



Posted: Friday, February 07, 2014

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

The Trinidad City Council will hold its regular monthly meeting on
WEDNESDAY, FEBRUARY 12, 2014 at 7:00 PM

5:30 PM CLOSED SESSION

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ADJOURN TO CLOSED SESSION**
 1. Personnel Exemption, Government Code Section 54957; City Manager Performance Evaluation.
 2. Existing/Pending Litigation against the City of Trinidad, Government Code section 54956.9(b) and/or section 54956.95, from the Tsurai Ancestral Society.
 3. Existing/Pending Litigation against the City of Trinidad, Government Code section 54956.9(b) and/or section 54956.95, from the Tsurai Ancestral Society regarding a second cutting incident.
- IV. **APPROVAL OF AGENDA**
- V. **APPROVAL OF MINUTES** – January 08, 2014 cc
- VI. **PROCLAMATIONS** – Proclamation 2014-01; Celebrating the Trinidad Civic Club 100th Anniversary
- VII. **COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS**
- VIII. **ITEMS FROM THE FLOOR**

(Three (3) minute limit per Speaker unless Council approves request for extended time.)
- IX. **CONSENT AGENDA**
 1. Staff Activity Report January 2014
 2. Financial Status Reports for December 2013.
 3. Law Enforcement Activity Report and Public Meeting Announcements
 4. Tourist Occupancy Tax Amnesty Program
 5. Banner Policy & Application Process
 6. Trail Volunteer Program Kick-Off
 7. Resolution 2014-01: Amending Council Meeting Start Time and Meeting Dates
 8. Ratify Letters of Endorsement for HWMA and Electric Charging Station Support.
- IX. **DISCUSSION/ACTION AGENDA ITEMS**
 1. Presentation of 2012-2013 Final Audit Report and Authorize the City Manager to execute the 2013-2014 Engagement Letter.
 2. Unmet Transit Needs Public Hearing.
 3. Discussion/Decision Regarding Draft Vacation Dwelling Unit Ordinance.
 4. Discussion/Decision Regarding the Draft Housing Element of the General Plan Update.
- X. **ADJOURNMENT**

APPROVAL OF MINUTES FOR:

January 08, 2014 CC

Supporting Documentation follows with: 3 PAGES

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JANUARY 08, 2014

I. CALL TO ORDER

- Mayor Fulkerson called the meeting to order at 7:20PM. Council members in attendance: West, Miller, Fulkerson, Baker, Davies.
- City Staff in attendance: City Manager Karen Suiker, City Clerk Gabriel Adams, City Attorney Andy Stunich.

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

- A. Liability Claims for Damages & Existing/Pending Litigation against the City of Trinidad, Government Code section 54956.9(b) and/or section 54956.95, from the following individuals: 1) Tsurai Ancestral Society, 2) Deborah Fitzpatrick.
- B. Possible courses of action to collect late occupancy tax payments and/or related interest and penalties.

IV. RECONVENE TO OPEN SESSION

Mayor Fulkerson requested that Attorney Stunich explain the actions taken in closed session. Stunich reported that the Council voted to file a writ of mandate in the Tsurai case, and approach the Tsurai and request mediation to resolve the dispute.

Regarding Deborah Fitzpatrick's claim for damages, City Manager Suiker explained that as a matter of routine, the Council must deny the claim and reject it by vote as required in open session. No action was taken on the T.O.T. penalty and interest item.

Mayor Fulkerson suggested moving the claim for damages decision to Item 5 on the discussion agenda consider the amendment during the approval of agenda.

V. APPROVAL OF AGENDA

Discuss the Fitzpatrick claim for damages as Item 5 on the discussion agenda.

Motion (Miller/Davies) to approve the agenda as amended. Passed 5-0.

VI. APPROVAL OF MINUTES – December 11, 2013 cc

Motion (West/Baker) to approve the minutes as written. Passed 5-0.

VII. COMMISSIONERS REPORTS

Baker: Nothing to report.

Fulkerson: Nothing to report.

Davies: Nothing to report.

West: Reported that HCOAG board discussed active transportation funding opportunities.

VIII. ITEMS FROM THE FLOOR

Pat Morales – Trinidad, Edwards Street.

Read a statement of complaints and concerns that the Trinidad Bay Bed & Breakfast was not being penalized by the city for delinquent bed taxes owed. She quoted email correspondence between her and the City Manager and City Clerk. She then continued with explaining Brown Act definitions and objectives, and accused the Council of making policy decisions in closed session and thus, violating the Brown Act.

City Attorney Andy Stunich responded, stating that the Brown Act allows for closed session discussions when potential litigation exists. He agreed with Ms. Morales that policy decisions should be made in open session.

Kim Tays – Trinidad, View Street

Concerned with litter and transient camping in and around the freeway overpass. She requested that the Council make sure the hiding places under the bridge are filled in when the retrofit project is completed.

IX. CONSENT AGENDA

1. Financial Status Reports for November 2013.
2. Community Input Process to Gather Resident Input on City Priorities.

Motion (Miller/Davies) to approve the consent agenda as written. Passed 5-0.

X. DISCUSSION AGENDA

1. Presentation on imagine Humboldt! "Build our Vision" Final Report.
Marcella Clem and Kathy Moxon presented the report via slideshow. The presentation included the following slides: Process, Survey Participants, Principals, Vision 2050, Conserving Agriculture Land, Community Visions, Rural Living Preferences, Progressive Measures, and Summary.

There were no public comments.

The Council thanked Marcella and Kathy for presenting the report. No decision was made.
2. Discussion/Decision regarding Changing Starting Time for Regular Council Meetings.
City Manager Suiker explained that Resolution 2007-05 provides for regular City Council meetings to be held on every second and fourth Wednesday of the month beginning at 7:00 p.m. For the past several years, the second monthly meeting has been on an as-needed basis, so the resolution should be amended to state the optional second monthly meeting. At the same time, the Council may wish to consider an earlier starting time to possibly promote greater participation, which is sometimes hampered due to the lateness of the hour when certain matters are under public consideration. The Planning Commission, for example, begins its meetings at 6:00 p.m. If the Council wishes to consider a modified start time, an enabling resolution will be brought back at the next meeting.

Members of the audience were in agreement that a 6:00pm start time was acceptable.

The Council agreed, by consensus, that a 6:00pm start time would be good for all, and that the second meeting should be made optional. City Manager Suiker will bring a Resolution with proposed changes to the next meeting for approval.
3. Discussion/Decision regarding Appointment of 2 Councilmembers to work with City Manager on Law Enforcement Contract Renegotiation.
City Manager Suiker explained that the city's agreement with the County of Humboldt for the provision of law enforcement services by the Humboldt County Sheriff's Department will expire June 30, 2014. The City may be interested in proposing certain modifications to that contract, and it is recommended that two councilmembers be appointed to work with staff on contract renegotiation. Interested citizens will then have contact information to offer suggestions for this working group to consider. If a contract is recommended by this working group, it will be presented for consideration of the full Council.

The cost for services budgeted in FY 2013-14 under the current agreement is \$190,933. Cost calculations made at the time of the initial agreement identified a savings of about \$34,000 per year for contracted services compared to Trinidad maintaining its own police force. Police department assets have since been sold. The City's insurance authority strongly recommends small entities such as Trinidad contract for law enforcement services to minimize (transfer) liability exposure. The most practical and economical option is for the City to continue to contract its law enforcement services, and with the possible addition of accountability and evaluation criteria, we might be able to arrive at a recommended contract satisfactory to the vast majority of the citizenry.

Public comment included:

Mike Pinske – Trinidad, Underwood Dr.

This is a good time to evaluate and put into perspective the difference between a city police department and contracting with the sheriff department. I've lived in Trinidad for over 20 years, and noticed a significant increase this past year in transients and undesirable individuals hanging out here. Living next to the State Park this past summer was a nightmare, and the Sheriff's response time wasn't satisfactory. The City needs its own Police Department.

No comments from the Council.

*Motion (Miller/West) to appoint 2 Council members to work with the City Manager to consider renegotiation of law enforcement services contract. **Passed 5-0.***

4. Discussion/Decision regarding Appointment of Councilmember to Redwood Empire Division League of California Cities Legislative Committee.

City Manager Suiker explains that the Redwood Empire Division of the League of California Cities has a legislative committee that meets quarterly before division meetings or by phone if necessary. The role of the committee members is to review legislation brought forth to the committee and vote on whether or not the division should send in a letter of opposition or support to the legislators. A week prior to the quarterly meetings, the League staff sends a report on each bill for review and when the committee meets in person, the members take a vote on bills. Although City of Trinidad attendance at the Division meetings is somewhat inconsistent, depending on the meeting locations (which could be Del Norte, Humboldt, Lake, Mendocino or Sonoma County cities) and availability of councilmembers, the city may wish to appoint a councilmember to receive information and participate in voting if and when possible.

There was no public comment.

*Motion (Miller/Baker) to appoint Councilmembers Baker as representative to the League of CA Cities, and Miller as alternate. **Passed 5-0.***

5. Discussion/Decision regarding liability claim for damages submitted by Deborah Fitzpatrick.

City Manager Suiker explained that as discussed in closed session, the city's insurance agency PARSAC has advised the city to reject the claim as part of the formal procedure to pass the liability onto the contractor.

There was no public comment or Council discussion.

*Motion (Miller/West) to reject the claim for damages as submitted by Deborah Fitzpatrick. **Passed 5-0.***

XIII. ADJOURNMENT

- Meeting ended at 8:20pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Julie Fulkerson
Mayor



PROCLAMATION

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

Proclamation 2014-01; Celebrating the Trinidad Civic Club 100th Anniversary

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

Julie Fulkerson, Mayor
Gabriel Adams, City Clerk



PROCLAMATION 2014-02

PROCLAMATION OF THE CITY OF TRINIDAD RECOGNIZING THE TRINIDAD CIVIC CLUB'S 100 YEARS OF SERVICE TO THE COMMUNITY

Whereas The Trinidad Civic Club was organized in 1913 and is celebrating its 100 Anniversary in February 2014, and

Whereas The Trinidad Civic Club has built and maintained the Trinidad Memorial Lighthouse and has organized annual events commemorating those lost at sea and buried at sea, and

Whereas The Trinidad Civic Club by selling ice cream and peanuts, established the first library in 1915 in the shed behind the Trinidad Gallery where City Council meetings were also held and also contributed greatly by raising funds to build Town Hall in 1917, and

Whereas The Trinidad Civic Club is organized to help those in need and has established a drop-off site for donations to the community Food Bank and Big Lagoon Community Church, and

Whereas The Trinidad Civic Club built and refurbished the Town Hall kitchen, enabling events to raise funds for non-profit organizations and celebrate special family occasions; cares for and tunes the Town Hall Steinway, and

Whereas The Trinidad Civic Club has raised and donated funds for the new Library building, and provided scholarships including the James and Carmen Kidder Scholarship Fund for high school seniors and awards for local children, Trinidad Elementary School, Blood Bank, 4-H, trails, scouts, Red Cross, HSU Marine Lab Tide Pool, the cemetery, Trinidad Community Choir; and in its early history, by sewing and knitting for soldiers during both WWI and WWII, and

Whereas The Trinidad Civic Club through creativity and hard work, has established dances, masquerades, picnics, bake sales, ice cream socials, teas, plays, rummage sales, bingo parties and donations to finance 100 years of community-service projects, and

Whereas The Trinidad Civic Club, since its beginning in 1913, has provided service to Trinidad guided by a pledge to work for civic improvement, child welfare, education and "promotion of harmonious spirit,"

Now therefore let it be Proclaimed that the Trinidad City Council congratulates and extends deep gratitude to the Members of the Trinidad Civic Club for its dedication, hard work and creative and imaginative contributions for 100 years.

