City of Trinidad

Posted: Friday, March 04, 2011

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

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

WEDNESDAY, MARCH 09, 2011 at 7:00 PM

in the Town Hall at 409 Trinity Street

6:15 PM CLOSED SESSION IN THE CIVIC CLUB ROOM

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

1. Government Code section 54957(b): Personnel - City Manager Selection
2. Government Code section 54956.95: Liability Claims for Damages, etc. against the City of Trinidad, submitted by the following individuals:
   - Tsurai Ancestral Society, Axel Lindgren III, Kelly Jean Lindgren, Christine Williams, Kris K.C. Lindgren, Tanna Lindgren-Tripp, Sarah Lindgren-Akana, George E. Nelson, Patricia Bailey, Gary Nelson, Parris Lindgren, Chet Jarboe.

IV. APPROVAL OF AGENDA
V. APPROVAL OF MINUTES – No minutes to approve.
VI. COUNCIL MEMBER REPORTS, INCLUDING COMMITTEE ASSIGNMENTS
VII. ORAL STAFF REPORTS
Specific Department Reports, Planning Commissioner

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

IX. CONSENT AGENDA
1. Financial Status Reports for January 2011
2. Certify Conditional Use Permit and Coastal Development Permit to expand Trinidad Massage & Day Spa
3. Send letter of congratulations to Supervisor Ryan Sundberg
4. Send letter of gratitude to the Trinidad Rancheria Council
5. Proclamation designating March 20-26, 2011 as Tsunami Preparedness Week in the City of Trinidad.

X. DISCUSSION/ACTION AGENDA ITEMS
1. Discussion/Decision regarding Approval of Contract with City Manager
2. Discussion/Decision/Update regarding Van Wycke Trail Project
3. Discussion/Decision regarding Town Hall rental procedures
4. Discussion/Decision Regarding Removal of Pampas Grass from City property
5. Discussion/Decision Regarding Trinidad Library Lease Agreement

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

TRINIDAD SKATEPARK ALLIANCE

March 01, 2011

Dear Members of the Council and Mayor Bhardwaj,

I would like to open this letter by thanking you all for including 'Skateboarding Issues in Trinidad' on last month's agenda. This provided an opportunity for the community to be a part of the process that shapes the future of their city. You listened to their concerns, heard their questions, and took copious notes of their suggestions and comments. Because of you and your compassionate decision at last month's meeting the children of Trinidad truly believe they too a part of this community. Thank you.

The decision I am referring to was to form a committee to begin the process of creating a multi-use facility, for skateboarding and other types of outdoor recreation, in Trinidad. I have written this memo to inform the Council of the progress regarding the committee thus far. So not to design a committee in haste, I have been researching how neighboring skateparks and skatepark associations, as well as other professional designers in the skatepark industry approached this step. I expect to have this completed by the next meeting.

Thank you for your time,

Lisa Espejo
Trinidad Skatepark Alliance

TRINIDAD SKATEPARK ALLIANCE
HUMBOLDT COUNTY, CA

PHONE 707.601.7792
E-MAIL knowskateboardingintrinidad@gmail.com
BLOG trinidadskateparkalliance.blogspot.com

APPROVAL OF MINUTES FOR:

February 09, 2011 CC:

Supporting Documentation follows with: 0 PAGES

Minutes were not ready in time. They will be prepared and distributed to City Council prior to meeting.

CONSENT AGENDA ITEM #1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 9 PAGES

1. Financial Status Reports for January 2012

CONSENT AGENDA ITEM 1
Date: March 09, 2011

ITEM: **FINANCIAL STATUS REPORTS FOR JANUARY 2011**

SUBMITTED BY: Sheri Tillet, Accountant at Cunningham, Malone, Morton – Contract CPA

BACKGROUND:
Attached are the financial statements for the General Fund, Water Department, Cemetery, and Recycling/Waste Management Funds. These reports are produced by the CPA each month as per agreement to keep the Council and public aware of the revenue and expense status, and as a tool for City department heads to manage expenses relative to the most recent budget amendment that was adopted in September 2011.

STAFF RECOMMENDATION: Receive, review, and file report.

ATTACHMENTS: Several General Fund Expense reports, along with Water, Cemetery, and Recycling/Waste Management Fund reports.

City of Trinidad
Statement of Revenues and Expenditures
From 1/1/2011 Through 1/31/2011

		Current Month	Year to Date	Total Budget - Original	% of Budge
	Revenue				
41010	PROPERTY TAX - SECURED	0.00	0.00	110,000.00	(100.00)%
41071	MOTOR VEHICLES	0.00	143.98	0.00	0.00%
42000	SALES & USE TAX	10,000.00	89,574.13	220,000.00	(59.28)%
43000	TRANSIENT LODGING TAX	10,364.16	42,960.50	72,000.00	(40.33)%
47310	VEHICLE LICENSE COLLECTION	0.00	243.91	0.00	0.00%
47350	MOTOR VEHICLE LICENSE FEE GAP	99.43	134.11	0.00	0.00%
49080	MOTOR VEHICLE FINES	0.00	0.00	1,000.00	(100.00)%
53010	COPY MACHINE FEE	0.00	15.00	100.00	(85.00)%
53020	INTEREST INCOME	1,237.32	18,613.77	35,000.00	(46.82)%
53090	OTHER MISCELLANEOUS INCOME	1,475.17	2,644.64	0.00	0.00%
54020	PLANNER- APPLICATION PROCESSIN	750.00	4,951.75	10,000.00	(50.48)%
54040	ENGINEER-APPLICATION PROCESSIN	0.00	0.00	500.00	(100.00)%
54050	BLDG.INSP-APPLICATION PROCESSI	1,439.52	8,695.74	5,000.00	73.91%
54100	ANIMAL LICENSE FEES	0.00	29.00	200.00	(85.50)%
54130	FARMERS MARKET BUSINESS LICENS	0.00	210.00	0.00	0.00%
54140	ZONING & SUBDIVISION FEES	0.00	10.00	0.00	0.00%
54150	BUSINESS LICENSE TAX	70.00	5,010.00	12,000.00	(58.25)%
54300	ENCROACHMENT PERMIT FEES	50.00	210.00	400.00	(47.50)%
56150	FRANCHISE FEES	0.00	0.00	6,000.00	(100.00)%
56400	RENT - VERIZON	1,668.52	11,373.22	18,000.00	(36.82)%
56500	RENT - HARBOR LEASE	0.00	0.00	5,000.00	(100.00)%
56650	RENT - SUDDENLINK	0.00	1,967.77	0.00	0.00%
56700	RENT - TOWN HALL	370.00	4,350.00	10,000.00	(56.50)%
56800	RENT - MISC	0.00	0.00	500.00	(100.00)%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	52,000.00	(100.00)%
	Total Revenue	27,524.12	191,137.52	557,700.00	(65.73)%

City of Trinidad
Statement of Revenues and Expenditures
201 - GFAdmin
From 1/1/2011 Through 1/31/2011

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	250.00	1,500.00	3,000.00	50.00%
61000	EMPLOYEE GROSS WAGE	7,750.02	33,672.36	46,245.00	27.19%
61470	FRINGE BENEFITS	1,153.86	6,153.92	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	26,247.00	100.00%
65100	DEFERRED RETIREMENT	1,299.37	5,514.11	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	306.05	5,002.55	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	613.75	0.00	0.00%
65400	UNEMPLOYMENT COMPENSATION	2,111.47	2,111.47	0.00	0.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	88.00	725.00	1,200.00	39.58%
65600	PAYROLL TAX	762.91	3,374.53	4,721.00	28.52%
68100	FIDELITY BOND	0.00	700.00	700.00	0.00%
68200	INSURANCE - LIABILITY	0.00	5,443.00	5,443.00	0.00%
68300	PROPERTY & CASUALTY	0.00	4,397.00	5,350.00	17.81%
71100	ATTORNEY-MEETINGS	3,175.00	10,450.00	24,000.00	56.46%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	2,000.00	0.00	0.00%
71130	ATTORNEY-LITIGATION	0.00	0.00	5,000.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	5,866.75	6,000.00	2.22%
71220	CITY ENG-APPLICATION PROCESS	0.00	0.00	2,000.00	100.00%
71300	CITY PLANNER-MEETINGS	0.00	2,125.25	2,000.00	(6.26)%
71310	CITY PLANNER-ADMIN. TASKS	727.50	4,489.80	6,000.00	25.17%
71320	CITY PLANNER-APPL. PROCESS	0.00	2,880.00	8,000.00	64.00%
71330	CITY PLANNER-ENFORCEMENT	48.00	168.00	0.00	0.00%
71340	CITY PLANNER - SPECIAL PROJECT	27.00	2,778.00	12,000.00	76.85%
71410	BLDG INSPECTOR-ADMIN TASKS	0.00	60.75	0.00	0.00%
71420	BLDG INSPECTOR-PERMIT PROCESS	100.00	1,084.00	0.00	0.00%
71430	BLDG INSPECTOR-ENFORCEMENT	0.00	593.00	5,000.00	88.14%
71510	ACCOUNTANT-ADMIN TASKS	554.31	12,036.53	10,000.00	(20.37)%
71620	AUDITOR-FINANCIAL REPORTS	4,312.00	11,044.00	10,000.00	(10.44)%
72000	CHAMBER OF COMMERCE	0.00	0.00	30,000.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	173.25	715.69	1,000.00	28.43%
75120	WASTE RECYCLING PICKUP/DISPOSA	0.00	1,040.00	0.00	0.00%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	0.00	4,000.00	100.00%
75170	RENT	0.00	0.00	7,800.00	100.00%
75180	UTILITIES	109.18	2,315.95	4,000.00	42.10%
75190	DUES & MEMBERSHIP	0.00	247.00	2,000.00	87.65%
75200	MUNICIPAL/UPDATE EXPENSE	198.91	1,031.97	21,000.00	95.09%
75220	OFFICE SUPPLIES & EXPENSE	258.95	2,165.90	4,500.00	51.87%
75240	BANK CHARGES	0.00	72.80	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	4,200.08	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	0.00	1,027.00	1,000.00	(2.70)%
76110	TELEPHONE	142.54	924.78	3,000.00	69.17%
76130	CABLE & INTERNET SERVICE	99.00	1,175.36	1,500.00	21.64%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	102.89	1,687.12	1,000.00	(68.71)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	36.98	2,656.08	5,000.00	46.88%
	Total Expense	23,787.19	144,043.50	270,206.00	46.69%

