
6.01 7107.2	City Engineer - Admin Tasks	-	-	1,000	0%
6.01 7107.3	City Engineer - Application Process	-	-	-	100%
6.01 7101.2	City Attorney - Meeting & Admin Ta	-	-	3,000	0%
6.01 7150.2	Accountant - Admin Tasks	559	7,549	7,000	108%
6.01 7150	Accountant - Other	-	548	-	100%
6.01 7160.03	Auditor	-	8,127	6,500	125%
6.01 7204	Bad Debt	581	696	-	100%
6.01 7504	Property Tax	-	58	-	100%
6.01 7507	Utilities	1,145	11,622	14,000	83%
6.01 7509	Dues & Membership	-	361	1,000	36%
6.01 7511	Licenses & Fees	-	2,199	-	100%
6.01 7513	Office Supplies & Expense	536	2,075	2,000	104%
6.01 7515	Interest Expense	-	3,587	1,040	345%
6.01 7516	Bank Charges	5	10	-	100%
6.01 7599	Miscellaneous Expense	-	148	250	59%
6.01 7600	Telephone & Comm. - Other	-	341	1,000	34%
6.01 7602	Telephone	101	955	-	100%
6.01 7603	Cell Phone & Pager Expense	-	-	-	100%
6.01 7604	Cable & Internet Service	49	441	-	100%
6.01 7801	Street Maint/Repair/Sanitation	1,509	1,509	-	100%
6.01 7804	Vehicle Fuel & Oil	182	1,084	2,000	54%

Restricted For Management's Use Only

		Current Month	Year To Date	Annual Budget	Percentage of Budget
6.01 7805	Vehicle Repairs	-	79	1,000	8%
6.01 7806	Building Repairs & Maintenance	238	351	1,000	35%
6.01 7807	Security System	69	321	1,000	32%
6.01 7809	Materials, Supplies & Equipment	45	4,747	5,000	95%
6.01 7822	Disaster Planning & Preparedness	-	-	-	100%
6.01 7900	Water Lab Fees	590	3,995	4,000	100%
6.01 7902	Water Plant Chemicals	317	14,664	14,000	105%
6.01 7903	Water Line Hook-Ups	-	-	-	100%
6.01 7905	Water Line Repair	5,057	8,686	8,000	109%
6.01 7906	Water Plant Repair	141	25,944	25,000	104%
6.01 8000	Depreciation	-	11,707	15,000	78%
6.01 8950	Penalties - Non-Deductible	-	43	-	100%
TOTAL EXPENDITURES		$ 18,913	$ 202,773	$ 228,340	89%

City of Trinidad
Statements of Revenues - Budget and Actual
Enterprise Fund - Cemetery
May 31, 2010
92%
Percent of the Year

FUND BALANCE - JULY 1, 2009 $ 159,216

		Current Month	Year To Date	Annual Budget	Percentage of Budget
7.01 5810	Cemetery Plot Sales	$ 2,153	$ 8,573	$ 8,000	107%
7.01 5320	Interest Income	-	-	5,000	0%
Gross Profit		$ 2,153	$ 8,573	$ 13,000	
Expense					
7.01 6100	Employee Wages	$ 401	$ 3,984	5,376	74%
7.01 6147	Employee Benefits, Ins, Taxes	217	2,388	2,566	93%
7.01 6810	Fidelity Bond	-	-	-	100%
7.01 6820	Insurance - Liability	-	20	400	5%
7.01 7519	Contracted Services	-	-	500	0%
7.01 7800	Repairs/Maint/Supplies - Other	-	5	500	1%
7.01 7808	Other Repair & Maintenance	-	141	-	100%
7.01 8000	Depreciation	-	95	500	19%
Income (loss) before Income Taxes		$ 618	$ 6,633	$ 9,842	67%

CONSENT AGENDA ITEM #3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

3. Update Report on Code Compliance and other Enforcement Complaints

CONSENT AGENDA ITEM IX.3
Date: July 14, 2010

Item: **UPDATE REPORT ON CODE COMPLIANCE AND OTHER ENFORCEMENT COMPLAINTS**

Background: There are two outstanding citizen's complaints regarding compliance with either City codes or compliance with conditions on the approval of a project from the Trinidad Planning Commission. Those complaints were filed early in 2010, and there have been ongoing written, email, and verbal discussions between City staff, the complaining party, and the individuals against whom the complaints were filed.

Progress is being made, if slowly, in addressing and resolving the issues that are the basis of the complaints.

A staff report detailing the status of dealing with the complaints is attached with this agenda item.

Staff Recommendation: Receive and file this staff report, and give whatever direction to staff regarding the handling of the complaints that is deemed appropriate by the members of the City Council.

Attachments: Staff Report titled "Staff Report: Planning and Codes Compliance."