PASSES AND ADOPTED by the Council of the City of Trinidad this 12th day of February, 2014, by the following vote:

AYES:	West, Miller, Fulkerson, Baker, Davies
NAYS:	None
ABSENT:	None
ABSTAIN:	None

Gabriel Adams
Trinidad City Clerk

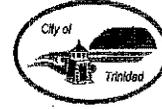
Julie Fulkerson
Mayor, City of Trinidad



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

1. Staff Activity Report January 2014



STAFF ACTIVITIES REPORT

January 2014

City Administration:

1. Law Enforcement Services. A community meeting for the Greater Trinidad Area to discuss law enforcement services with Humboldt County Sheriff personnel has been scheduled for Wednesday, February 26 at 6:00 p.m. at town hall. County representatives expected to be in attendance include Supervisor Ryan Sundberg, Undersheriff William Honsal, Lieutenant Dave Morey, Lieutenant Kym Thompson and Deputy Scott Hicks.

2. Town Hall Improvements. The installation of new window treatments in the large room is complete, and together with the floor sanding and refinishing project, completes the improvements anticipated in the current fiscal year. The next improvement project currently under design and cost estimating is rejuvenation of the City Clerk's office.

3. Garbage Franchise Agreement. Staff has prepared a proposed franchise agreement which was presented to Humboldt Sanitation and has been negotiating with the garbage service provider on a number of issues. We are now in agreement on almost all issues and expect to have this ready for presentation to the Council within the next few months.

4. Law Enforcement Services Agreement. Staff is compiling information in order to begin discussion of renegotiation of the law enforcement services agreement that expires July 1, 2014. Councilmembers Davies and Baker have been appointed to work with staff on this matter. The city has received notification from the Sheriff that he is unwilling to offer a "half deputy" position due to the difficulty in tracking specific hours. Negotiation of a contract with the Sheriff would therefore involve reducing services to one full time deputy or increasing services to two full time deputies.

5. Performance Evaluations. Annual written evaluations have been completed for all staff members reporting to the City Manager, and those employees who have not already reached the maximum step in the salary progression received a 2-1/2% step progression for satisfactory performance as per the City's adopted personnel rules & regulations.

6. Audit. The audit for fiscal year 2012-13 has now been finalized and is presented at this meeting. Because the audit went so smoothly, the auditor is offering his services for next year at a 10% discount.

7. On-Site Waste Water Treatment (OWTS) Ordinance. The second round of letters (approximately 50) were sent in mid-December with a deadline of February 28 for submitting the required information. A second mailing for the first round of property owners who did not respond to the first letter will soon go out. The Planner and staff have also been working closely with the County's Department of Environment Health to clarify the respective roles in-administration of the City's OWTS program.

8. Labor Time Study. A time study to properly allocate staff and benefit costs to various funds in support of budget distribution is nearing completion.

9. Trail Volunteer Program. This is a separate agenda item for this meeting and this recommendation by the Trail Head Study Committee is now ready to be implemented.

10. Sign Enforcement. As time permits, staff is working on seeking voluntary compliance for businesses that have unpermitted and/or unauthorized signs throughout the City.

FIRE DEPARTMENT

The Trinidad Volunteer Fire Department reports fifty response calls in calendar year 2013:

Medical – 26

Fire – 5

Mutual aid medical – 6

Mutual aid fire – 2

False alarms – 9

Body recovery – 1

Street cleaning - 1

PLANNING ISSUES

1. General Plan. The Housing Element is a separate agenda item for this Council meeting. The Commissioners have begun discussion on the Community Design element and the Commission is considering holding special meetings in between regular meetings to keep the General Plan moving along. E:mails have been sent to the Tribal interests (Yurok, Rancheria and Tsurai Ancestral Society) soliciting comments on the Cultural Element, but so far there has been no response. A more formal solicitation of comments with deadlines will be sent once the Commission recommences work on that element.

2. Vacation Dwelling Unit (VDU) LCP Amendment. This Ordinance was originally adopted in 2011, and since that time many minor and major modifications have been

made as a result of negotiations and discussions between City staff and Coastal Commission staff. There is now tentative agreement on the changes, and this is a separate agenda item for consideration of the Council for this meeting.

3. Accessory Dwelling Unit (ADU) LCP Amendment This Ordinance was originally adopted in 2010, but because efforts were concentrated on dealing with the VDU ordinance, the ADU was on hold until resolution could be reached with Coastal Commission staff on the VDU. Since that now appears to be close to completion, work can once again proceed on the ADU. This could require substantial additional information to analyze the impacts of increased density and development, and is expected to be a lengthy process.

4. Civic Club Lighthouse Project. This project was conditionally approved by the Trinidad Planning Commission on August 15, 2012 and was subsequently appealed to the City Council. The Council met on September 26, 2012 and denied the appeal. A timely appeal of this decision was thereafter submitted to the California Coastal Commission, and the stakeholders await action or direction from the Commission.

Status of Grant Funded Programs

1. Grant for Disability Access Improvements. The City received a \$10,000 grant for town hall disability improvements from the Public Agency Risk Sharing Authority (PARSAC), and the grant was increased to \$15,000 when the bids came in exceeding the original amount. The project to improve the ramp and railings can now proceed.

2. Project Name: Water Treatment Plant Construction Project

Source of Funding: Proposition 50 (\$2 million)

Status: The Water Treatment Plant Project went out to bid in October for construction of the plant improvements. The bid was awarded Whitson, Inc. at the November Council meeting. The Notice to Proceed was issued on January 3 and construction has commenced. The City is working with the Trinidad Rancheria to develop a cost sharing agreement to fund several components of the project.

3. Project Name: Luffenholtz Creek Sediment Reduction

Source of Funding: California Department of Public Health (\$1,670,720)

Status: Construction began in July on this project to improve the City's water supply through work on Green Diamond property that includes a road re-route, replacement of culverts and several bridges, and other treatments. McCullough Construction has completed most of the work for the current construction season. The newly constructed

road sections will “settle in” over the winter. During the 2014 construction season, the old road sections will be decommissioned and the project completed.

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

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

Status: The Trinidad Pier reconstruction is complete and all the final project documents were submitted in January. The final invoice will be submitted in February.

5. Project Name: Storm Water Management Improvement

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

Status: The project will go out to bid this spring and construction of Phase I improvements in the upper area will begin late spring. Funding for Phase II of the project is still being sought.

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

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

Status: The Watershed Coordinator continues to work with the Cities of Arcata, Eureka, Fortuna and the County to comply with the requirements of the new Municipal Stormwater Discharge Permit, to assist the Trinidad Bay Watershed Council to develop educational materials and activities, and to work with the North Coast Watershed Coordinator Team and other watershed related groups to promote healthy watersheds and communities. Work under the Watershed Coordinator grant will be completed in June 2014.

7. Clean Beaches Grant. The details of this grant proposal are being finalized, which will provide funding for education, water quality monitoring and septic system repairs in the Trinidad and Westhaven areas. Submittal of this grant application was authorized by the Council at their meeting in November.

8. Project Name: Azalea & Pacific

Source of Funding: State Transportation Improvement (\$423,000)

Status: This project is now complete, has been accepted and final invoicing has recently been submitted to the State for full cost recovery.

Public Works Department

1. Scenic Drive Water Line Improvement Project

Construction of this project, which will upgrade an existing substandard water main to current standards and provide adequate fire flows to the area is currently underway and expected to be completed by February 28.

2. Trinidad School Fire Hydrant

Installation of a new fire hydrant connected to the city's water system has been completed. This hydrant will serve a new facility on the school grounds which is scheduled for construction next year.

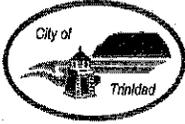
3. Other miscellaneous projects:

The tennis courts were powerwashed to eliminate slipping hazard due to accumulated mildew on shaded section; continued effort to expand water audit to account for water not metered; improvements to the equipment and supplies storage shed at the cemetery; the water treatment plant has been prepared for the upcoming improvement project.

UPCOMING PRIORITIES:

- Develop detailed listing and description of city's accounting needs and discuss the ability (and cost) for providing those needs with qualified local accounting firms.
- Conduct a mid-year budget review of revenues and expenditures.
- Review city's cash position and project anticipated expenditures to position investments accordingly.
- Continue efforts to secure timely reimbursement from granting entities to assure cash flow does not become an issue.
- Continue monitoring of consultant costs and projects to assure we remain within budget allocations.
- Begin discussion of law enforcement contract renegotiation together with Council appointees.
- Complete documentation of code violations at Hidden Creek Trailer Park and submit complaint to State Mobilehome Ombudsman.
- Complete time allocation study to support distribution of labor charges to special funds.
- Continued involvement in multiple legal claims.
- Continued implementation of OWTS program and next round of noticing.

- Work with County Department of Health on clarification of responsibilities and definitions and possible ordinance revision(s) related to OWTS program administration.
- Complete negotiations of solid waste franchise agreement for presentation to Council.
- Continue with town hall improvement projects, now turning focus to the City Clerk's area.
- Continue to work with Coastal Commission staff on City projects awaiting Commission approval.
- Gather information on possible water conservation measures in the event this becomes necessary in Trinidad. This will be an agenda item for the March meeting.



CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

2. Financial Status Reports for December 2013.

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 12/1/2013 Through 12/31/2013

Revenue	Current Month	Year to Date	Total Budget - Original	% of Budget
41010 PROPERTY TAX - SECURED	39,832.41	44,157.67	79,125.00	(44.19)%
41020 PROPERTY TAX - UNSECURED	2,826.40	2,826.40	3,025.00	(6.57)%
41040 PROPERTY TAX-PRIOR UNSECURED	0.00	0.00	80.00	100.00)%
41050 PROPERTY TAX - CURRENT SUPPL	0.00	0.00	100.00	100.00)%
41060 PROPERTY TAX-PRIOR SUPPL	0.00	0.00	200.00	100.00)%
41070 PROPERTY TAX - FINES	632.52	632.52	0.00	0.00)%
41071 MOTOR VEHICLES	0.00	0.00	1,170.00	100.00)%
41110 PROPERTY TAX EXEMPTION	200.18	200.18	1,300.00	(84.60)%
41130 PUBLIC SAFETY 1/2 CENT	426.63	426.63	1,420.00	(69.96)%
41140 PROPERTY TAX - DOCUMENTARY RE	723.25	723.25	1,000.00	(27.68)%
41190 PROPERTY TAX ADMINISTRATION FE	(1,163.00)	(1,163.00)	(2,317.00)	(49.81)%
41200 LAFCO Charge	(1,152.29)	(1,152.29)	(742.00)	55.30)%
41210 IN-LIEU SALES & USE TAX	0.00	0.00	27,442.00	100.00)%
41220 IN LIEU VLF	0.00	0.00	27,960.00	100.00)%
42000 SALES & USE TAX	9,754.79	70,553.63	190,000.00	(62.87)%
43000 TRANSIENT LODGING TAX	0.00	59,188.49	93,000.00	(36.36)%
46000 GRANT INCOME	0.00	3,032.00	0.00	0.00)%
53010 COPY MACHINE FEE	0.00	4.00	50.00	(92.00)%
53020 INTEREST INCOME	39.65	4,370.33	15,500.00	(71.80)%
53090 OTHER MISCELLANEOUS INCOME	0.00	250.69	1,000.00	(74.93)%
54020 PLANNER- APPLICATION PROCESSIN	0.00	3,144.73	5,000.00	(37.11)%
54050 BLDG.INS-APPLICATION PROCESSI	306.21	4,250.51	7,000.00	(39.28)%
54100 ANIMAL LICENSE FEES	73.00	214.00	100.00	114.00)%
54150 BUSINESS LICENSE TAX	60.00	9,607.00	9,500.00	1.13)%
54300 ENCROACHMENT PERMIT FEES	0.00	100.00	400.00	(75.00)%
56400 RENT - VERIZON	1,799.90	10,799.40	21,300.00	(49.30)%
56500 RENT - HARBOR LEASE	0.00	0.00	5,125.00	100.00)%
56550 RENT - PG& E	0.00	0.00	8,500.00	100.00)%
56650 RENT - SUDDENLINK	0.00	2,366.98	4,492.00	(47.31)%
56700 RENT - TOWN HALL	441.00	2,953.85	9,000.00	(67.18)%
59999 INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	30,000.00	100.00)%
Total Revenue	<u>54,800.65</u>	<u>217,486.97</u>	<u>539,730.00</u>	<u>(59.70)%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 12/1/2013 Through 12/31/2013