City of Trinidad
Statement of Revenues and Expenditures
301 - Police
From 1/1/2011 Through 1/31/2011

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
61000	EMPLOYEE GROSS WAGE	1,805.72	12,905.68	23,231.00	44.45%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	980.00	100.00%
65100	DEFERRED RETIREMENT	68.38	248.43	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	0.00	133.70	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	614.51	0.00	0.00%
65600	PAYROLL TAX	147.78	1,029.78	2,371.00	56.57%
71510	ACCOUNTANT-ADMIN TASKS	475.13	3,439.70	0.00	0.00%
71620	AUDITOR-FINANCIAL REPORTS	0.00	792.00	0.00	0.00%
75170	RENT	1,300.00	7,800.00	7,800.00	0.00%
75180	UTILITIES	276.51	1,403.81	1,200.00	(16.98)%
75220	OFFICE SUPPLIES & EXPENSE	0.00	105.50	2,400.00	95.60%
75300	CONTRACTED SERVICES	0.00	0.00	80,000.00	100.00%
75350	ANIMAL CONTROL	113.00	791.00	1,350.00	41.41%
75380	INVESTIGATION	0.00	70.00	0.00	0.00%
76110	TELEPHONE	78.81	547.48	1,800.00	69.58%
76130	CABLE & INTERNET SERVICE	0.00	174.76	0.00	0.00%
78150	VEHICLE REPAIRS	0.00	60.00	0.00	0.00%
78160	BUILDING REPAIRS & MAINTENANCE	36.00	36.00	0.00	0.00%
78180	OTHER REPAIR & MAINTENENCE	0.00	0.00	500.00	100.00%
85000	CAPITAL OUTLAY	0.00	2,791.75	3,000.00	6.94%
	Total Expense	4,301.33	32,944.10	124,632.00	73.57%

City of Trinidad
Statement of Revenues and Expenditures
401 - Fire
From 1/1/2011 Through 1/31/2011

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	150.00	900.00	1,800.00	50.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	90.00	0.00	0.00%
75180	UTILITIES	87.93	394.47	600.00	34.26%
75190	DUES & MEMBERSHIP	10.00	10.00	0.00	0.00%
75260	BACKGROUNDS / EDUCATION	0.00	0.00	1,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	123.00	5,700.00	97.84%
76110	TELEPHONE	14.73	135.80	100.00	(35.80)%
76140	RADIO & DISPATCH	0.00	0.00	1,000.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	151.22	750.00	79.84%
78150	VEHICLE REPAIRS	0.00	0.00	3,000.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	121.50	202.71	500.00	59.46%
78180	OTHER REPAIR & MAINTENENCE	0.00	0.00	1,500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	4,094.97	7,500.00	45.40%
85000	CAPITAL OUTLAY	0.00	0.00	10,000.00	100.00%
90000	Capital Reserves	0.00	0.00	20,000.00	100.00%
	Total Expense	384.16	6,102.17	53,450.00	88.58%

City of Trinidad
Statement of Revenues and Expenditures
501 - PW (Public Works)
From 1/1/2011 Through 1/31/2011

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
61000	EMPLOYEE GROSS WAGE	2,629.02	17,793.72	25,072.00	29.03%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	11,345.00	100.00%
65100	DEFERRED RETIREMENT	239.62	1,603.71	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	1,945.96	6,068.69	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	614.51	0.00	0.00%
65600	PAYROLL TAX	223.87	1,507.43	2,560.00	41.12%
71510	ACCOUNTANT-ADMIN TASKS	0.00	942.64	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	1,000.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	11,919.87	24,000.00	50.33%
78110	Street Safety Improvements	1,320.47	1,320.47	12,000.00	89.00%
78120	STREET LIGHTING	311.40	2,181.34	4,000.00	45.47%
78125	Street Lighting - Improvements	0.00	0.00	15,000.00	100.00%
78130	TRAIL MAINTENANCE	1,507.12	17,644.68	3,000.00	(488.16)%
78140	VEHICLE FUEL & OIL	226.74	1,480.17	3,000.00	50.66%
78150	VEHICLE REPAIRS	0.00	573.39	0.00	0.00%
78180	OTHER REPAIR & MAINTENENCE	0.00	43.29	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	(110.30)	813.16	2,500.00	67.47%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	217.39	0.00	0.00%
79150	WATER LINE REPAIR	0.00	32.42	0.00	0.00%
	Total Expense	8,293.90	64,756.88	103,477.00	37.42%

City of Trinidad
Statement of Revenues and Expenditures
601 - Water
From 1/1/2011 Through 1/31/2011

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
53020	INTEREST INCOME	0.00	0.00	30,000.00	(100.00)%
53080	OTHER FEES FOR SERVICE	0.00	90.00	0.00	0.00%
53090	OTHER MISCELLANEOUS INCOME	180.00	360.00	0.00	0.00%
57100	WATER SALES	17,294.46	128,992.84	210,000.00	(38.57)%
57300	NEW WATER HOOK UPS	4,500.00	4,500.00	9,000.00	(50.00)%
57500	WATER A/R PENALTIES	698.38	5,578.60	4,000.00	39.47%
	Total Revenue	22,672.84	139,521.44	253,000.00	(44.85)%
	Expense				
61000	EMPLOYEE GROSS WAGE	6,449.60	45,498.21	72,050.00	36.85%
61470	FRINGE BENEFITS	0.00	0.00	0.00	0.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	36,422.00	100.00%
65100	DEFERRED RETIREMENT	727.86	5,048.26	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	3,235.39	15,661.00	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	1,843.53	0.00	0.00%
65600	PAYROLL TAX	557.94	3,914.17	7,352.00	46.76%
68200	INSURANCE - LIABILITY	0.00	4,000.00	4,000.00	0.00%
68300	PROPERTY & CASUALTY	0.00	2,250.00	3,231.00	30.36%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	3,000.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	41,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	554.31	4,459.67	8,000.00	44.25%
71610	AUDITOR-ADMINISTRATIVE TASKS	0.00	0.00	8,000.00	100.00%
71620	AUDITOR-FINANCIAL REPORTS	3,388.00	9,064.00	0.00	0.00%
72100	BAD DEBTS	0.00	94.46	0.00	0.00%
75180	UTILITIES	760.25	7,815.97	14,000.00	44.17%
75190	DUES & MEMBERSHIP	262.04	493.04	1,000.00	50.70%
75220	OFFICE SUPPLIES & EXPENSE	0.00	988.18	2,000.00	50.59%
75230	INTEREST EXPENSE	0.00	1,198.96	1,050.00	(14.19)%
75240	BANK CHARGES	0.00	5.00	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	16.49	74.49	0.00	0.00%
76100	TELEPHONE & COMMUNICATIONS	0.00	49.00	1,500.00	96.73%
76110	TELEPHONE	54.53	609.66	0.00	0.00%
76130	CABLE & INTERNET SERVICE	49.00	294.00	0.00	0.00%
76160	LICENSES & FEES	0.00	2,201.17	0.00	0.00%
78140	VEHICLE FUEL & OIL	159.21	832.86	3,000.00	72.24%
78150	VEHICLE REPAIRS	0.00	36.79	1,500.00	97.55%
78160	BUILDING REPAIRS & MAINTENANCE	70.17	1,421.99	1,000.00	(42.20)%
78170	SECURITY SYSTEM	0.00	138.00	1,000.00	86.20%
78190	MATERIALS, SUPPLIES & EQUIPMEN	358.51	4,221.81	5,000.00	15.56%
78200	EQUIPMENT REPAIRS & MAINTENANC	28.89	297.83	0.00	0.00%
79100	WATER LAB FEES	365.00	2,467.01	4,000.00	38.32%
79120	WATER PLANT CHEMICALS	422.55	7,525.92	14,000.00	46.24%
79130	WATER LINE HOOK-UPS	0.00	0.00	4,000.00	100.00%
79150	WATER LINE REPAIR	2,452.11	11,787.61	18,000.00	34.51%
79160	WATER PLANT REPAIR	2,122.73	6,365.65	10,000.00	36.34%
	Total Expense	22,034.58	140,658.24	264,105.00	46.74%
	Net Income	638.26	(1,136.80)	(11,105.00)	(89.76)%