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

Steve Albright, City Manager

Date: July 8, 2010

To: Trinidad City Council

From: Steve Albright, City Manager

Subject: **STAFF REPORT**
Planning and Codes Compliance

This report provides an update to three planning and code compliance complaints that were made in February, 2010

COMPLAINT 1.

178 Parker Creek Drive
Vacation Dwelling Unit
Complaint: Building Codes Compliance

The single family dwelling unit at 178 Parker Creek Drive was purchased and renovated into a vacation dwelling unit named the Paloma Creek Lodge in Summer, 2009. There was work done to the site (grounds) and to the interior and the exterior of the structure.

Work done to the grounds included a new septic system, significant improvements to the landscaping, and the construction of a new leveled parking area. Appropriate permits were obtained from the County Health Department for a 3-bedroom rated septic system. No permit was obtained for the parking space even though a retaining wall was built to support and level that space. That should have been done.

A building permit was obtained for the replacement of a large deck built onto the side and back of the structure. The deck was not originally re-constructed properly, and Trinidad's last Building Inspector worked with the property owner and contractor until it was done correctly. In addition, no permit was obtained for electrical work done. That permit should have been obtained.

As a result of the complaint, Trinidad's current Building Inspector met with the property owner. Permits were obtained, and the work was inspected. The deck was also re-inspected to assure that it was properly braced and anchored to the ground. The Inspector

has now signed off (approved) the project for all of the work on the grounds and the building.

COMPLAINT 2.

407 Ocean Avenue
Private Residence/Accessory Dwelling Unit
Complaint: Planning Compliance
Zoning Compliance
Building Codes Compliance

The owner of the single family residence at 407 Ocean Avenue has converted an original garage building into an accessory dwelling unit. This was done without requesting or receiving concurrence that the new use, combined with the existing dwelling unit, met septic system requirements, without a variance from the Zoning Code (setback from the public alley), and without required building permits (numerous structural, electrical, and plumbing changes to the original structure).

1. The owner is working with the County Health Department and a septic system licensed contractor to determine if the existing septic system meets the requirements for both units (3-bedroom single family dwelling unit and one-bedroom accessory dwelling unit). If it does, a permit can be issued. If it does not, then the owner has committed to staff that he will proceed with the design and installation of a new septic system.

2. The owner has submitted an application (without fees) to the City to initiate the variance procedure with the Planning Commission. Staff is holding the application pending the determination on the septic system. If the improvements to the septic system cannot be accommodated on the lot, or if the owner chooses not to go forward with the improvements, then there is no reason to proceed with the variance. The unit would then need to cease being an accessory dwelling unit.

3. The owner has had multiple discussions with the City's Building Inspector. It has been made clear that he has two options, both of which include obtaining building permits (after the fact). The first option would be for the owner to retain licensed contractors in the plumbing, electrical, and construction fields who would provide a certification that the work already completed meets code requirements. The second option would be for the owner to expose new electrical, plumbing, and construction details that are hidden by walls, and have all the work inspected by the Building Inspector.

All of this is a difficult and timely undertaking. To date no "fines" have been levied, and it is our understanding that a tenant still resides in the illegal accessory dwelling unit.

If progress toward a solution of all three issues comes to a standstill, then the City should use whatever means it has to require that the unit be vacated and returned to a non-

dwelling unit (garage, office, storage), and that all of the building permit requirements still be met for improvements that remain in the structure.

COMPLAINT 3.

560 Trinity Street
Commercial Business
Complaint: Planning Compliance

When the Trinidad Bay Bed and Breakfast was granted permission via a conditional use permit to be a business in a personal residence in 1985, the Trinidad Planning Commission placed two conditions on the approval. One of the conditions was that the operator of the bed and breakfast business must use a "commercial linen service" instead of doing all of its laundry on site. The current owner is not complying with that condition.

The current owner states that he was unaware of the condition when he purchased the property in 2004 and that this issue has not arisen until this complaint was made.

On March 23, 2010, the owner was mailed a letter stating that the original condition remains in place, and it needs to be addressed. The letter stated that the owner either needs to comply with the condition or apply to the current Planning Commission to reconsider and amend that original condition. Staff researched the original actions of the Planning Commission and has had many discussions since both with the owner and the individual who filed the complaint.

On May 21, 2010, the owner responded in writing. He outlined his business' importance to the local economy and the hardship that would be caused by enforcing this condition. He further stated and provided proof that the septic system is maintained on an annual basis. He also stated that it is his intent to request that the Planning Commission revise or remove the condition related to commercial laundry service.

The owner is now working with the City staff and has stated that he will be filing the necessary application to have his request for change of condition on the agenda of the Planning Commission in July. Planning staff has already reviewed the files and is working on the staff report and recommendation for the July 21, 2010 Planning Commission meeting.