	Current Month	Year to Date	Total Budget - Original	% of Budget	
Expense					
60900	HONORARIUMS	250.00	1,400.00	3,000.00	53.33%
61000	EMPLOYEE GROSS WAGE	7,461.19	46,736.18	97,303.00	51.97%
61250	OVERTIME	0.00	0.00	500.00	100.00%
61470	FRINGE BENEFITS	23.08	265.42	0.00	0.00%
65100	DEFERRED RETIREMENT	290.50	1,886.82	3,776.00	50.03%
65200	MEDICAL INSURANCE AND EXPENSE	388.77	2,332.62	5,779.00	59.64%
65300	WORKMEN'S COMP INSURANCE	0.00	(3,275.20)	3,211.00	202.00%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	22.00	218.84	1,000.00	78.12%
65600	PAYROLL TAX	594.25	3,731.81	7,733.00	51.74%
65800	Grant Payroll Allocation	(564.88)	(1,338.67)	2,600.00	151.49%
68090	CRIME BOND	0.00	700.00	455.00	(53.85)%
68200	INSURANCE - LIABILITY	0.00	4,824.95	9,675.00	50.13%
68300	PROPERTY & CASUALTY	0.00	3,797.95	4,080.00	6.91%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	2,062.50	22,320.00	90.76%
71130	ATTORNEY-LITIGATION	0.00	4,688.38	8,000.00	41.40%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	1,406.00	1,500.00	6.27%
71310	CITY PLANNER-ADMIN. TASKS	5,674.33	23,154.33	38,600.00	40.01%
71410	BLDG INSPECTOR-ADMIN TASKS	629.05	1,911.85	7,000.00	72.69%
71510	ACCOUNTANT-ADMIN TASKS	665.00	7,019.35	15,600.00	55.00%
71620	AUDITOR-FINANCIAL REPORTS	0.00	5,915.00	13,585.00	56.46%
72000	CHAMBER OF COMMERCE	795.60	318.24	11,520.00	97.24%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	2,160.00	1,000.00	(116.00)%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	0.00	500.00	100.00%
75170	RENT	650.00	3,900.00	8,190.00	52.38%
75180	UTILITIES	1,193.01	5,265.13	6,500.00	19.00%
75190	DUES & MEMBERSHIP	79.20	243.20	500.00	51.36%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	2,427.00	3,500.00	30.66%
75220	OFFICE SUPPLIES & EXPENSE	263.02	3,083.85	5,500.00	43.93%
75240	BANK CHARGES	8.00	58.10	200.00	70.95%
75300	CONTRACTED SERVICES	0.00	0.00	5,000.00	100.00%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	100.00	100.00%
76110	TELEPHONE	113.72	669.06	1,550.00	56.83%
76130	CABLE & INTERNET SERVICE	160.95	1,235.70	2,160.00	42.79%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	(1,982.14)	0.00	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	(929.08)	1,233.72	1,500.00	17.75%
	Total Expense	<u>15,785.57</u>	<u>128,032.13</u>	<u>294,937.00</u>	<u>56.59%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 12/1/2013 Through 12/31/2013

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
61000	EMPLOYEE GROSS WAGE	372.72	2,445.98	4,847.00	49.54%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	160.00	100.00%
65600	PAYROLL TAX	28.52	187.14	371.00	49.56%
65800	Grant Payroll Allocation	0.00	(54.28)	0.00	0.00%
75170	RENT	650.00	3,900.00	8,580.00	54.55%
75180	UTILITIES	247.29	981.54	2,140.00	54.13%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	300.00	100.00%
75300	CONTRACTED SERVICES	(45,686.25)	0.00	87,933.00	100.00%
75350	ANIMAL CONTROL	113.00	678.00	1,900.00	64.32%
76110	TELEPHONE	77.38	468.38	1,040.00	54.96%
	Total Expense	<u>(44,197.34)</u>	<u>8,606.76</u>	<u>107,271.00</u>	<u>91.98%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 12/1/2013 Through 12/31/2013

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
60900	HONORARIUMS	150.00	900.00	1,800.00	50.00%
75180	UTILITIES	70.86	401.98	1,065.00	62.26%
75190	DUES & MEMBERSHIP	0.00	0.00	10.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	100.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	155.00	100.00%
76110	TELEPHONE	14.11	124.51	265.00	53.02%
76140	RADIO & DISPATCH	0.00	0.00	450.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	59.88	450.00	86.69%
78150	VEHICLE REPAIRS	0.00	(39.79)	3,000.00	101.33%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	700.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	38.60	199.34	2,500.00	92.03%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	750.00	100.00%
90000	Capital Reserves	10,000.00	10,000.00	10,000.00	0.00%
96200	TRANSFER OUT	(10,000.00)	(10,000.00)	0.00	0.00%
	Total Expense	<u>273.57</u>	<u>1,645.92</u>	<u>21,245.00</u>	<u>92.25%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 12/1/2013 Through 12/31/2013

	Current Month	Year to Date	Total Budget - Original	% of Budget	
Expense					
61000	EMPLOYEE GROSS WAGE	3,210.92	19,341.10	40,752.00	52.54%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	325.86	1,955.66	4,271.00	54.21%
65200	MEDICAL INSURANCE AND EXPENSE	1,756.86	10,616.33	23,141.00	54.12%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	1,389.00	100.00%
65600	PAYROLL TAX	270.94	1,630.67	3,547.00	54.03%
65800	Grant Payroll Allocation	(34.83)	(162.53)	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	170.00	3,070.50	4,800.00	36.03%
71250	CITY ENGINEER - PROJECT FEES	0.00	0.00	4,000.00	100.00%
75120	WASTE RECYCLING PICKUP/DISPOSA	10.58	10.58	0.00	0.00%
75180	UTILITIES	0.00	10.71	0.00	0.00%
75300	CONTRACTED SERVICES	0.00	25.00	13,900.00	99.82%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	0.00	450.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	460.00	5,000.00	90.80%
78120	STREET LIGHTING	356.81	1,298.28	4,500.00	71.15%
78130	TRAIL MAINTENANCE	0.00	89.78	2,500.00	96.41%
78140	VEHICLE FUEL & OIL	288.48	1,936.11	4,700.00	58.81%
78150	VEHICLE REPAIRS	10.48	192.65	2,500.00	92.29%
78160	BUILDING REPAIRS & MAINTENANCE	3,322.79	9,581.79	7,800.00	(22.84)%
78190	MATERIALS, SUPPLIES & EQUIPMEN	1,105.66	1,958.66	6,500.00	69.87%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	524.82	0.00	0.00%
	Total Expense	<u>10,794.55</u>	<u>52,540.11</u>	<u>130,250.00</u>	<u>59.66%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 12/1/2013 Through 12/31/2013

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	4,500.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	601.99	2,161.99	2,000.00	8.10%
57100	WATER SALES	22,543.56	153,443.96	289,000.00	(46.91)%
57300	NEW WATER HOOK UPS	0.00	0.00	3,000.00	(100.00)%
57500	WATER A/R PENALTIES	347.31	(2,741.22)	3,000.00	(191.37)%
	Total Revenue	<u>23,492.86</u>	<u>152,864.73</u>	<u>301,500.00</u>	<u>(49.30)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	6,384.78	38,936.76	81,844.00	52.43%
61250	OVERTIME	0.00	0.00	2,000.00	100.00%
65100	DEFERRED RETIREMENT	729.00	4,554.00	9,516.00	52.14%
65200	MEDICAL INSURANCE AND EXPENSE	3,065.48	18,507.18	40,582.00	54.40%
65300	WORKMEN'S COMP INSURANCE	0.00	(951.58)	2,751.00	134.59%
65600	PAYROLL TAX	544.36	3,318.78	7,105.00	53.29%
65800	Grant Payroll Allocation	(120.79)	(440.74)	0.00	0.00%
68200	INSURANCE - LIABILITY	0.00	2,598.05	5,210.00	50.13%
68300	PROPERTY & CASUALTY	0.00	2,045.05	2,195.00	6.83%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	500.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	4,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	358.05	3,779.65	8,400.00	55.00%
71620	AUDITOR-FINANCIAL REPORTS	0.00	3,185.00	7,315.00	56.46%
72100	BAD DEBTS	0.00	0.00	500.00	100.00%
75180	UTILITIES	765.43	7,715.37	13,000.00	40.65%
75190	DUES & MEMBERSHIP	1,890.00	2,548.52	700.00	(264.07)%
75220	OFFICE SUPPLIES & EXPENSE	198.00	1,438.97	3,200.00	55.03%
75230	INTEREST EXPENSE	0.00	223.54	0.00	0.00%
75240	BANK CHARGES	0.00	10.00	100.00	90.00%
75280	TRAINING / EDUCATION	0.00	231.36	500.00	53.73%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	250.00	100.00%
76110	TELEPHONE	68.83	489.14	1,160.00	57.83%
76130	CABLE & INTERNET SERVICE	49.00	294.00	620.00	52.58%
76160	LICENSES & FEES	0.00	469.73	2,475.00	81.02%
78140	VEHICLE FUEL & OIL	153.33	713.76	2,500.00	71.45%
78150	VEHICLE REPAIRS	0.00	217.90	2,000.00	89.11%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	1,200.00	100.00%
78170	SECURITY SYSTEM	0.00	163.00	500.00	67.40%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	75.46	6,000.00	98.74%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
79100	WATER LAB FEES	110.00	1,121.00	4,500.00	75.09%
79120	WATER PLANT CHEMICALS	240.56	3,684.57	12,000.00	69.30%
79130	WATER LINE HOOK-UPS	0.00	0.00	3,000.00	100.00%
79150	WATER LINE REPAIR	116.77	2,264.47	20,000.00	88.68%
79160	WATER PLANT REPAIR	0.00	572.27	10,000.00	94.28%
90000	Capital Reserves	15,000.00	15,000.00	15,000.00	0.00%
96200	TRANSFER OUT	(15,000.00)	(15,000.00)	0.00	0.00%
	Total Expense	<u>14,552.80</u>	<u>97,765.21</u>	<u>271,623.00</u>	<u>64.01%</u>
	Net Income	<u>8,940.06</u>	<u>55,099.52</u>	<u>29,877.00</u>	<u>84.42%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 12/1/2013 Through 12/31/2013