City of Trinidad
Statement of Revenues and Expenditures
701 - Cemetery
From 1/1/2011 Through 1/31/2011

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
53020	INTEREST INCOME	0.00	0.00	5,000.00	(100.00)%
58100	CEMETERY PLOT SALES	1,460.00	7,165.00	8,000.00	(10.44)%
	Total Revenue	1,460.00	7,165.00	13,000.00	(44.88)%
	Expense				
61000	EMPLOYEE GROSS WAGE	649.59	4,776.27	6,841.00	30.18%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	2,946.00	100.00%
65100	DEFERRED RETIREMENT	51.56	410.33	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	473.48	1,464.76	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	189.08	0.00	0.00%
65600	PAYROLL TAX	53.61	396.59	885.00	55.19%
68200	INSURANCE - LIABILITY	0.00	500.00	500.00	0.00%
75300	CONTRACTED SERVICES	0.00	0.00	500.00	100.00%
78180	OTHER REPAIR & MAINTENENCE	0.00	0.00	500.00	100.00%
	Total Expense	1,228.24	7,737.03	12,172.00	36.44%
	Net Income	231.76	(572.03)	828.00	(169.09)%

City of Trinidad
Statement of Revenues and Expenditures
204 - IWM
From 1/1/2011 Through 1/31/2011

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	720.00	5,000.00	(85.60)%
47600	BLUE BAG SALES	240.00	2,091.00	2,000.00	4.55%
47650	RECYCLING REVENUE	5,289.31	17,118.90	23,000.00	(25.57)%
	Total Revenue	5,529.31	19,929.90	30,000.00	(33.57)%
	Expense				
61000	EMPLOYEE GROSS WAGE	991.83	7,343.09	11,291.00	34.97%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	5,060.00	100.00%
65100	DEFERRED RETIREMENT	92.62	718.33	0.00	0.00%
65200	MEDICAL INSURANCE AND EXPENSE	534.72	2,037.65	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	283.62	0.00	0.00%
65600	PAYROLL TAX	82.96	616.71	1,151.00	46.42%
75120	WASTE RECYCLING PICKUP/DISPOSA	1,120.00	6,560.00	12,000.00	45.33%
75140	BLUE BAG PURCHASES	790.00	2,370.00	2,500.00	5.20%
78100	STREET MAINT/REPAIR/SANITATION	426.10	3,681.51	0.00	0.00%
78210	Advertising Outreach & Project	0.00	100.47	2,500.00	95.98%
	Total Expense	4,038.23	23,711.38	34,502.00	31.28%
	Net Income	1,491.08	(3,781.48)	(4,502.00)	(16.00)%

CONSENT AGENDA ITEM #2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 16 PAGES

2. Certify Conditional Use Permit and Coastal Development Permit to expand Trinidad Massage & Day Spa

CONSENT AGENDA ITEM 2
Date: March 09, 2011

ITEM: **CERTIFY CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT TO EXPAND TRINIDAD MASSAGE & DAY SPA AT NEW LOCATION**.

Conditional Use Permit and Coastal Development Permit to expand Trinidad Massage and Day Spa to this location. The Use Permit is required for the change of use of the existing building. No major remodeling is proposed. The building is currently being used as a residence, and prior to that was a retail quilt shop. Approval of the Use Permit was recommended by the Planning Commission.

SUBMITTED BY: City Planner Trever Parker on behalf of the Planning Commission

BACKGROUND:
All uses in the Planned Development (PD) Zone require a Use Permit, including any change in use (§17.36.020). Please note that §17.36.080 requires all uses in the PD Zone to be approved by the City Council. The Planning Commission made a recommendation to the Council for approval of this Use Permit. Two other approvals were also required for this project, which do not have to come before the Council. At the same time that the Planning Commission recommended approval of the Use Permit, they also gave final approval of Design Review for the placement of two signs and a Variance from the parking requirements of Zoning Ordinance §17.56.180.B(8), which would have required two additional parking spaces.

The application materials show the project location, the site plan and the location of internal walls. Because the parcel includes two buildings, the driveway, parking and yard areas are shared to some degree. However, the project will not affect any of the external characteristics of the site or building, nor will it affect the use of the back building as a tasting room or preclude it from other future uses. The proposed change of use of the structure will not alter the footprint of the building and there will be no external changes other than the signage.

STAFF RECOMMENDATION:
Based on the analysis in the staff report, approval of the Variance, recommendation by the Planning Commission, and as conditioned below, the proposed Use Permit can be found to be consistent with the City's General Plan and Zoning Ordinance, and staff recommends approval. By approving this Use Permit, you are adopting the information and required findings in the staff report.

ATTACHMENTS: Perry 2011-01 Staff Report
Application materials (project description, site plan, letters of support)

Filed:	January 29, 2011
Staff:	Trever Parker
Staff Report:	February 24, 2011
Council Hearing Date:	March 9, 2011
Commission Recommendation:	Conditional Approval
City Council Action:	

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO:	2011-01
APPLICANT (S):	Katherine Perry
PROPERTY OWNER:	Patti Fleschner
PROJECT LOCATION:	521 Trinity Street
PROJECT DESCRIPTION:	Conditional Use Permit and Coastal Development Permit to expand Trinidad Massage and Day Spa to this location. The Use Permit is required for the change of use of the existing building. No major remodeling is proposed. The building is currently being used as a residence, and prior to that was a retail quilt shop. Approval of the Use Permit was recommended by the Planning Commission.
ASSESSOR'S PARCEL NUMBER:	042-101-09
ZONING:	PD – Planned Development
GENERAL PLAN DESIGNATION:	PD – Planned Development
ENVIRONMENTAL REVIEW:	Categorically Exempt from CEQA per § 15301 of the CEQA Guidelines exempting minor alterations to existing facilities or §15303 exempting a change of use in a small structure.

APPEAL STATUS:

Planning Commission action on a coastal development permit, a variance or a conditional use permit, and Design Assistance Committee approval of a design review 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 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 east side of Trinity Street, the second parcel south of West Street. Access to the existing residence / proposed day spa at the front of the property is via Trinity Street, though a driveway and concrete walkway run along the north side of the front building and providing access to the rear building. The parcels to the north and south of the property are currently being utilized for residential purposes. At present, the 7,200 sq ft lot accommodates a 770 sq ft rental house (formerly "Oceanwave Quilts") on the front (western side) of the property, where the proposed spa will be located. The 800 sq. ft. accessory structure in the back (toward the east), which previously housed the Trinidad Museum, is now Moonstone Crossing Tasting Room. Three off-street parking spaces are provided on the site – two allocated for the tasting room and one for the residence. The property is generally flat. There is an existing septic system on the property approved to accommodate a mix of uses.

STAFF COMMENTS:

All uses in the Planned Development (PD) Zone require a Use Permit, including any change in use (§17.36.020). The application materials show the project location, the site plan and the location of internal walls. Please note that §17.36.080 requires all uses in the PD Zone to be approved by the City Council. The Planning Commission made a recommendation to the Council for approval of this Use Permit. Two other approvals were also required for this project, which do not have to come before the Council. At the same time that the Planning Commission recommended approval of the Use Permit, the gave final approval of Design Review for the placement of two signs and a Variance from the parking requirements of Zoning Ordinance §17.56.180.B(8), which would have required two additional parking spaces.

Because the parcel includes two buildings, the driveway, parking and yard areas are shared to some degree. However, the project will not affect any of the external characteristics of the site or building, nor will it affect the use of the back building as a tasting room or preclude it from other future uses. The proposed change of use of the structure will not alter the footprint of the building and there will be no external changes other than the signage.

Potential Conflicts of Interest

The Fair Political Practices Commission has determined that if an official lives within 500 ft. of a project, there is an assumed monetary conflict of interest. City Attorney Hagen's November 2008 conflict of interest memo outlined 6 criteria to reduce the assumed conflict / financial interest distance from the standard 500 ft. to 300 ft. for small jurisdictions. Council members Fulkerson and Miller both have property that is more than 500 ft. from the project site. Council member Bhardwaj is less than 500 but more than 300 ft. from the subject property (approx. 380 ft.). In addition, Council members Davies and Morgan both own property that is less than 300 ft. from the subject property (approx. 270 and 60 ft. respectively). The findings below can be made for Council member Bhardwaj, so there is no assumed conflict. Though there is an assumed financial conflict of interest for Council members Davies and Morgan, it is only an assumed conflict. Each Council member has the opportunity to refute the assumed conflict if he or she feels that they will not be monetarily affected even one cent plus or minus by approval or denial of the project.