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	1,200.00	(100.00)%
58100	CEMETERY PLOT SALES	200.00	7,550.00	6,000.00	25.83%
	Total Revenue	<u>200.00</u>	<u>7,550.00</u>	<u>7,200.00</u>	<u>4.86%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	434.86	2,618.92	5,520.00	52.56%
65100	DEFERRED RETIREMENT	52.18	318.79	683.00	53.33%
65200	MEDICAL INSURANCE AND EXPENSE	208.68	1,262.87	2,744.00	53.98%
65300	WORKMEN'S COMP INSURANCE	0.00	(55.74)	228.00	124.45%
65600	PAYROLL TAX	37.26	224.39	487.00	53.92%
65800	Grant Payroll Allocation	(20.67)	(33.62)	0.00	0.00%
75180	UTILITIES	41.12	247.68	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	16.75	1,500.00	98.88%
	Total Expense	<u>753.43</u>	<u>4,600.04</u>	<u>11,162.00</u>	<u>58.79%</u>
	Net Income	<u>(553.43)</u>	<u>2,949.96</u>	<u>(3,962.00)</u>	<u>(174.46)%</u>

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 12/1/2013 Through 12/31/2013

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
46000	GRANT INCOME	0.00	0.00	5,000.00	(100.00)%
47600	BLUE BAG SALES	0.00	0.00	4,000.00	(100.00)%
47650	RECYCLING REVENUE	414.54	11,573.49	29,000.00	(60.09)%
53090	OTHER MISCELLANEOUS INCOME	0.00	2,100.00	0.00	0.00%
	Total Revenue	<u>414.54</u>	<u>13,673.49</u>	<u>38,000.00</u>	<u>(64.02)%</u>
Expense					
61000	EMPLOYEE GROSS WAGE	683.47	4,134.87	8,680.00	52.36%
65100	DEFERRED RETIREMENT	82.02	492.51	1,075.00	54.19%
65200	MEDICAL INSURANCE AND EXPENSE	387.43	2,340.55	5,084.00	53.96%
65300	WORKMEN'S COMP INSURANCE	0.00	(112.48)	296.00	138.00%
65600	PAYROLL TAX	58.54	354.17	767.00	53.82%
65800	Grant Payroll Allocation	(20.67)	(35.28)	0.00	0.00%
75120	WASTE RECYCLING PICKUP/DISPOSA	0.00	1,499.80	18,375.00	91.84%
75130	GARBAGE	483.40	483.40	0.00	0.00%
75140	BLUE BAG PURCHASES	0.00	0.00	4,000.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	2,626.60	6,764.00	61.17%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,800.00	100.00%
	Total Expense	<u>1,674.19</u>	<u>11,784.14</u>	<u>46,841.00</u>	<u>74.84%</u>
	Net Income	<u>(1,259.65)</u>	<u>1,889.35</u>	<u>(8,841.00)</u>	<u>(121.37)%</u>



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

3. Law Enforcement Activity Report and Public Meeting Announcements

Humboldt County Sheriff's Office

Trinidad Activity

January 2014

Agency Assist	3
Alarm	3
Animal Detail	2
Burglary (Residential)	2
Business Check	4
Custody Dispute	1
Disturbance (Verbal Argument)	1
Eviction	1
Follow Up Details	5
Found Property	4
Homicide	1
Noise Complaints	4
Parking	1
Patrol Checks	3
Pedestrian Checks	7
Petty Theft	1
Physical Altercation	1
Public Assist	2
Public Intoxication	1
Suspicious Person	2
Threat	1
Traffic Stop	1
Unwanted Subject	4
Vehicle Investigation	5

Please note these numbers indicate the type of call dispatched and do not reflect what the disposition was.

4 case reports were written in the month of January.

The traffic stop lead to a large drug arrest. See attached press release. Attached are the press releases associated with the homicide.

Every sworn member of the Sheriff's Office now has a dedicated voicemail. To reach Deputy Hicks' voicemail call 707-441-5323. There is no phone tree, just simply dial the number and leave a message. He checks it often.

Any other Deputy Sheriff's voicemail can be accessed through 707-445-7251. Dispatch can patch through to voicemail or provide the voicemail number.

The recent transient issue is being dealt with in a proactive manner. Attempts to join transients with services have been attempting and any crimes being committed are acted upon.

PRESS RELEASES[« Back](#)print this page **Date Released:** 1/7/2014**Subject:** Drug Arrest**Contact:** Lt. Steve Knight**Case No#:** 201400112**Released By:** Lt. Steve Knight**Location:** Trinidad

On 1-06-2014, at approximately 3:45 p.m., a Humboldt County Sheriff's Deputy stopped a 2004 Cadillac for vehicle code violations on Frontage Road, Trinidad. When the deputy contacted the driver, Shena Lee Christensen, 29 years old from Eureka and the passenger, Carter James Daniels, 32 years old from Blue Lake, she learned Daniels was on probation with a search a seizure clause.

Additional deputies arrived and Daniels was searched. Deputies located hypodermic needles in Daniels pockets. A search of the vehicle was conducted and deputies located approximately twenty grams of tar heroin, approximately six grams of psilocybin mushrooms, approximately twenty grams of methamphetamine, numerous prescription pills including Oxytocin, approximately fifteen grams of marijuana, a scale and paperwork indicating sales of the drugs.

Christensen was arrested for possession, possession for sale and transportation of a controlled substance and failure to stop at a stop sign. Daniels was arrested for possession and possession for sale of a controlled substance, and violation of probation. Both were transported to the Humboldt County Correctional Facility where they were booked and their bail was set at \$50,000.00.

Anyone with information for the Sheriff's Office regarding this case or related criminal activity is encouraged to call the Sheriff's Office at 707-445-7251 or the Sheriff's Office Crime Tip line at 707-268-2539.

Mike Downey

Sheriff

PRESS RELEASES[« Back](#)print this page **Date Released:** 1/10/2014**Subject:** Homicide**Contact:** Lt. Steve Knight**Case No#:** 201400166**Released By:** Lt. Steve Knight**Location:** Trinidad

On 1-10-2014, at approximately 3:00 a.m., the Humboldt County Sheriff's Office was notified of people yelling in the Hidden Creek Trailer Park, Trinidad. Deputies responded to the area and located a deceased 24 year old male victim near a trailer. Detectives were notified and responded to the scene. Detectives have a male detained and currently interviewing that person, along with witnesses. The Humboldt County District Attorney's Office is assisting in the investigation. Additional information will be released as more information becomes available.

Anyone with information for the Sheriff's Office regarding this case or related criminal activity is encouraged to call the Sheriff's Office at 707-445-7251 or the Sheriff's Office Crime Tip line at 707-268-2539.

Mike Downey
Sheriff

PRESS RELEASES[« Back](#)print this page 

Date Released: 1/10/2014
Subject: Homicide Update
Contact: Lt. Steve Knight
Case No#: 201400166
Released By: Lt. Steve Knight

Location: Trinidad

On 1-10-2014, at approximately 10:00 a.m., Humboldt County Sheriff's Detectives arrested Larry Clinton Morrow, 33 years old from Trinidad for homicide. Morrow was booked into the Humboldt County Sheriff's Office Correctional Facility where he is being held on one million dollars bail. The cause of death and the victim's name are not being released at this time. Detectives are still investigating the crime.

[Previous](#)

On 1-10-2014, at approximately 3:00 a.m., the Humboldt County Sheriff's Office was notified of people yelling in the Hidden Creek Trailer Park, Trinidad. Deputies responded to the area and located a deceased 24 year old male victim near a trailer. Detectives were notified and responded to the scene. Detectives have a male detained and currently interviewing that person, along with witnesses. The Humboldt County District Attorney's Office is assisting in the investigation. Additional information will be released as more information becomes available.

Anyone with information for the Sheriff's Office regarding this case or related criminal activity is encouraged to call the Sheriff's Office at 707-445-7251 or the Sheriff's Office Crime Tip line at 707-268-2539.
Mike Downey
Sheriff



City of Trinidad

LAW ENFORCEMENT MEETING

A COMMUNITY MEETING TO DISCUSS LAW
ENFORCEMENT ISSUES IN THE GREATER
TRINIDAD AREA.

WHEN: **WEDNESDAY, FEBRUARY 26, 2014**

TIME: **6:00 PM**

WHERE: **TRINIDAD TOWN HALL**

HUMBOLDT COUNTY SHERIFF AND REPRESENTATIVES IN
ATTENDANCE WILL BE:

Supervisor Ryan Sundberg
Undersheriff William Honsal
Lieutenant David Morey
Lieutenant Kym Thompson
Deputy Scott Hicks



CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

4. Tourist Occupancy Tax Amnesty Program

CONSENT AGENDA

Date: February 12, 2014

Item: Consider a One-Time Partial Amnesty Program for Transient Occupancy Tax (TOT) Penalties and Assessments

Background: The city's procedure for collection of transient occupancy taxes is the same or very similar to the procedure in place in other entities within Humboldt County. The lodging establishment completes a form each quarter to calculate the tax (10% for City; 2% for County Tourism Business Development) and submits the completed form and makes the tax payment to the City. The form contains instructions saying the "TOT is due 30 days after the end of the quarter", and includes a line with instructions to calculate penalties and interest at 10% for 1st month after delinquent date plus an additional 10% for 2nd month delinquency, plus 1-1/2% for each additional month or fraction thereof. The latter SHOULD read .5% for each additional month or fraction thereof (one half of one percent). Again, this is the same or similar form and process in place in other entities within Humboldt County, and was updated and streamlined by the City in 2008.

Most establishments are timely with delivery of the tax collected on behalf of the city, and interest and penalties have never been assessed to the recollection of existing staff. Because of rather significant late payments on the part of one lodging establishment, staff conducted a review of collections for three calendar years 2011-2013, and found three establishments potentially subject to the penalties and interest as is provided in the city's municipal code section 3.20.070. All three establishments are current on payment of the transient occupancy taxes, but the penalties and interest for late payment has not been enforced. Staff is seeking council direction and consideration of a possible amnesty program in lieu of strict enforcement of the penalties and interest as set forth in the Code. It is not uncommon for other local entities to exercise discretion as to whether to strictly enforce the penalties or interest, and if an establishment is demonstrating good faith and effort to keep current, and is keeping the entity up to date in terms of progress and expectations, and especially if it is an isolated case, then a settlement is usually reached.

The City is interested in a consistent application of its codes in fairness to all of its valued lodging establishments, and waiving all the penalties and interest might not viewed as consistent nor fair by some. The council may wish to consider a one-time amnesty program suggested at ten percent (10%) of the calculated penalties and interest, provided such payment is made before July 31, 2014, in exchange for not pursuing collection of the full penalties. For the three establishments with at least one delinquent payment made in the past 3 years, a 10% amnesty program would provide for payments to the city of \$578.38, \$8.94 and \$14.15.

Proposed Action: Offer a one-time 10% amnesty in exchange for not pursuing collection of penalties and interest against lodging establishments late in payment of transient occupancy taxes up to the quarter ending December 2013, with payment of the amnesty amount to be made no later than July 31, 2014.