Required Conditions (per CCR §18707.10)

1. *The jurisdiction (a) has a population of 30,000 or less, and (b) covers less than 10 sq. mi.*
   Response: Trinidad's population (2000 census) is 311 people, and covers an area of less than 1 sq. mile.
2. *The public official is required to live within the jurisdiction.*
   All City Council members are required to live within the jurisdiction.
3. *The public official, if elected, is elected in an at-large jurisdiction.*
   Trinidad City Council members are elected from at-large.
4. *The official's property is more than 300 ft. from the boundaries of the property at issues in the decision.*
   Council member Bhardwaj's property is approximately 380 ft. from the subject property at their closest point.
5. *The official's property is located on a lot that is either (a) not more than ¼ acre in size, or (b) not larger than 125% of the median residential lots size in the jurisdiction.*
   Council member Bhardwaj's property is approximately 7,500 sq. ft., which is less than ¼ of an acre.
6. *There are at least 20 other properties under separate ownership within 500 radius of the boundaries of the property at issue in the decision that are similar in value.*
   Although the neighborhood includes a mix of zoning and property values likely vary widely, there are clearly well over 20 properties within 500 ft. of the subject property that are similar in size, use and zoning.

ZONING ORDINANCE/GENERAL PLAN CONSISTENCY

The property where the project is located is zoned PD – Planned Development. The purpose of this Zone is to provide flexibility when considering what type of development should be permitted. These sites are suitable for one or more types of uses so long as the design of new development is particularly sensitive to the surrounding area. This zone allows for the development of personal services, and professional offices as well as some limited commercial uses. The proposed use of the site as a day spa is consistent with these allowable uses.

The Zoning Ordinance (§17.36.020) defines the established purpose of the planned development (PD) zone as *"either residential areas where limited commercial activity may be appropriate, subject to special integrating design, or they are areas where design flexibility is needed to adapt appropriate uses to the site and to surrounding uses. Limited commercial uses, including visitor accommodations, visitor services, recreational uses, offices, gift shops and personal services may be appropriate."* The proposed development will use the space for a day spa, offering messages, esthetics and classes, a category not specifically enumerated in line item §17.36.020.B. However, it does fall within the category of "personal services", similar to other nearby permitted uses in the same zone. It also provides a "visitor service" as well as services to residents and is therefore consistent with the uses allowed with a use permit.

PD Zone Requirements

The minimum lot size in the PD zone for this type of project is 8,000 sq. ft. (§17.36.030). The lot in question is 7,200 sq. ft. and constitutes a nonconforming lot. Under section 17.64.020, although the lot is stipulated as nonconforming, it is still considered a legal building site for

uses permitted in the pertinent zone. In conjunction with §17.64.010.A, the structures within this lot may be extended, altered or repaired provided that such alteration, repair or extension does not increase the degree of nonconformance. The proposed project is in compliance with this requirement. The lot is not nonconforming as to density per Zoning Ordinance (§17.36.040), which only allows one residence per 8,000 sq. ft., because only one residence is located on the lot and that building is now proposed for use as the spa. This project will not increase the density or size of buildings and will therefore not increase any nonconformance. The existing building is one story and the height will also not be altered by this project.

Required yards in the PD Zone for this type of project are the same as for the UR (Urban Residential) zone (§17.36.050): front – 20 ft.; rear – 15 ft.; and side – 5 ft. The required yards are met by the existing buildings with the exception of the rear yard setback requirement of 15 ft. However, this project will not alter the existing setback, which is legal, nonconforming, therefore, subject to §17.64.010.A as described above. Zoning Ordinance §17.36.070 deals with open space requirements for multiple unit development, which does not apply to this project. In addition, the applicant has complied with the application requirements set forth in §17.36.080 that are applicable to this project.

Parking

Parking in the PD Zone is regulated by Zoning Ordinance §17.56.180.B(8). This section stipulates that all uses, including a combined residence and business, require 3 parking spaces for up to 500 sq ft of the business floor area and 1 space for each additional 300 sq ft of business floor area. The project site currently includes the tasting room as well as the building previously used as a residence in the front, making it a combined residence and business. The current residence that is proposed to be converted into the day spa is approximately 770 sq. ft.

Two parking spaces in front of the wine tasting business are allocated to that business, and the one other space currently existing on the lot was allocated for the residence. When this front building was previously a retail shop, it was determined that a total of 4 spaces were needed for the quilt shop based on the square footage of the business. The Museum was originally approved with no required parking spaces. The Museum existed in this space since at least since 1984. The property has historically included a mix of commercial and residential uses, including being a vacation rental in the past. For the retail shop (Ocean Wave Quilts) a Variance was approved to reduce the required parking by one space to a total of 3 (with none for the Museum). The Variance was requested because the Native Plant Garden adjacent to the Museum would have had to be removed in order to accommodate a forth parking space. The Variance was conditioned on the Native Plant Garden and Museum remaining. Although the Museum has moved, the Native Plant Garden has been retained as part of the new use.

The property owner, Patti Fleschner provided the following summary of the history of parking on the site: *"Trinidad Museum occupied rear building 1984-2009. Ocean Wave Quilts occupied the front building 1994-2006, so it was twelve years that there was a shared commercial use in both buildings with no parking issues. Sandi Globus, Ocean Wave Quilts owner, had six part time employees at her shop. No reported parking problems."*

Because of the site's past history of a mix of uses being accommodated with the existing parking, this lot can be considered non-conforming as to parking. Nonconforming lots are considered to meet the off-street parking requirements for the existing uses. If a new use that would have greater parking requirements is proposed, then more spaces would be required (§17.64.040). However, the new use only has to provide additional parking equaling the difference between what is currently required and what the new use would require. This means that a new use does not have to make up for existing nonconforming parking. Considering the existing uses and parking, Moonstone Crossing was approved with 2 spaces and no variance, leaving one space for the residence. Residences should provide 2 off-street parking spaces in accordance with Zoning Ordinance §17.56.180.B(2). The day spa would be considered to require 4 parking spaces according to the zoning ordinance. But since the building is already non-conforming as to one space, then the spa only needs two additional spaces in order to meet the parking requirements.

It appears that there may be room to provide one additional parking space adjacent to the existing residential space, but it would be 1 ft. short of the required 8.5 ft. width. Trinidad allows compact spaces that are shorter, but not narrower than standard spaces. Humboldt County does allow compact spaces of 7.5 ft. Although there may be limited room there for 4 cars to maneuver, the configuration has not changed in 20 years, and can not change without removing the garden or other structural elements. In addition, parking facilities for 4 or more vehicles have additional requirements such as a larger driveway width and turn-arounds that could not be accommodated on this lot.

There also would be room in the front yard, adjacent to the street to provide additional parking. However, adding parking in the front would remove on-street parking as well as cover some of the potential reserve leachfield area. The Planning Commission determined that the necessary findings for granting a Variance could be made and approved it at their meeting of February 23, 2011.

Signs

The project is subject to the Specific Use Regulations criteria set by the Zoning Ordinance Chapter 17.56. Section 17.56.160 identifies the requirements for signs in the PD Zone. The applicant has provided a description of the signs, including the size, location and materials, as well as a drawing of the logo that will be used.

The proposed signs will be placed in the same location and will be the same size as the previous quilt shop signs – one on the existing posts in the front yard and one above the entry. The applicant has submitted information describing the size, and general layout of the proposed signs. Both signs will be approximately 10 sq. ft. in size. The fist sign will be located in the front yard on the existing posts that were used for the quilt shop sign. This sign will measure approximately 48" x 30" with a maximum height of 68" off the ground and will be made of wood or hard plastic. It will contain the spa logo and the name of the business – Trinidad Message and Day Spa. The second sign will be located on the building, attached to the front porch. That sign will be 45" x 32" in size and will be made of the same materials and colors as the first sign. The sign depicts rocks and the ocean in a sunset surrounded by petals; the dominant colors are reds and blues.

Trinidad sign regulations allow each lot a total advertising area of 1 sq. ft. of signage for every 1 ft. of street frontage of the lot. In this case, the lot is 60 ft. wide, allowing a maximum total of 60 sq. ft. of signage. In addition, the regulations allow a maximum square footage for any one sign of 50 sq. ft. The existing signage for the Moonstone Crossing building is 34 sq. ft. including both signs (20 sq. ft. for the one on the street, and 14 sq. ft. for the one on the building). With the proposed two additional signs of 10 sq. ft. each, the total square footage of signage on the lot will be 54. This signage complies with the City's requirements, and the Planning Commission approved the Design Review for them at their February 23, 2011 meeting.

USE PERMIT FINDINGS:

The property where this project is located is zoned PD – Planned Development. *"The planned development zone is intended to be used in areas designated as Planned Development in the general plan. These areas are either residential areas where limited commercial activity may be appropriate, subject to special integrating design, or they are areas where design flexibility is needed to adapt appropriate uses to the site and to surrounding uses. Limited commercial uses, including visitor accommodations, visitor services, recreational uses, offices, gift shops and personal services may be appropriate."* Thus the intended use of the building as a day spa is within the guidelines of the ordinances, subject to Planning Commission recommendation of, and City Council approval of a use permit and based on the findings described below (Section 17.72.040):

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 neighborhood consists of a combination of Residential, Retail/Commercial and Commercial units. The day spa would be surrounded by similar mixed uses and the property has historically contained retail and services. The spa business already exists nearby in Trinidad, and this new location will be an expansion of an existing business that serves both tourists and residents. This is similar to and compatible with other nearby uses including the Eatery, Bed and Breakfast and Art Gallery.

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: There are no proposed changes to the size, shape or arrangement of the current structures, with the exception of minor re-identification changes required for the on-site signs.

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: Spa activities occur by appointment. The arrangement of parking and access will not be altered from previous uses. There is limited parking on-site that is

addressed more thoroughly in the Variance findings below. However, the property owner has indicted that there have not been parking problems or issues on the site for the past 25 years and that there is adequate on-street parking located in the vicinity of the building.

3. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;* Response: No proposed activity will emit noise, glare, dust or odor.

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 or current loading areas are proposed. Minimal changes to on-site signage are proposed to identify the new building occupant, which requires Design Review approval addressed above.

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. The parking will be in compliance with the zoning ordinance requirements, either through the granting of a Variance is granted or conditions requiring additional parking to be constructed.

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: There will be no significant adverse environmental impact. The project is categorically exempt from CEQA per §15301 exempting minor alterations of existing structures or §15303 exempting conversion of use in small structures.

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 property is not located between the sea and the first public road or within 300 ft. of a beach.

SLOPE STABILITY:

The project site is not mapped as being unstable or of questionable stability on Plate 3 of the General Plan.

SEWAGE DISPOSAL:

There are two septic tanks—a primary tank located under the driveway, and a secondary tank located closer to the leachlines that run east-west between the driveway and the concrete

walkway to the rear building. The existing sewage disposal system is older, and might be undersized for today's standards, but it has been upgraded as part of past project approvals. The property owner has previously submitted proof that the tank is regularly inspected and pumped and has been deemed to be working "great" by a qualified professional. The proposed uses should not constitute intensification in the use of the sewage disposal, especially since the spa will not be doing laundry. A referral was sent to the Health Dept. for this project. In response, they had no concerns and recommended approval.

LANDSCAPING AND FENCING:

This project does not involve any new landscaping or fencing. It is proposed to retain the Native Plant Garden as is at this time.

STAFF RECOMMENDATION

The approval of this project by the Council requires only approval of the Use Permit, which the Planning Commission recommended. The Planning Commission also approved the Design Review for the signs, and a Variance for two parking spaces.

Based on the above analysis, approval of the Variance, recommendation by the Planning Commission, and as conditioned below, the proposed Use Permit can be found to be consistent with the City's General Plan and Zoning Ordinance. If the City Council agrees with staff's analysis, the proposed motion might be similar to the following:

Based on the information submitted in the application, included in the staff report and public testimony, I move to adopt the information and Conditional Use Permit findings in this staff report and approve the Use Permit as requested and as conditioned in this staff report.

CONDITIONS OF APPROVAL

1. The applicant is responsible for reimbursing the City for all costs associated with processing the application. *Responsibility: City Clerk to place receipt in conditions compliance folder prior to occupation of building with the business.*

2. Based on the findings that community values may change in a year's time, approval of this Design Review and Use Permit is for a one-year period starting at the effective date and expiring thereafter unless the project has been completed (signs installed and use established) or an extension is requested from the Planning Commission prior to that time. *Responsibility: City Clerk to verify prior to occupation of the building with the business.*

January 21, 2011
To: Trinidad City Planning Commission
From: Katherine Perry Owner Trinidad Massage & Day Spa (TMDS)

Proposal: Expand current business to 529 Trinity St. (Former Quilt Shop)

Trinidad Massage & Day Spa has outgrown its current location at 460 Main St. That location has only one treatment room and one exit. I am looking to expand the business by having an additional location at 529 Trinity St. This location provides two treatment rooms, two exits, a reception area and a kitchen/staff room.
I have been working out of the space at 460 Main Street since 2000 when it was operated by Amanda Gates and was called "Sand Dollar Center for Well Being". In 2008 Amanda sold the business to me and it has continued to grow and be successful.
The intention is to be able to serve the regular local clientele as well as the tourists, vacationers & wedding parties who visit Trinidad throughout the year. We offer Professional Therapeutic Massage, Esthetics (facials and waxing services) and classes on related topics. With just the current location we are not able to accommodate all the requests or clients.
The spa is an asset to the city in its ability to provide therapeutic services to its residents and visitors for stress management, preventative health benefits, relaxation and enjoyment. Many of our guests utilize the many wonderful things Trinidad has to offer such as restaurants, beaches, vacation rentals, B&B's and other attractions/services. TMDS seeks to continue being a part of growing Trinidad as a destination location for visitors from near and far. As a business that offers these health and beauty services Trinidad will continue to be able to provide a true retreat for visitors who seek out the full vacation experience.

The following are key points that I would like to address as community concerns and considerations:
~Septic: The spa will NOT be doing any laundry at the facility therefore water consumption and impact on septic will be minimal and within capacity. Water usage will be limited to: Hand washing, Clients shower facility, sanitation of equipment and supplies, maintenance of decorative flowers and plants. Current usage at the Main St. location is minimal; amount will be similar for the Trinity St. location. Usage information can be made available and may be included in this proposal. Gabe Adams will provide record of water usage if needed.
~Parking: The spa will need at the most 4 spaces for both the therapists and the clients. One car can be parked behind the building; this spot will be occupied by the Spa owner or one of the therapists, which will not block the current driveway. This leaves 2-3 cars that will need to be parked on the street. The spa is committed to informing its contractors and visitors of appropriate and allowable parking areas on its website, brochures and via verbal confirmation on the phone. Loading and unloading of supplies will take a maximum of 10 min in the driveway area and no parking will occur. The Moonstone Winery owners have approved this and

permission to use driveway as a loading zone for a max of 10 minutes will be respected.
~Signage: The spa will stay in compliance with city signage regulations and will consider all views and placement in order to not block the view from its neighbors or otherwise. There are posts for signage already on the property that was used by the Quilt Shop. This signage was approved at that time.
~ADA: Currently the 529 Trinity location does not accommodate ADA specifications. A "No Public Restroom" sign and policy would be put in place. Any accommodations made to the property for ADA purposes will be decided by the property and business owner.
~Hours of operation/Seasonal impact: The spa is a professional appointment based business. All clients are screened prior to booking and informed of parking requirements. Sessions generally run from 1-2 ½ hours. Appointments are available from 8am -7 pm, 7 days a week. In the past the business has taken into consideration Trinidad events such as the Clam Beach Run and Fish Festival by minimizing available appointments during those events to allow extra parking for needs of the city. Busy season is the summer months as well as the holidays in Nov/Dec.
~The spa does not employ its therapists/Estheticians, rather they are Independent Contractors who sign an annual contract agreement and are informed of regulations, and considerations for the city. All are required to provide proof of liability insurance to the owner of the Spa. The spa and property owner are indicated as an Additional Insured Endorsement on the policy. Independent contractors are required to purchase and maintain a Trinidad Business License. Retail offerings are in compliance with the California Board of Equalization and 9% Trinidad sales tax is collected and submitted annually.

I have or will be contacting and/or communicating with the neighbors and adjacent businesses to hear any concerns or thoughts they may have about this proposal. All have been in support of this expansion and additional business in Trinidad thus far.

In all cases, I am very open to hearing any concerns and topics not covered for consideration. It is my intention to accommodate and/or meet the needs of the property owner, city and the business in regard to any impact the business may have in the long or short term.