Attachments:

Penalty and interest calculations (3)

Trinidad Bay Bed & Breakfast - Late Payment Penalties and Interest Summary 2011-2013

Tax Quarter	Due Date	Date Paid	Months Late	Tax Paid	10% Late 1	10% Late 2	.005% Interest	Row Totals
JAN-MARCH 2013	April 30, 2013	05/22/13	0.7	2,168.50	\$216.85		\$7.59	\$224.44
OCT-DEC. 2012	January 31, 2013	06/24/13	4.8	3,622.95	\$362.30	\$362.30	\$86.92	\$811.52
JULY-SEPT. 2012	October 31, 2012	06/25/13	7.8	7,363.95	\$736.39	\$736.39	\$287.20	\$1,759.98
APRIL-JUNE 2012	July 31, 2012	12/05/12	4.1	5,860.73	\$586.07	\$586.07	\$120.13	\$1,292.27
JAN-MARCH 2012	April 30, 2012	06/26/12	1.8	2,119.50	\$211.95	\$211.95	\$19.08	\$442.98
OCT-DEC. 2011	January 31, 2012	03/06/12	1.1	3,000.86	\$300.08		\$16.50	\$316.58
JULY-SEPT. 2011	October 31, 2011	12/01/11	1	8,914.30	\$891.43		\$44.57	\$936.00
Column Totals					\$3,305.07	\$1,896.71	\$581.99	
							TOTAL	\$5,783.77

Snell, Trinidad Beach Properties - Late Payment Penalties and Interest Summary 2011-2013

Tax Quarter	Due Date	Date Paid	Months Late	Tax Paid	10% Late 1	10% Late 2	.005% Interest	Row Totals
APR-JUNE 2011	July 31, 2013	08/22/11	0.7	1,367.50	\$136.75		\$4.78	\$141.53
Column Totals					\$136.75	\$0.00	\$4.78	\$141.53
							TOTAL	\$141.53

Hidden Creek RV Park - Late Payment Penalties and Interest Summary 2011-2013

Tax Quarter	Due Date	Date Paid	Months Late	Tax Paid	10% Late 1	10% Late 2	.005% Interest	Row Totals
JAN-MAR 2013	April 30, 2013	05/22/13	0.7	863.76	\$86.38		\$3.02	\$89.40
Column Totals					\$86.38	\$0.00	\$3.02	
							TOTAL	\$89.40



CONSENT AGENDA ITEM 5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

5. Banner Policy & Application Process

CONSENT AGENDA ITEM

Date: February 12, 2014

Item: Policy Concerning Street-Light Banners in City Limits

Background: At the meeting of April 10, 2013, your Council took action to consider a banner placement policy, which is intended to facilitate the Planning Commission review by establishing guidelines on time limits, dimensions, content limitations, cost responsibility and purpose of banner placements. Councilmembers West and Miller developed a proposed policy and application format which are herewith submitted for consideration by the full Council.

The permit fee deposit is proposed at \$200, which is intended to offset Planner review and submittal to the Planning Commission. If the application is complete and in keeping with the policy limitations, this cost estimate should suffice, and possibly entitle an applicant to a partial refund. If an application is incomplete or potentially controversial or outside the scope of an adopted policy, additional costs might apply. The applicant would additionally be responsible for costs beyond normal staff time for rental of equipment necessary to install banners. The current cost estimate to rent a lift is about \$215.

Proposed Action: Consider and adopt a Light-Pole Banner Application and Policy

Attachments:

Application for Placement of Light-Pole Banner

Policy Concerning Street-Light Banners in City Limits

Policy Concerning Street-Light Banners in City Limits

Banner Size and Type: All street-light banners must be of a consistent width of 22" to fit the size of the bracket the City uses. The recommended length of each banner is 48", but the length may be extended with the consent of the Planning Commission. The banner must be constructed of waterproof material such as vinyl, plastic or canvas and must include slits or holes for wind proofing.

Eligible Banners: All banners must represent non-profit organizations. Any proceeds from activities promoted by the banners must be given to non-profit organizations.

There are two categories of banners that will be eligible within Trinidad:

Category #1 - Trinidad-Centered Events and Activities: Banners showcasing Trinidad-centered events and activities may be displayed up to four weeks before an event. Applicant is responsible to coordinate with the City Clerk to determine the date of the next regularly scheduled Planning Commission meeting (normally meets 3rd Wednesday of the month) to allow sufficient time for City review, Planning Commission review and suitable display time prior to the scheduled event. Event organizers should pick up their banner(s) within one week after the City removes the banner. The City Clerk will be responsible for calling the banner's owner.

Category #2 - Trinidad's Cultural Heritage: Banners showcasing Trinidad's cultural heritage will be donated to the City and will have no time limit for display, but will be displayed at the discretion of the City. There may be a charge for installing or removing the banner(s).

Application Costs: The applicant must deposit \$200.00 for each new banner, which will go through screening for acceptable design. If the \$200.00 deposit exceeds actual City cost, the excess will be refunded to the applicant. If further review is necessary, the applicant will be billed for the additional cost.

Placement and Removal Costs: The cost for placing and removing a banner is for renting a lift and providing personnel time. The applicant is responsible for the cost of the lift and the City will provide personnel time to hang the banners. If banners are being placed for more than one applicant, the cost will be shared equally.

Non-Eligible Design:

No banner will be placed that advocates a political, religious or discriminatory point-of-view.

No banner may advertise any regular meeting or activity announcements of classes/lessons/clinics.

No banner may be used to advertise for a business.

The Planning Commission will decide the eligibility of all banners subject to City Council approval.

Application Process:

Applications are available from the City Clerk. Completed applications must be returned to the city clerk at least two weeks before the Planning Commission meeting that takes place before the event. All applications must include the name, date, a description of the event and confirmation that the event is non-profit. The design of the banner must also be included. The city clerk will check the application to see if it meets the criteria noted in this policy. The application and banner or mock-up banner will be forwarded to the Planning Commission for review. If the banner is found acceptable by the commission, it will be installed by the City of Trinidad.

City Responsibility and Dates:

The City of Trinidad is responsible for the location and display of all banners. Banners may be subject to removal at the discretion of the City, with removal charges billed to the applicant. Category 2 banners may be taken down November 1st and reinstalled May 1st to protect the banners from winter storms.

Application for Placement of a Light-Pole Banner

_____	_____
EVENT OR ORGANIZATION NAME	DATE OF EVENT
_____	_____
NAME OF REPRESENTATIVE	PHONE
FROM _____ TO _____	_____
DATES BANNER(S) SHOULD BE IN PLACE	NUMBER OF BANNERS

- I have read and understand the banner policy.
- I understand there is a three-week maximum time period for the duration of the banner placement.
- The banner will be delivered to the City office at least 15 days prior to the Planning Commission meeting that is held the third Wednesday of each month.
- I understand the City has the right to place the banner at any location based on weather conditions, availability of staff, or requests from other organizations at the same time.
- The City has the right to remove the banner at any time.

_____	_____
SIGNATURE OF REPRESENTATIVE	DATE

TO BE FILLED OUT BY THE CITY CLERK:

_____	_____
RECEIVED BY	DATE RECEIVED

- The banner fits all the criteria in the City banner policy.
- A banner from this organization has been submitted in the past.
- The banner is the correct dimensions.
- There is no questionable artwork or written material on the banner.
- There is no objectionable material on the banner.

- This application and banner needs to be forwarded to the City Manager/Planning Commission.

- Upon receiving the banner(s), the City of Trinidad will hang the banner at the appropriate time. The City retains the right to place the banner(s), but the applicant may pick a preferred location.

- Preferred Location(s):
1. Entrance to the City (near Salty's)
 2. On Main Street in front of the library/museum sidewalk entrance.
 3. On Main Street in front of Sea Around Us.
 4. On the corner of Main and Trinity.
 5. In front of Trinidad Elementary School.
 6. In front of the Fire Department.
 7. On the corner of Trinity and West.



CONSENT AGENDA ITEM 6

SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES

6. Trail Volunteer Program Kick-Off

CONSENT AGENDA-ITEM

Date: February 12, 2014

Item: Trail Volunteer Program Kick-Off

Background: At the meeting in November, the Council authorized the posting of a notice to solicit volunteers for a trail crew program as was recommended by the Trinidad Head Study Committee. Stan Binnie and Ginny Waters have volunteered to be the co-coordinators of this program and together with the two co-coordinators, seven individuals have signed up to participate. This is a sufficient number to hopefully ensure the viability of such a program. Staff has met with the co-coordinators, and the next step is to have a meeting of the entire group to assure the individuals receive proper instruction in terms of safety procedures, are familiar with the vegetation maintenance guidelines and have signed a liability release form prior to commencement of any volunteer activity. Public works staff will conduct safety instruction and will be responsible for outfitting volunteers with appropriate hand tools and supplies. It is expected that this program might involve small groups or pairs of volunteers conducting minor trail maintenance/patrol as opposed to large group scheduled activity as is more common in larger organizations. Although there was discussion of expanding the responsibilities of this volunteer group and consideration of partnership with the Humboldt Trails Council, the program at this time will be limited to the Trinidad Head trails.

Proposed Action: Receive this update and give direction if desired.



CONSENT AGENDA ITEM 7

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

7. Resolution 2014-01; Amending Council Meeting Start Time and Meeting Dates

CONSENT AGENDA

Date: February 12, 2014

Item: Adopt Resolution No. 2014-01 providing for New Council Meeting Dates and Starting Time

Background: Resolution 2007-05 provides for regular City Council meetings to be held on every second Wednesday and fourth Tuesday each month beginning at 7:00 p.m.

There is interest in an earlier starting time (6 p.m.) to possibly promote greater participation, which is sometimes hampered due to the lateness of the hour when certain matters are under public consideration.

Additionally, for the past several years, the second monthly meeting has been on an as-needed basis, so the proposed resolution includes language stating the second monthly meeting to be on the fourth Wednesday, on an as-needed basis.

Proposed Action: Adopt resolution 2014-01 establishing new dates and starting time for regular city council meetings.

Attachments: Resolution 2014-01.

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

Julie Fulkerson, Mayor
Gabriel Adams, City Clerk



RESOLUTION 2014-01

RESOLUTION OF THE TRINIDAD CITY COUNCIL TO ESTABLISH NEW DATES AND STARTING TIME FOR REGULAR CITY COUNCIL MEETINGS

WHEREAS, the regular City Council meetings are occasions where the Council conducts its official business, and public participation in these meetings is an essential element of our democratic system and a good governmental practice; and

WHEREAS, meeting dates that are easy to remember and time that is convenient to the public will promote a greater participation in this process and enhance democracy; and

WHEREAS, the current Trinidad City Council regular meetings are held on the second Wednesday and the fourth Tuesday of the month, and the meetings begin at 7:00 PM. This starting time has resulted in meetings ending in late hours, all of which hinder public participation in the City Council meetings.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby establishes that effective March 12, 2014, regular City Council meetings shall be held on every second and optional fourth Wednesday of the month and all the regular City Council meetings shall begin at 6:00 PM.