Please find attached letters of recommendations and other supporting documents. (Being mailed directly to city hall or will be provided by Katherine Perry)

Thank you for your time and consideration,

Katherine Perry
Trinidad Massage & Day Spa
(707) 677-9225
trinidadspa@earthlink.net
PO Box 74 Trinidad, CA 95570

29 TRINITY ST.
M & P FLEISCHNER
28 APRIL 1994

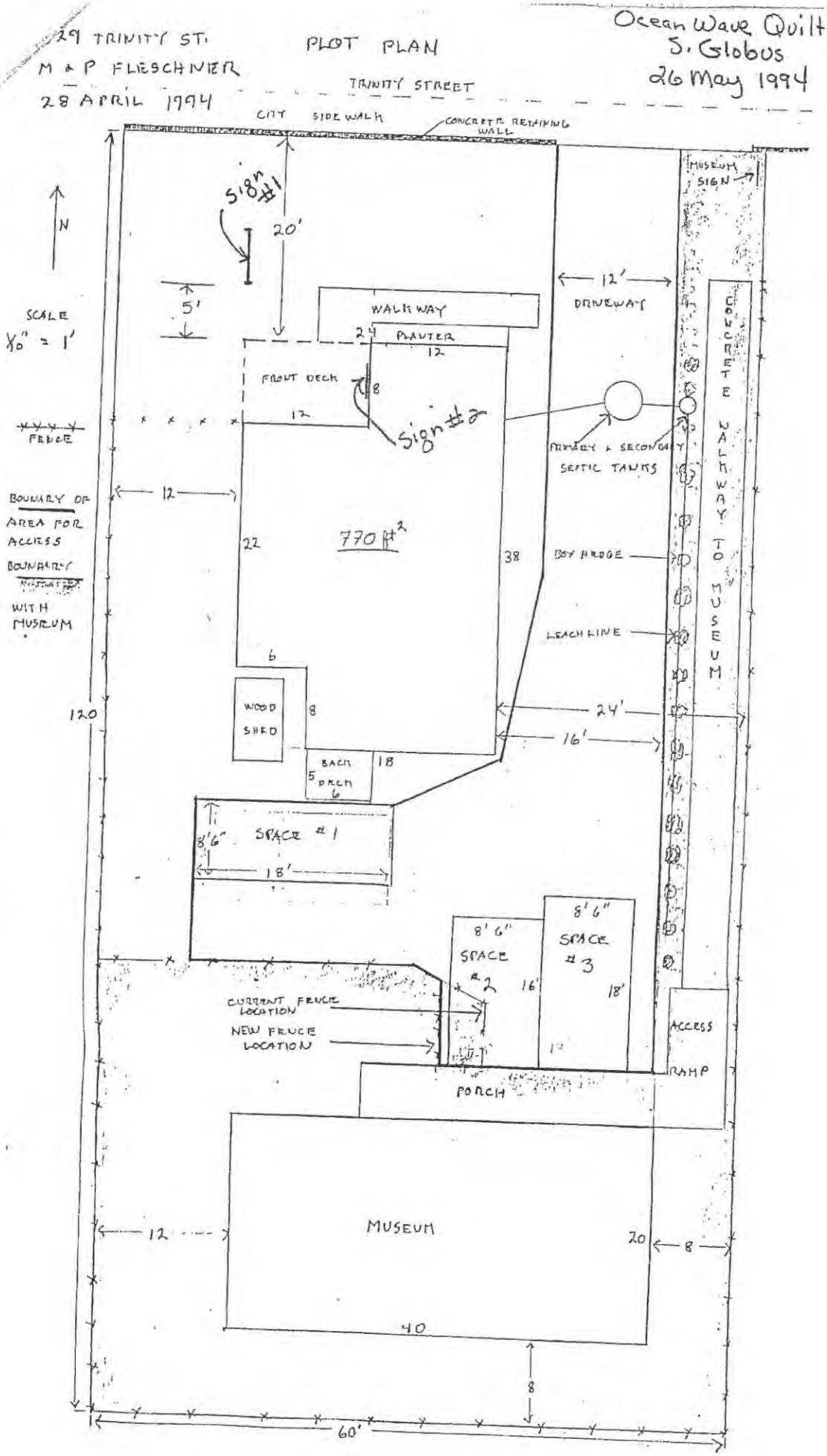
PLOT PLAN

Ocean Wave Quilt
S. Globus
26 May 1994

PLOT PLAN FOR
KATHERINE PERRY

PERMIT CUP
FOR CONVERSION TO
MASSAGE & DAY SPA.

[APP # 2011-01]



City of Trinidad

From: Spa Address [trinidadspa@earthlink.net]
Sent: Saturday, January 22, 2011 8:59 AM
To: Trinidad City Clerk
Subject: Attn: Gabe

To whom it may concern,
I am very pleased to learn that Katherine Perry is planning to expand her spa business in Trinidad. I have known Katherine for many years, and have been a client for as long as she has practiced in Trinidad. In addition to being a fine massage therapist (she keeps me going), she is a responsible and conscientious businesswoman and impresses me with her innovative ideas for marketing and providing better service. She provides wonderful care to us locals, and also draws business from other areas. She has respect for her clients, associates and the community, and this next phase of her business will be an asset to Trinidad.

Sincerely,
Kathrin Burleson

www.KathrinBurleson.blogspot.com
www.KathrinBurleson.com

Gabe can you print and put in with my application?
Thank you!
Katherine Perry
Trinidad Massage & Day Spa
(707) 677-9225
trinidadspa@earthlink.net
www.trinidadmassage.com

Pamela Netzow CPA (inactive)
1337 Stagecoach Road
Trinidad CA 95570
707-677-0149

January 20, 2011

Trinidad Planning Commission
c/o Katherine Perry
P O Box 74
Trinidad CA 95570

Re: Trinidad Massage and Day Spa

Dear Sirs:

This letter is in support of the expansion of Trinidad Massage and Day Spa into a second location on Trinity Street.

I have been fortunate to receive therapeutic massage services from TMDS monthly for several years. It is valuable to have services of such high professional and technical caliber available to Trinidad's residents and visitors.

Katherine Perry is a gifted professional and a skilled businesswoman. Her credentials are exceptionally high in her field, as both a practitioner and an educator. I am grateful she has chosen to practice in Trinidad for the longer term, as this expansion indicates.

The location for the expansion appears perfectly suited for a return of the building to commercial use.

Respectfully submitted,

Date: January 31, 2011
To: Katherine Perry
Trinidad Massage & Day Spa
From: Donald Bremm, Moonstone Crossing Tasting Room co-owner

Re: Letter of support for Trinidad Massage and Spa

This is a letter of support for Katherine Perry's project to establish her business in the building in front of ours located at 529 Trinity Street. I feel the businesses would complement each other and be mutually beneficial. Issues regarding foot traffic, noise, parking, etc. have been discussed and no problems are foreseen. I would recommend that the City of Trinidad Planning Commission grant this permit request.

CONSENT AGENDA ITEM #3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

3. Send letter of congratulations to Supervisor Ryan Sundberg

CONSENT AGENDA ITEM 3
Date: March 09, 2011

ITEM: **SEND LETTER OF CONGRATULATIONS TO SUPERVISOR RYAN SUNDBERG**

SUBMITTED BY: Councilmember Julie Fulkerson

BACKGROUND: Ryan Sundberg was elected to represent the 5th district on the Board of Supervisors in November, 2011.

PROPOSED ACTION: *Authorize the Mayor or selected Councilmember to draft and send a letter from the City Council congratulating Supervisor Ryan Sundberg on his election win and offer an open invitation to attend a Trinidad City Council meeting sometime in the future.*

ATTACHMENTS: None

CONSENT AGENDA ITEM #4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

4. Send letter of gratitude to the Trinidad Rancheria Council

CONSENT AGENDA ITEM 4
Date: March 09, 2011

ITEM: **SEND LETTER OF GRATITUDE TO THE TRINIDAD RANCHERIA TRIBAL COUNCIL**

SUBMITTED BY: Councilmember Julie Fulkerson

BACKGROUND: Work on the public restrooms and enhanced septic systems near Trinidad Head is complete. The parking lot has been enhanced through clean-up.

PROPOSED ACTION: *Authorize the Mayor or selected Councilmember to draft and send a letter from the City Council expressing gratitude to the Tribal Council for funding, planning and constructing public restrooms near the public beaches and pier. Express thanks for extra clean-up and recycling of old debris in the public parking lot.*

ATTACHMENTS: None

CONSENT AGENDA ITEM #5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

5. Proclamation designating March 20-26, 2011 as Tsunami Preparedness Week in the City of Trinidad.

CONSENT AGENDA ITEM 5
Date: March 09, 2011

ITEM: **PROCLAMATION DESIGNATING MARCH 20-26, 2011 AS TSUNAMI PREPAREDNESS WEEK IN THE CITY OF TRINIDAD**

SUBMITTED BY: Councilmember Julie Fulkerson

BACKGROUND: This will be the fourth year the Tsunami Warning Communications Test has been conducted in Humboldt County. This year as in the past two years, Del Norte County and Mendocino County will also participate in the TWCT. Essentially, the Emergency Alert System (radio and television broadcasts) will be activated, NOAA Weather Radio will warn of a tsunami event, notification telephone calls will be made to those listed landline telephone numbers located within the Tsunami Hazard Zone, and selected coastal residential areas will see and hear a Civil Air Patrol aircraft making loud-speaker announcements. Some of the recently-installed tsunami sirens in Del Norte and Humboldt Counties will be activated. Prior to the event, announcements of the test will be made via radio and television, and print notices will appear in many local publications. In addition, many other coastal counties in California will be conducting related drills. We are hopeful that the local area scope of this event will, in future years, expand to include other counties in California.

PROPOSED ACTION: *Approve the proclamation for Tsunami Preparedness Week, March 20-26, 2011. Post posters to alert citizens. Use e-mail to disseminate information.*

ATTACHMENTS: Draft Proclamation, Tsunami Preparedness Poster

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

Kathy Bhardwaj, Mayor
Gabriel Adams, City Clerk

PROCLAMATION 2011-02

PROCLAIMING THE WEEK OF MARCH 20-26, 2011, AS "TSUNAMI PREPAREDNESS WEEK" IN HUMBOLDT COUNTY

Whereas, California's long coastline, its proximity to other coastal states with offshore earthquake faults and its location on the Pacific "Ring of Fire" make it vulnerable to tsunamis; and

Whereas, California has been struck by more than two dozen tsunamis that had waves three or more feet in height since 1812, including fifteen that caused damage; and

Whereas, a dozen residents of Del Norte County, California, were killed by the tsunami generated by the 1964 Alaska earthquake; and

Whereas, tsunamis caused by underwater landslides as well as offshore earthquakes can occur at any time and with little warning; and

Whereas, education and awareness are fundamental to saving lives in a tsunami event; and

Whereas, the State of California, the National Weather Service and the County of Humboldt commemorate the anniversary of the 1964 tsunami by testing their ability to issue a tsunami warning for Humboldt County via the Emergency Alert System at 11:00 a.m. on March 23, 2011; and

Whereas, the California Emergency Management Agency hopes to expand participation of coastal counties in the test in 2012 and beyond;

NOW, THEREFORE, I, Kathy Bhardwaj, Mayor of the City of Trinidad, do hereby proclaim the week of March 20-26, 2011, as "Tsunami Preparedness Week" in Humboldt County.

DRAFT

Attest:

Gabriel Adams
Trinidad City Clerk

Kathy Bhardwaj
Mayor, City of Trinidad

TSUNAMI WARNING COMMUNICATIONS TEST
Del Norte, Humboldt, and Mendocino Counties

WHEN: Wednesday, March 23, 2011, between 11:00 a.m. and 12:00 Noon

WHERE: Del Norte, Humboldt, and Mendocino Counties.

HOW: Interruptions of TV* and Radio Stations, and activation of NOAA weather radios with Public Alert feature.
**Not all Cable TV Stations may be able to participate*

WHY: To test the (EAS) Emergency Alert System to ensure it works properly during a real tsunami emergency.

HOW THIS TEST WILL AFFECT YOU:

If you are watching television between 11:00 a.m. and 12:00 Noon on Wednesday morning, expect to see a crawler indicating that a tsunami warning has been issued, and hear a voice indicating that it is only a test. If you don't hear the TV audio for any reason, please remember that this is only a test. If you are listening to the radio, you will hear alerting tones followed by a voice announcing that the test is occurring. If you have a NOAA weather radio with the Public Alert feature, the radio will automatically turn on and you will hear the same message as broadcast on radios. **In some areas, you may also hear the sounding of a tsunami siren, or you may hear an airplane testing its public address system.** Some schools and communities in the three test counties may be practicing their evacuation plans during the test. You will receive additional information about any planned drills in your area.

Please help us evaluate this test by following the links online or by telephone at:
www.weather.gov/eureka (707) 443-6484

When you hear or see the warning test on March 23 between 11:00 a.m. and 12:00 Noon:

- **You do NOT need to take any action**
- **Do NOT call 911 or local authorities**
- **Do NOT evacuate your home or business.**

THIS IS ONLY A TEST!!

PREPARE: This is a good opportunity to find out more about preparing for earthquakes, tsunamis or any other disaster on the North Coast. Contact the American Red Cross (Humboldt – (707) 443-4521; Del Norte – (707) 464-2277; Mendocino – (707) 463-0112) for more information on how best to protect yourself and your family.

The test is conducted by the National Weather Service (NWS), the California Emergency Management Agency (Cal EMA), the Del Norte, Humboldt, and Mendocino Office's of Emergency Services (OES) and Tribal Governments. For more information contact: National Weather Service (707) 443-6484.

February 20, 2011

AGENDA ITEM #1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

1. Discussion/Decision regarding Approval of Contract with City Manager

DISCUSSION AGENDA ITEM 1
Date: March 09, 2011

ITEM: **DISCUSSION/DECISION REGARDING APPROVAL OF CONTRACT WITH CITY MANAGER.**

SUBMITTED BY: City Attorney Paul Hagen on behalf of City Council

BACKGROUND: The City Council began the search and recruitment process to select a City Manager following the retirement of Steve Albright, the City's first Manager, on January 31, 2011. This discussion item will follow a closed session, and report on the decision made regarding the results of the recruitment process, negotiations, etc.

Depending on the outcome of the recruitment process and several closed session meetings, the Council may be prepared to make an announcement regarding the appointment of the City's next Manager.

Staff and the public have no further information on this item. Personnel decisions are protected by the Brown Act and not subject to public disclosure.

PROPOSED ACTION: *None at this time.*

ATTACHMENTS: None

AGENDA ITEM #2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

2. Discussion/Decision/Update regarding Van Wycke Trail Project

DISCUSSION AGENDA ITEM 2
Date: March 09, 2011

ITEM: **DISCUSSION/DECISION/UPDATE REGARDING VAN WYCKE TRAIL PROJECT**

SUBMITTED BY: City Engineer Josh Wolf & Steve Allen, Winzler & Kelly
Sungnome Madrone, Madrone Enterprises

BACKGROUND:
The Van Wycke Trail has been temporarily closed because of continued slippage and erosion of the ground beneath the trail, creating a potentially dangerous condition, and further damaging city pipes located below the trail in the Van Wycke Street City right-of-way. At the last meeting, the Council approved the proposal from Sungnome Madrone for temporary repairs to the existing Van Wycke Trail

It is currently too wet to begin the temporary trail repair work. This work could start when the weather dries out, provided the temporary access permission has been secured from landowners adjacent to the project. Access permission has been secured from 2 of 3 adjacent property owners. The last remaining property owner has written a letter to the City stating that she will sign the access permission after the vegetation/view issue has been resolved. Delaying trail repair work increases the risk of further erosion, increased bank instability and more costly repairs to city utilities in the future. At this point, the city/Madrone Enterprises can proceed with the pipe replacement on the Fulkerson property, but it will be more costly to make the repairs to the pipes at separate times. The pipe at the retaining wall is the most critical to repair.

At the last meeting, the council asked Winzler & Kelly to prepared a scope of services and estimate for a Van Wycke Trail Feasibility Study to complete a long-term repair of Van Wycke Trail. Winzler & Kelly has prepared a scope of services for review and approval. The estimated cost will be $3600 and the study would be completed within approximately 4 weeks of receiving a signed work order. The work on this project could be funded by Prop 1B which must be spent before June 30, 2011.

PROPOSED ACTION: Based upon the reports given, resolution of adjacent property owner's issues, and recommendations by the City Engineer and Madrone Enterprises, take whatever actions that seem appropriate to proceed and resolve the issue in an efficient and timely manner so that funds proposed to pay for the project can be spent prior to the deadline.

ATTACHMENTS: Rowe Letter
Winzler & Kelly Van Wycke Trail Feasibility Study Scope of Services

WINZLER & KELLY

Agreement Between City of Trinidad and Winzler & Kelly

FEASIBILITY STUDY FOR THE PROPOSED VAN WYCKE TRAIL

MARCH 2, 2011

Introduction

This scope of services relates to a prime agreement between the City of Trinidad and Winzler & Kelly Consulting Engineers dated August 5th, 2004. All provisions of the prime agreement apply to this scope of services unless otherwise stated in this scope of services.

Busch Geotechnical was retained by the City in January 2011 to evaluate the failing section of Van Wycke Trail in Trinidad, CA, and to prepare a brief summary report presenting the type of slope failure, the risk of future instability, and several options for repair. The report (dated 1/15/11) identified several areas of instability along the trail, all with high risks of failure. The report also noted that a broken storm drainage pipe running parallel to trail may be saturating the soils and contributing to the instability. The report presented several options for stabilizing the trail (beyond repairing the broken storm drain pipe), including: relocating the trail and utilities away from the bluff, a sheet pile retaining wall, a soldier pile retaining wall, a welded wire wall, a gabion retaining wall, or a reinforced soil embankment.

The City of Trinidad is requesting that Winzler & Kelly prepare a brief feasibility study to better understand the potential costs, benefits, and challenges of the various options presented in Busch's report. The intent of the study is a planning tool to help the City evaluate and select a preferred repair option, should they decide to pursue a repair.