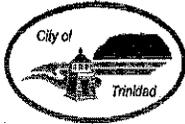
PASSES AND ADOPTED by the Council of the City of Trinidad this 12th day of February, 2014, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

Attest:

Gabriel Adams
Trinidad City Clerk

Julie Fulkerson
Mayor, City of Trinidad



CONSENT AGENDA ITEM 8

SUPPORTING DOCUMENTATION FOLLOWS WITH: 3 PAGES

8. Ratify Letters of Endorsement for HWMA and Electric Charging Station Support.

CONSENT AGENDA

Date: February 12, 2014

Item: Ratify Letters of Endorsement Signed by the Mayor

Background: Since the last council meeting the City has been asked to send letters of support for two grant applications, both with a deadline prior to the next scheduled council meeting. The items are not felt to be controversial and it is believed they would be supported by the majority of the council. The Mayor signed the letters to be submitted with the grant application packages, assuming the full Council would subsequently ratify the endorsements.

The letters of endorsement pertain to (1) a grant application prepared by the Redwood Coast Energy Authority for the cost of installing about 10 electric vehicle charging stations throughout the county (including Trinidad), and (2) a grant application prepared by the Humboldt Waste Management Authority to clean up the Cummings Road burn ash site.

Proposed Action: Ratify Letters of Endorsement

Attachments:

Letter of Endorsement for Electric Vehicle Charging Stations Grant
Letter of Endorsement for Clean up of the Cummings Road Burn Ash Site Grant



January 20, 2014

California Energy Commission
Contracts, Grants, and Loans Office
Attn: PON-13-606
1516 Ninth Street, MS-18
Sacramento, CA 95814

The City of Trinidad is pleased to partner with the Redwood Coast Energy Authority (RCEA) to develop an electric vehicle charging network for the North Coast region under the California Energy Commission's "Electric Vehicle Charging Infrastructure" solicitation (PON-13-606). The City supports plug-in electric vehicles as a valuable transportation option for our community, and RCEA's proposed project is an excellent next step to facilitate local adoption of electric vehicles by our residents, businesses, and local governments.

The City of Trinidad commits to serve as a host site for electric vehicle charging infrastructure and will work in partnership with RCEA on the installation and ongoing future operations and maintenance of that infrastructure as a part of RCEA's regional charging network.

We look forward to working with RCEA and the other project partners on this project and is committed to the successful development of an electric vehicle charging network for the North Coast.

Sincerely,


Julie Fulkerson
Mayor



January 15, 2014

Mr. Wes Mindermann
CalRecycle
1001 I Street
Sacramento, CA 95812

Re: HWMA Legacy Burn Ash Site – Letter of Support

Dear Mr. Mindermann,

It is my pleasure to write a letter in support of the Humboldt Waste Management Authority's (HWMA) project to cleanup the Cummings Road Burn Ash Site (Site). Located two miles outside Eureka, the Site is a legacy burn dump that has not been active since 1969, and approximately 54,422 cubic yards of burn ash material is required to be removed and disposed to a suitable location.

From 1933 until 1969, the Site was operated by a private party as a refuse burn dump, with the ash debris pushed to the southern portion of the property. In 1971, the Cummings Road Landfill became a permitted Class III Municipal Solid Waste facility and all refuse burning activities ceased. HWMA, a joint powers authority, acquired the Cummings Road Landfill in 2000 and has been actively working towards landfill closure. The burn ash debris is located outside of the landfill footprint. Bulk portions of the ash lie adjacent to the Cummings Road landfill, and remaining burn ash deposits are located on a steep gradient, which descends into timberlands and riparian areas.

The HWMA's proposed project fulfills a Cleanup and Abatement Order issued by the North Coast Regional Water Quality Control Board in April 2013 which requires full Site clean up by September 2014. In addition, clean up of the Site will enable HWMA to complete its planned closure of the Cummings Road Landfill, located adjacent to the Site. Phase I of the closure was completed in the summer of 2012; however, Phase II is dependent on the final cleanup of the historic burn ash Site.

HWMA has prepared a Corrective Action Plan which proposes to excavate (mechanical and hand) the burn ash material for relocation within the designated area of Cummings Road Landfill Phase 2 landfill closure. The Authority is seeking grant funds to assist in bringing the Site into compliance which includes excavation, relocation to the landfill, stabilization and grading of the slope areas, and remediation to an unnamed tributary within the Ryan Creek watershed. HWMA is currently focused on preparing environmental review documents and all necessary permits to conduct removal work.

I fully support the HWMA as it pursues external funding for the project. Cleaning the Site will greatly benefit the community of Eureka, as well as the surrounding coastal watershed.

Thank you for considering the HWMA's grant application.

Sincerely,

Julie Fulkerson
Mayor



AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

1. Presentation of 2012-2013 Final Audit Report and Authorize the City Manager to execute the 2013-2014 Engagement Letter.

Paper copies of the 2013 Annual Audit were distributed to each Councilmember in advance. The electronic copy is available online in the Document Library section of the City website:

<http://www.trinidad.ca.gov/documents-library/section/9-finance.html>

Members of the public may request a paper copy by contacting the City Clerk's office.

DISCUSSION/ACTION AGENDA

Date: February 12, 2014

Item: Presentation and Acceptance of the FY 2012-2013 Annual Audit

Background: The firm of Marcello and Company, Certified Public Accountants, has performed the fiscal and management audit for the City of Trinidad for the past several years. The principal in the firm, Ralph Marcello, CPA, has personally performed these audits and is keenly aware of the City's practices and finances.

The City's financial "report card" indicates the city conformed with generally accepted accounting principles; however, as has been noted in previous audits, because of the inadequacy of historic accounting records, the Auditor has been unable to form an opinion regarding the amounts at which property and equipment and accumulated depreciation are recorded. **There were no audit exceptions identified.**

The City's three major operational funds all improved in their net positions during the course of this audit year. The **General Fund** improved by over \$100,000, primarily due to revenues over and above budget expectations and also due to savings in personnel due to a vacant position and paternal leave without pay. Transfers from other funds accounted for some \$22,200. This was primarily the result of grant account reconciliations, made necessary because grant expenditures and offsetting revenues in past years were not always applied to the same fund, which necessitated a number of transfers in and transfers out to balance expenditures against revenues. As was included in the adopted budget, \$20,000 was transferred to capital reserves (fire \$10,000; public works \$10,000).

The **Water Fund** improved by over \$38,000 due to water sale revenue exceeding budget expectations and savings in personnel due to a vacant position and paternal leave without pay. A \$15,000 transfer to capital reserves was made in the audit year as was planned for in the adopted budget.

The **Cemetery Fund** improved by over \$4,000 due to increased sales of cemetery plots, and it appears that may also be the case in the current year. As was reported to the Council in October 2013 during an overview of cemetery operations, at that time there were still at least 300 available burial plots and approximately 200 cremation plots still available, so we are not approaching capacity at this time.

Mr. Marcello will be available via telephone connection during the Council's discussion of this item. This is to save the travel costs that would be associated with an on-site visit. Should there be sufficient concerns and/or questions to warrant a personal appearance

before the Council, staff will make necessary arrangements for that to occur at a future Council meeting.

Mr. Marcello is again willing to perform the audit for FY2013-14, and because the audit went smoothly, he is offering a 10% reduction in costs from what he has been charging. That would reduce the cost for the financial audit from \$18,000 to \$16,200 and preparation of the financial statements from \$2,000 to \$1,800. Reimbursable out of pocket costs for travel and supplies would remain at \$900. Due to Mr. Marcello's knowledge of the city's financial practices and methods, he requires minimal support from the city's limited staff to support his audit efforts.

Recommended Action:

1. Accept the FY2012-13 Annual Financial Audit; and
2. Authorize the City Manager to execute an Audit Engagement Letter to perform the FY2013-14 audit for \$16,200, prepare the draft financials for \$1,800 and reimburse for out of pocket costs at \$900.

Attachment: Copies of the Annual Audit were provided to each member of the Council, and it is available for public review in Town Hall.

MARCELLO & COMPANY

CERTIFIED PUBLIC ACCOUNTANTS

2701 Cottage Way, Suite 30 / Sacramento, California 95825 / 916.979.9079

January 10, 2014

RECEIVED JAN 21 2014

To the Trinidad City Council and Management
Trinidad, California

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Trinidad for the year ended June 30, 2013. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our engagement letter to you dated June 30, 2013. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Trinidad are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the fiscal year. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the City's financial statements was as follows:

Because of the inadequacy of historic accounting records, we were unable to form an opinion regarding the amounts at which property and equipment, and accumulated depreciation, are recorded in the accompanying financial statements at June 30, 2013, therefore the reported capital assets, accumulated depreciation and related depreciation expense could be subject to change should the actual acquisition cost or donated value amounts become available.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. The following material and immaterial misstatements detected as a result of audit procedures were corrected by management:

1. Three adjusting journal entries were proposed by us, and accepted by management to; void a stale check, adjust a grant receivable, and adjust cash balances in a street project fund.
2. Other adjusting journal entries were prepared by management during the audit process to reclassify expenditure coding, and record capital improvements.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We requested certain representations from management that are included in the *Management Representations Letter* dated October 24, 2013.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

1. We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.
2. There is a limited segregation of duties in the accounting department due to the small office staff. This is a common issue in small municipal government offices and is difficult to find a cost effective compromise to reduce risks to an acceptable level. The City's insurance policy has provisions for employee fidelity and crime coverage, which is not necessarily a prevention measure but a recovery measure.
3. Other issues and recommendations were discussed with the city manager and the city's finance and accounting consultant at our exit conference primarily related to fund accounting.

This information is intended solely for the use of the Trinidad City Council and management, and is not intended to be and should not be used by anyone other than these specified parties.

Sincerely,

Marcello & Company

Certified Public Accountants



AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 5 PAGES

2. Unmet Transit Needs Public Hearing.



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS

611 I Street, Suite B

Eureka, CA 95501

(707) 444-8208

<http://www.hcaog.net>

Date: January 8, 2014

To: Humboldt County CAO, City Managers

From: Debra Dees, Associate Planner *Debra Dees*

Re: **Citizen Participation Process for Unmet Transit Needs FY 2014/15**

Each year, the Humboldt County Association of Governments (HCAOG), as the Regional Transportation Planning Agency (RTPA), conducts a citizen participation process to assess unmet transit needs within Humboldt County. This annual "unmet transit needs" process helps HCAOG properly apply funds provided through the Transportation Development Act (TDA). The HCAOG Board of Directors will hold a public hearing for community members to express any unmet needs they have for public transit and paratransit service. The HCAOG public hearing is scheduled for February 20, 2014.

Additionally, HCAOG encourages member entities to conduct separate hearings to receive constituent comments for their respective jurisdictions. We have attached the schedule of public hearing dates, will provide the schedule to HCAOG's Social Services Transportation Advisory Council (SSTAC), and will print the schedule in the local newspaper. SSTAC members may attend various meetings as part of their responsibility to identify transit needs and recommend action by the RTPA.

The SSTAC, pursuant to Section 99238 of the TDA, annually shall recommend to HCAOG one of the following: That within the Regional Transportation Planning Agency's jurisdiction,

- (A) there are no unmet transit needs; or
- (B) there are no unmet transit needs that are reasonable to meet; or
- (C) there are unmet transit needs, including needs that are reasonable to meet.

Entities are requested to receive constituent comments at respective public hearings without making individual findings. Per TDA law, the HCAOG Board as the regional transportation planning agency is the authority to determine Unmet Transit Need findings pursuant to Section 99401.5(d).

For your convenience, we have attached the adopted definitions (2011) and a synopsis of the citizen participation process for unmet transit needs.