The following tasks outline the scope of services provided under this agreement:

Task 1 – Feasibility Study

Winzler & Kelly will prepare a feasibility study that will compare each of the repair options presented in the Busch Geotechnical's report. The study will be kept brief, but will consider and summarize the following for each option: order of magnitude planning level costs, potential technical challenges, constructability, potential environmental/cultural issues, potential maintenance issues, and right-of-way considerations.

Deliverables and Review

Winzler & Kelly will submit the feasibility study as electronic PDFs and as up to 5 bound hardcopies within approximately 4 weeks of receiving a signed Task Order.

Exclusions

Items not included in this scope include the following:

- Drawings or figures of repair options

633 Third Street, Eureka California 95501-0417
tel 707 443 8326 fax 707 444 8330
eka@w-and-k.com
www.w-and-k.com

- Survey boundary analysis, right of way, or legal issues
- Geotechnical investigation
- Archaeological or special species studies
- Environmental documentation or permitting
- Applications, permits, or related fees (i.e. utility, regulatory, grading, encroachment)
- Design plans or specifications
- Bidding and construction services
- Any other items not defined in the above scope of services.

These additional services may or may not be required and if required can be provided on a time and materials as needed basis.

Compensation

Winzler & Kelly agrees to provide these services on a time and materials as needed basis for the **total estimated fee of $3,600**. The actual fee for this work will depend on the actual effort to complete the tasks described above and can be more or less than the estimated amount.

Invoices will be prepared monthly and are due and payable within 30 days of the date of the invoice. Finance charges of 1-1/2% per month will be applied to all outstanding balances.

Agreed

_____	_____	_____	_____
	Date	Steve Allen	Date
City of Trinidad		Winzler & Kelly	

_____

City of Trinidad Accounting Tracking Number

Erin Rowe
P.O. Box 845
Trinidad, CA 95570

Mayor Bardwadj:
City Of Trinidad
Hand delivered

February 22, 2011

Dear Mayor Bardwadj:

Thank you so much for sending the very well-informed Madrone Enterprises to explain to me the City's plan for reinforcing bluff above the bay at the South end of my property.

I'm glad the City is addressing the instability risks of the bluff because despite the posted warning signs, I see hikers walking the restricted trail all the time.

Mr. Madrone explained that this work is a first step toward a more comprehensive plan to reinforce the bluff that must involve the lower slope area, currently obscured by overgrown, alder trees.

I am eager to cooperate and proceed with a real long-term stabilizing plan for the bluff, and will be happy to provide my signed "Access Permission" form just as soon as the lower sloped area is cleared and maintained so that my (and my similarly deprived neighbors) view of the natural rock formations in the bay is restored permanently and reflected in a written agreement.

Many thanks for your good work for the City.

Sincerely,

Erin Rowe

AGENDA ITEM #3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

3. Discussion/Decision regarding Town Hall rental procedures

DISCUSSION AGENDA ITEM 3
Date: March 09, 2011

ITEM: **DISCUSSION/DECISION REGARDING TOWN HALL RENTAL PROCEDURES**

SUBMITTED BY: Councilmembers Fulkerson and Bhardwaj

BACKGROUND:
Trinidad is well-known for civic and social events including the Fish Festival, Clam Beach Run, significant fundraisers for Trinidad Elementary School, the Library, the Museum, Skateboard Park and countless other significant fundraisers. The Hall is also used for weddings, family celebrations, memorials as well as countless classes. Along with beaches and trails, it might be said that Town Hall is the second most used and appreciated public facility in Trinidad.

For the most part, organizations and individuals who use City Hall and City streets for events, use the facilities responsibly. From time to time, Trinidad residents raise concerns about the use of City facilities and ultimate wear and tear. Last month's events held to raise funds for the local skatepark effort drew heightened attention to some specific issues that need to be addressed for future clarity.

- Is the rental process thorough and complete enough?
- Do the fees cover clean-up and damages?
- When is it appropriate to waive fees?
- Do the fees cover long-term need for repairs and upkeep such as curtain and light fixture replacement; floor refinishing?
- When events involve hazardous materials, is there a process to inform the Police Department, Fire Department, Council?
- What is the policy on encroachment permits?
- Is there a process to inform neighbors within X feet that an exceptional event is planned?
- When School grounds are involved, is there a solid communication process with School Administration?

PROPOSED ACTION: *Hear report from Clerk and Mayor, discuss and gather more information, refer to staff for full report at next meeting, request back-up information from 3 other Humboldt County cities with similar facilities (Blue Lake, Arcata, & Ferndale).*

ATTACHMENTS: None

AGENDA ITEM #4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

4. Discussion/Decision Regarding Removal of Pampas Grass from City property.

DISCUSSION AGENDA ITEM 4
Date: March 09, 2011

ITEM: **DISCUSSION/DECISION REGARDING REMOVAL OF PAMPASS GRASS FROM CITY PROPERTY**

SUBMITTED BY: Councilmember Miller on behalf of a City Council appointed Invasive Plant Review Committee

BACKGROUND: None provided.

PROPOSED ACTION: (As resolution or decision):

The City Council supports effort of local citizens to discourage growth of pampas grass, and other non-native invasive species (such as English Ivy). Where such plants have a significant presence on City property, the Council approves the cutting or removal of those plants by volunteers or groups such as the California Conservation Corps under the supervision of said volunteers, subject to the following conditions:

1. The people involved must register their names and phone numbers with the City Clerk for the proposed date and time of removal.
2. That caution be observed that plant removal not significantly de-stabilize the slope.
3. No significant damage be done to other plants while removing the invasive plants.
4. The removal site be cleaned up to a reasonably "natural" state.

ATTACHMENTS: Clerk memo dated March 04, 2011

City of Trinidad

To: **Trinidad Invasive Plant Committee Members and City Council**

Date: Friday, March 4, 2011

From: City Clerk Gabriel Adams

Re: **March 09, 2011 City Council Meeting Discussion Agenda Item No. 4**

Over the past few months the Council has listened to numerous reports from a citizen-driven effort to pursue removal of invasive plant species such as Pampas Grass and English Ivy at various locations within the Trinidad City limits. As a result, the Council has appointed a volunteer committee to identify and locate the invasive vegetation, create an action plan for its removal, and keep the Council informed of progress.

The job of removing such plants will be time-consuming and complex. It's a big project with huge rewards for the environment. However, the City's Public Works Staff does not have the time or resources to accomplish such an enormous task, so the burden has been placed on the committee to devise an action plan for eradication of the plants with the assistance of volunteers and other work groups.

The committee met last on Monday, February 28, and requested that I advise them how to go about getting support and authorization from the City to begin work. It is my understanding that the focus of the project is Trinidad Head. I advised the committee representative to submit a detailed plan with information that would enable City staff to suggest the most appropriate process.

Based on the summary provided, I recommend the following process:

1. Before any work shall commence without staff oversight, a precise location map identifying areas targeted for plant removal should be prepared and include the following information: Approximate square footage of vegetation removal, number of plants, locations, terrain concerns, distance from existing trails and roadways, accessibility and subsequent plan to access, groups involved, number of individuals participating, vegetation removal plan, liability concerns/waivers, etc... and the list goes on.

2. Once the plan is received/submitted to the City, it must be reviewed by the City Planner for consistency with the City's General Plan. It is my understanding that the Open Space Zoning Section of the General Plan strictly prohibits any major vegetation removal without obtaining both a Coastal Development Permit AND a Use Permit. However, without a clear plan of action before us, it's difficult to provide clear direction to the committee that protects both the individuals involved and protects the City from violating its own policies.

3. Upon review of the City Planner and direction given with regards to Coastal Land Use permitting requirements, if any are necessary, notification must be given to the Tsurai Ancestral Society regarding the project. Trinidad Head is both an environmental & culturally sensitive location. It

is important to refer any project of this size and scope to the Tsurai Ancestral Society, especially in areas that have not previously been disturbed. However, without a detailed plan there's no way to make this determination.

4. Upon review of the City Planner and proper permits are secured – if necessary – the work plan/Encroachment Permit must be reviewed and approved by the Public Works Director, Fire Department, and Police Department as per the City's Municipal Code.

It is likely that costs will be incurred by the City if the project scope triggers coastal permitting requirements. However, those costs cannot be calculated without a clear and detailed plan.

The current proposal is incomplete. It has the potential to yield positive environmental benefits, but also create a number of other problems. Should the City overlook its policies and procedures in exchange for environmental heroism or stewardship? Based on the summary provided, it would be in the best interest of the City to request a more detailed project description before authorizing any work to proceed.

Gabriel Adams
Trinidad City Clerk

AGENDA ITEM #5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

5. Discussion/Decision Regarding Trinidad Library Lease Agreement

DISCUSSION AGENDA ITEM 5
Date: March 09, 2011

ITEM: **DISCUSSION/DECISION REGARDING TRINIDAD LIBRARY LEASE AGREEMENT**

SUBMITTED BY: City Attorney Paul Hagen on behalf of the City Council

BACKGROUND: Report/Update/Decision will follow closed session.

PROPOSED ACTION: None provided.

ATTACHMENTS: None