January 8, 2014

Citizen Participation Process for Unmet Transit Needs FY 2014/15

Page 2

When your entity has concluded its public hearing on unmet transit needs, please send HCAOG a record of generated comments or a meeting transcript. We would like to receive all records no later than February 20, 2014. We will include all entities' hearing records in the "Unmet Needs Report of Findings" for 2014-15.

Timely conduct of the hearing process, and submittal of the requested documentation, will allow for a May adoption of the Report, and avoid delays in the processing of TDA claims for FY 2014-15.

If we can assist you in this regard, or if you would like HCAOG staff to attend your hearing, please contact our office at 444-8208.

Attachments: A – Unmet Transit Needs Public Hearing Schedule

B – Synopsis: Citizen Participation Process for Unmet Transit Needs

cc: HCAOG Social Services Transportation Advisory Committee
Public Transit Operators

UNMET TRANSIT NEEDS PUBLIC HEARINGS

City of Arcata	Feb 5, 2014	6:00 p.m. City Hall
City of Blue Lake	Feb 11, 2014	7:00 p.m. City Hall
City of Eureka	Feb 4, 2014	6:00 p.m. City Hall
City of Ferndale	Feb 6, 2014	7:00 p.m. City Hall
City of Fortuna	Jan 20, 2014	6:00 p.m. City Hall
City of Rio Dell	Feb 4, 2014	6:30 p.m. City Hall
City of Trinidad	Feb 12, 2014	7:00 p.m. City Hall
County of Humboldt	Jan 14, 2014	1:30 p.m. Supervisors Chambers
HCAOG	Feb 20, 2014	4:00 p.m. Eureka City Hall Council Chambers

The Humboldt County Association of Governments (HCAOG) and its member entities will conduct Public Hearings to solicit transit needs input for the seven cities, and the unincorporated area of Humboldt County. For those unable to attend, comments may be delivered in writing.

For more information contact:

HCAOG
611 I Street, Suite B, Eureka, CA 95501
(707) 444-8208
debra.dees@hcaog.net

Humboldt County Association of Governments

SYNOPSIS:

Citizen Participation Process for Assessing Unmet Transit Needs

Transportation Development Act

California's Transportation Development Act (TDA) legislates funding for transit purposes primarily, and for non-transit purposes under certain conditions. TDA funds are distributed through the Regional Transportation Planning Agencies (RTPA) throughout the state. An RTPA must assess its jurisdiction's "unmet transit needs" prior to allocating any TDA funds for purposes *not* directly related to public transit or facilities used exclusively by pedestrian and bicyclists.

Public Process to Make a Finding

Each year, HCAOG conducts a citizen participation process to receive public comment concerning transit needs within the RTPA jurisdiction. The HCAOG Social Services Transportation Advisory Council (SSTAC) leads the process to solicit broad input from transportation-dependent and transportation-disadvantaged persons. With recommendations from the SSTAC, at the end of the process the Board shall find that:

- (a) there are no unmet transit needs; or
- (b) there are no unmet transit needs which are reasonable to meet; or
- (c) there are unmet transit needs, including those that are reasonable to meet. (Section 99401.5)

The Board shall make this finding as a result of testimony received, and based on HCAOG's adopted definitions (see box).

If the HCAOG Board finds that there are no unmet transit needs, or that there are no unmet transit needs which are reasonable to meet, entities may expend excess (unexpended) TDA funds for non-transit purposes. A finding that there are unmet transit needs, including those that are reasonable to meet, delivers a mandate to the respective entity to set aside funds, given that they are available, to implement a program to meet those needs deemed "reasonable to meet."

(over)

DEFINITIONS

"Unmet transit needs" are, at a minimum:

- (1) Trips requested from residents who do not have access to public transportation, specialized transportation, or private transport services or resources for the purpose of traveling to medical care, shopping, social/recreational activities, education/training, and employment; or
- (2) Proposed public transportation, specialized transportation, or private transport services that are identified in the following (but is not limited to): a Transportation Development Plan, Regional Transportation Plan, Coordinated Public Transit-Human Services Transportation Plan.

"Reasonable to meet" criteria:

- (1) Whether a need is "reasonable to meet" shall **not** be determined by comparing unmet transit needs with the need for streets and roads, or for the sole reason that there is a lack of available resources to fully meet the identified need.
- (2) New, expanded, or revised transit service that has not met performance standards in the first two full years of operation can be subject to termination as being unreasonable to meet.
- (3) The transit operator (TDA claimant) that is expected to provide a new, expanded, or revised transit service indicates that it is operationally feasible.
- (4) One and one time only, an unmet transit need may be found to be unreasonable to meet if time constraints make it infeasible to begin service within the coming fiscal year, or if more information is needed to determine whether or not the unmet transit need is reasonable to meet.

The TDA directs HCAOG, as the RTPA, to make the finding that there are no unmet transit needs which are reasonable to meet prior to approving fund claims for street and road purposes.

Public Hearings on "Unmet Transit Needs"

HCAOG holds the single statutorily-required public hearing. In addition, HCAOG encourages all member entities to conduct hearings to receive constituent comments. HCAOG encourage entities to notify stakeholders of the public hearings with as much advance notice as is possible. We also encourage entities, to the fullest extent possible, to hold meetings during times that available transit is in service. The public is also welcome to provide written comments and comments by phone.

After conducting an "Unmet Transit Needs" hearing, the member entity forwards to HCAOG the public hearing's record of comments or transcript.

Report of Findings

HCAOG compiles public testimony and other comments from all entities, and includes it in the *Unmet Transit Needs Report of Findings* for the upcoming fiscal year. The report also covers demographic information of the transportation-dependent public, existing programs, and includes recommendations for meeting transit demands.

Timely conduct of the hearing process and submittal of the requested documentation allows HCAOG staff to prepare the *Report of Findings* for the Board to consider and adopt by May, and thereby avoid delays in processing TDA claims for the upcoming fiscal year.

For questions or assistance regarding this Public Participation Process, contact HCAOG at (707) 444-8208 or email at debra.dees@hcaog.net.

The TDA directs HCAOG, as the RTPA, to make the finding that there are no unmet transit needs which are reasonable to meet prior to approving fund claims for street and road purposes.

Public Hearings on "Unmet Transit Needs"

HCAOG holds the single statutorily-required public hearing. In addition, HCAOG encourages all member entities to conduct hearings to receive constituent comments. HCAOG encourage entities to notify stakeholders of the public hearings with as much advance notice as is possible. We also encourage entities, to the fullest extent possible, to hold meetings during times that available transit is in service. The public is also welcome to provide written comments and comments by phone.

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For questions or assistance regarding this Public Participation Process, contact HCAOG at (707) 444-8208 or email at debra.dees@hcaog.net.



AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 10 PAGES

3. Discussion/Decision Regarding Draft Vacation Dwelling Unit Ordinance.

DISCUSSION/ACTION AGENDA ITEM
February 12, 2014

Item: Vacation Dwelling Unit Ordinance

The City Council originally adopted the Vacation Dwelling Unit (VDU) Ordinance in 2010 and submitted it for certification to the Coastal Commission. Since that original ordinance adoption, City staff and Coastal Commission staff have had several discussions and negotiations, and the original ordinance was even repealed and replaced at one time to clear up a few procedural requirements. As a result of these negotiations, many minor and major modifications have been made and there is finally tentative agreement on the ordinance specifics. Because of the number and extent of the changes, City staff wanted to bring this back to the City Council for review and concurrence prior to Coastal Commission action.

So many changes were made to the original ordinance that using the 'track changes' tool in Word had made the document very difficult to read. In addition, the overall organization had become rather confused. For these reasons, we are presenting you with a final, clean version along with this summary of the changes that have been made. Many of the changes are minor and do not change the substance of the ordinance; these include things like section numbering and language clarifications to make the rules more clear and enforcement easier, such as changing the phrase "may not" to "shall not." For the purposes of this summary, the focus is on the substantive changes.

- Several of the changes are geared toward protecting environmentally sensitive habitat areas (ESHAs) such as riparian corridors and bluff tops. Language was added to the definition of "Good Neighbor Brochure" to include ESHAs. A new paragraph was also added to the VDU application requirements compelling the City to provide information regarding protection of ESHAs to applicants. Coastal Commission staff have agreed to help the City prepare this information in order to limit the burden to City staff, and have already prepared a couple of nice examples.
- A lot of the discussions centered around the septic requirements. References to the City's OWTS Management Program had to be removed so that the OWTS ordinance would not have to be certified. The language is now more general, requiring compliance with all State and local laws. In addition, new requirements limiting water use were added as specific protections for septic systems. The reasoning behind this requirement is that septic systems are sized based on the estimated water use in a home. Vacation rentals are allowed to have more occupants at a time than the OWTS may be sized for, but VDUs are also left vacant for periods of time. An analysis of actual water use in the City found that on an average annual basis, VDUs do not use more water than similar sized residences; VDUs use somewhat more water during the summer, but less water in the winter. The new requirement is that annual water use can not exceed that expected for the number of bedrooms the OWTS was designed for. Water use can easily be monitored through the City's water records. The ordinance also requires corrective actions should water use exceed what is appropriate.

- A few changes for clarification were also added to the parking requirements, requiring a space for every 2 occupants allowed rather than per bedroom. Another reference to the City's OWTS Management Program was also removed. In addition, an amendment to existing Zoning Ordinance §17.56.180 on Parking (§6.18 as certified) was included to add the required parking for VDUs.
- A few changes were also made to language regarding signs to clarify that they need to be legible from the street and comply with the Zoning Ordinance's sign requirements. In addition, an amendment to the existing sign regulations, §17.56.160 of the Zoning Ordinance (§6.16 as certified), was made to include provisions for VDU signs such that they don't require Design Review as long as they meet certain standards.

The recommended action is to consider concurrence with the proposed changes, after which Coastal Commission staff will present to the Coastal Commission hopefully at their May 2014 meeting and advise that all are in agreement with the proposed amendments. The Coastal Commission action would then be to reject the City's original ordinance, but certify a new ordinance as amended. Then it would come back to the Council for official adoption, first and second reading.

Recommended Action:

Concur with the proposed changes in the Vacation Dwelling Unit regulations.

Article 6.26 Regulations for Vacation Dwelling Units

Sections:

- 6.26.A Short Title
- 6.26.B Definitions
- 6.26.C Purpose
- 6.26.D Application Requirements
- 6.26.E Effect on Existing Vacation Dwelling Units
- 6.26.F Location
- 6.26.G Non-Permitted Uses
- 6.26.H VDU Standards
- 6.26.I Tourist Occupancy Tax
- 6.26.J Audit
- 6.26.K Dispute Resolution
- 6.26.L Violations—Penalty
- 6.26.M Violations—Revocation
- 6.26.N Ordinance Review

6.26.A Short Title.

This Section shall be known and may be cited as "City of Trinidad Vacation Dwelling Unit Ordinance."

6.26.B Definitions.

Good Neighbor Brochure.

Good Neighbor Brochure. "Good Neighbor Brochure" means a document prepared by the City and approved by the City Manager that summarizes general rules of conduct, consideration, respect, and potential remedial actions. In particular, the brochure shall include provisions for off-street parking, minimizing noise, establishing quiet hours, and minimizing disturbance to neighbors and environmentally sensitive habitat areas.

Event.

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

Occupant.

"Occupant" within this Section means any person who exercises occupancy of a Vacation Dwelling Unit (VDU) or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of 30 consecutive calendar days, or less, counting portions of calendar days as full days. Any such person so occupying space in a VDU shall be deemed to be a tourist until the period of 30 days has expired. As used in this Section, "occupant" does not include children aged 5 or under.

Transient Use.

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

Vacation Dwelling Unit.

"Vacation Dwelling Unit" (VDU) means any structure, accessory structure, or portion of such structures, which is contracted for transient use. As used in this Section, the definition of "Vacation Dwelling Unit" encompasses any structure or any portion of any structure which is occupied or intended or designed for occupancy by tourists for dwelling, lodging or sleeping purposes, and includes any home or house, tourist home or house, mobile home or house trailer at a fixed location except when located within a mobile home park or RV park, or other similar structure or portion thereof.

Visitor.

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

6.26.C Purpose.

The purpose of this Section is to provide for the renting of single- and multi-family dwellings, and accessory dwelling units, for periods of thirty consecutive days or less, as transient visitor accommodations, consistent with all other provisions of the General Plan and Zoning Ordinance, and to ensure that Vacation Dwelling Units are compatible with surrounding residential and other uses and will not act to harm or alter the neighborhoods within which they are located.

6.26.D Application Requirements.

1. Initial Application.

Each VDU must procure a VDU License. Existing VDUs must obtain a VDU License within 3 months of the adoption of this ordinance. A VDU License issued pursuant to this article shall also serve as a business license for rental activity pursuant to Chapter 5.04 of the Trinidad Municipal Code. The VDU License shall identify the existence of a VDU at a particular address and declare the number of bedrooms in the VDU and its intended maximum occupancy.

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

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

An initial VDU License Fee, as set by resolution of the City Council, will be charged for the first year of each VDU's operation.

The City will notify all property owners within 100 feet of a VDU property of the VDU License within 7 days of its issuance or re-issuance. This notice may be combined with the required 24-hour emergency contact phone number notice required in subsection 3.b below.

Upon initial application for a VDU License, the City shall provide all VDU licensees with copies of informational materials identifying protective measures for preventing and minimizing impacts to environmentally sensitive habitat areas, water resources, and septic systems from the vacation rental use of the residences. Such protective measures include, but not limited to: (1) avoiding human encroachment into environmentally sensitive habitat areas; (2) directing or screening exterior lighting from illuminating riparian corridor areas; and (3) best management practices for the proper handling and disposal of trash and chlorinated water from hot tubs, swimming pools, and other spa facilities.

2. VDU License Renewals

Annual renewals for subsequent years shall be at the same cost as a renewal for a Business License in the City. Any changes to the site plan, floor plan, allowable occupancy, or rental agreement shall be submitted along with the license renewal.

3. Contact Information.

a. Local Contact Person

Each VDU must designate a local contact person on the VDU License form.

That person may be either the owner or the property manager, and that person must live within 25 miles of Trinidad so that he/she can respond personally to an emergency.

b. 24-Hour Emergency Contact Phone Number.

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

The emergency contact phone number will be forwarded by the City Clerk to the Trinidad Police Department, the County Sheriff's Office, the Trinidad Volunteer

Fire Department, and to each neighbor within 100 feet of the VDU within 7 days after the issuance or reissuance of a VDU License for the VDU.

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

6.26.E Effect on Existing Vacation Dwelling Units.

Each individual operating a VDU existing at the time the VDU Ordinance is adopted, including those currently holding a valid Trinidad Business License, shall be subject to the requirements of this Section of the Zoning Ordinance upon its adoption. The owner of an existing VDU which does not meet the requirements of this Section will not be issued a VDU License and shall not use the VDU structure for VDU purposes.

6.26.F Location.

VDUs are permitted only in Special Environment, Suburban Residential, Urban Residential, and Planned Development zoning districts. A VDU may be allowed in a legally established Accessory Dwelling Unit. Each separate VDU must obtain its own, individual VDU License.

6.26.G Non-Permitted Uses.

There shall be no permitted use of the VDU structure other than occupancy for dwelling, lodging, or sleeping purposes. Use for events which are not hosted by the VDU's property owner are not permitted.

6.26.H VDU Standards

All VDUs will be required to meet the following standards:

1. Number of Occupants.

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

2. Off-Street Parking.

A VDU must provide at least one off-street parking space for every two occupants allowed pursuant to Section 6.26.H.1 in the VDU. The off-street parking space/s shall be entirely on the VDU property. VDU owner/operators shall not use public right-of-way (street) spaces to meet their required off-street parking needs. Off-street parking spaces will not be located on the septic system unless it is designed and rated for traffic in a manner that will not compromise the functioning of the septic system.

3. Water Use.

To prevent overloading of septic systems, each VDU shall be operated in a manner to ensure that the occupancy and use of a VDU shall not result in annual domestic water use greater than that associated with the non-VDU use of the residence based on an average daily per capita consumption of 75 gallons per person (3,662 cubic-feet-per-year-per-person) and two persons per bedroom. Where it can be determined based on the Humboldt County Division of Environmental Health permit or file information or an actual inspection of the system, the number of bedrooms will be based on the design of the septic system.

Annual water use records will be kept on file along with the VDU License and application materials to allow for verification that the VDU use did not exceed allowable volumes as described above.

If the City determines that the VDU use has exceeded the appropriate average annual water usage, as described, during the preceding year, the VDU owner/operator shall take constructive measures to bring the use into compliance. Adaptive measures include, but are not limited to: (a) installing water conservation fixtures and appliances; (b) planting xerophytic landscaping; and/or (c) reducing the maximum occupancy of the VDU.

4. Septic System.

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

5. Appearance and Visibility.

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

6. Signs.

A single sign, legible from the property's street frontage, and no greater than 3 square feet in size shall be attached to the VDU structure or placed immediately adjacent to the front of the VDU structure. The purpose of the sign is to notify the public that the structure is or contains a VDU. The sign must provide a 24-hour emergency telephone contact number for complaints, and a business telephone number for persons seeking information on the VDU. The signage shall comply with all applicable standards of the Zoning Ordinance's sign regulations.

7. Trash.

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

8. Visitors.

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

9. Noise.

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

10. Traffic.

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

11. Tenancy.

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

12. Good Neighbor Brochure.

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

13. Emergency Preparedness.

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

6.26.I Tourist Occupancy Tax.

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

6.26.J Audit

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

6.26.K Dispute Resolution.

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

6.26.L Violations—Penalty.

Violations of this Section are punishable as either infractions or misdemeanors, pursuant to the provisions of Section 7.20 of the Zoning Ordinance. Each separate day in which a violation exists shall be considered a separate violation.

6.26.M Violations—Revocation

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

6.26.N Ordinance Review

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

- Recodify Article 5.3, Sections 5.3.01 through 5.3.19, inclusive, as Article 6, Section 6.26, Subsections A through S, respectively.

- Append a new sub-section A.7 to Article 6, Section 6.16, Signs, to read, in context, as follows:

A. In all zones the following signs shall be permitted, provided that signs permitted in 2 and 3 below shall be subject to review by the design assistance committee:

1. A residential nameplate bearing the name of the occupant and not exceeding 2 square feet, provided that 3 square feet shall be permitted for a residence with a home occupation...

7. Vacation Dwelling Unit identification signs, as required by Section 6.26.D.5, provided that such signage is not placed in a public right-of-way, and does not rotate, blink, flash, sparkle, or obstruct the visibility of any traffic control sign.

- Append a new sub-section B.8 to Article 6, Section 6.18, Parking and Loading Facilities, to read, in context, as follows:

Off-street parking and loading space shall be provided in all zones in conformity with the following:

- A. Each required parking space shall be not less than 8'6" wide, 18 feet long and 7 feet high, provided that where 6 or more spaces are required up to 50 percent of the spaces may be 16 feet long. Each loading space shall be not less than 10 feet wide, 25 feet long and 14 feet high.
- B. Parking spaces shall be provided as follows.
 1. Campground, RV park, motel: 2 spaces plus 1 space per unit.
 2. Single-family dwelling and mobile home on a lot: 2 spaces in addition to any garage spaces.
 3. Attached dwellings (duplex, townhouse): 1.5 spaces per unit...
 8. Vacation dwelling unit: A minimum of one off-street parking space per every two occupants allowed in the VDU.



AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

4. Discussion/Decision Regarding the Draft Housing Element of the General Plan Update.

Paper copies of the Draft Housing Element were distributed to each Councilmember in advance. The electronic copy is available online in the Document Library section of the City website:

<http://www.trinidad.ca.gov/documents-library/section/8-planning-documents.html>

Members of the public may request a paper copy by contacting the City Clerk's office.



MEMORANDUM

TO: Trinidad City Council

FROM: Trever Parker, City Planner

DATE: January 24, 2014

RE: Planning Commission Recommendation – Housing Element

The Housing Element is the last of the seven State required General Plan elements. I have included some background information from a previous memo as a reminder of what the Housing Element entails. The introduction section of the Housing Element also provides some background. It is the longest of the elements thus far, and includes a lot of information to digest. As explained within the document, there are some problems with the reliability of the data, but it is all we have. The Census Bureau did not update all the information required for a complete housing element in 2010. Instead they provided estimated statistics that are not as accurate (American Community Survey). Their website notes that for jurisdictions with less than 10,000 people, the data are unreliable. Notes are included in the Housing Element where the data is particularly problematic or questionable.

The City Council previously concurred with a Planning Commission recommendation to complete a 'middle-ground' Housing Element. The State Dept. of Housing and Community Development (HCD) has strict requirements for housing elements that go way beyond what is necessary for a small, rural community like Trinidad. To comply with the State requirements, the housing element would have to be longer than the entire remainder of the general plan and address many issues that are not applicable to Trinidad. Therefore, staff and the Planning Commission produced a Housing Element that makes a good faith effort towards meeting the State requirements, and that includes all the available data while focusing on the needs of Trinidad; but the element is likely not certifiable per HCD requirements in its current form.

In the development of the Housing Element, the Planning Commission started by brainstorming on the issues the State requires to be addressed. For example, what are the primary housing issues and needs, opportunities and constraints, etc. based on your knowledge of the community? What trends do you see? What will be future challenges? How do we maximize public participation (are there underrepresented groups that require special outreach)? This gave staff the guidance as to what to focus on in the development of an appropriate housing element that will meet the State requirements to the degree feasible, while focusing on and addressing the needs of Trinidad residents.

As part of their recommendation to the City Council for consideration of this draft Housing Element, the Planning Commission suggested that the Council consider submitting the Housing Element to the HCD, which is the agency responsible for reviewing and certifying housing

elements, or another professional for review. The purpose of this would be to get an idea of where the Housing Element falls in or out of compliance with state requirements, so the City knows exactly what deficiencies exist in order to make an educated decision about it. You may recall from previous discussions about this issue that the State will not take remedial action against the City for not having a certified housing element. However, the City could be sued over it, though that is highly unlikely, and would not be eligible for certain grant funding.

The Planning Commission has now drafted, reviewed and recommended all seven of the State required general plan elements to the City Council. However, the Planning Commission is also working on a Community Design Element and a Cultural and Historic Resources Element. When those elements are done, the City Council will need to review the general plan in its entirety to ensure thoroughness and internal consistency. But in the meantime, the Council can review individual elements. The Council has previously reviewed the other six elements (Land Use, Open Space and Conservation, Circulation, Noise and Public Safety, and Housing).

Proposed Action:

- (1) Provide comments / questions to staff on the draft Housing Element.
- (2) Direct staff to submit draft Housing Element to HCD for review and comment.