



Posted: Friday, January 08, 2016

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

The Trinidad City Council will hold a regular meeting on  
**WEDNESDAY, JANUARY 13, 2016 at 6:00 PM**  
In the Trinidad Town Hall, 409 Trinity Street, Trinidad, CA

### NO CLOSED SESSION

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **APPROVAL OF AGENDA**
- IV. **APPROVAL OF MINUTES** – *November 10, 2015 cc, November 16 scc, December 09 cc*
- V. **COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS**
- VI. **STAFF REPORTS**
- VII. **ITEMS FROM THE FLOOR**  
*(Three (3) minute limit per Speaker unless Council approves request for extended time.)*
  
- VIII. **CONSENT AGENDA**
  1. Financial Status Reports for November 2015.
  2. Law Enforcement Report December 2015
  3. Approve Recommended Amendments to the HCAOG Cooperative Agreement
  
- IX. **DISCUSSION/ACTION AGENDA ITEMS**
  1. Trinidad Volunteer Fire Department Recognition and Slide Show Presentation of recent activity.
  2. Discussion/Decision to select Mayor and Mayor pro-tem
  3. Review and consider possible changes to Council Committee Assignments
  4. Approve allocation of TOT revenue to community organizations
  5. Review and Discuss 2016 Calendar
  
- X. **ADJOURNMENT**

**APPROVAL OF MINUTES FOR:**

**NOVEMBER 10, 2015 CC**  
**NOVEMBER 16, 2015 SCC**  
**DECEMBER 09, 2015 CC**

**Supporting Documentation follows with: \_\_\_\_\_ 10 PAGES**

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, NOVEMBER 10, 2015**

**I. CALL TO ORDER**

- Mayor Fulkerson called the meeting to order at 6:00PM. Council members in attendance: Miller, West, Fulkerson, Baker, Winnett.
- City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams, City Planner Trever Parker.

**II. PLEDGE OF ALLEGIANCE**

**III. ADJOURNMENT TO CLOSED SESSION**

1. Government Code section 54957: Personnel Review – City Manager Performance Evaluation

**IV. RECONVENE TO OPEN SESSION – No report.**

**V. APPROVAL OF AGENDA**

*Motion (Miller/West) to approve the agenda as amended, moving #5 on agenda to Consent. Passed unanimously.*

**VI. APPROVAL OF MINUTES – June 30, 2015 scc, August 12 cc, August 26 scc, September 09 cc**  
*Motion (West/Miller) to approve as written. Passed unanimously.*

**VII. COMMISSIONERS REPORTS**

**West:** (HCOAG) HTA is happy to report excellent ridership. Also attended a workshop that discussed State mandated model landscape ordinance, impact on Trinidad homes. The State is also looking at gray water use and the city's website will include tips and suggestions.

**Miller:** Attended the Coastal National Monument meeting.

**Winnett:** Announced that Trinidad Museum volunteer All Lindgren resigned.

**Fulkerson:** Met with County Librarian and Friends of Library to discuss hiring of a new Trinidad Librarian to replace Kenzie Mullen when she retires this year. Also to discuss funding additional open hours. 32% Checkout rate of library books is one of the highest in the county.

**City Manager Berman:** Highlighted and announced various updates, including:

- Lighthouse permit appeal negotiations
- City Clerk's office construction update.
- ADA improvements, etc.

**VII: PROCLAMATIONS & ANNOUNCEMENTS – None.**

**VIII. ITEMS FROM THE FLOOR**

**Kathleen Lake - Trinidad**

Concerned with the draft General Plan language that discusses home businesses and possible conflict with VDU's.

**Tom Davies – Trinidad**

The City received a number of complaints about the party and disturbances at a VDU on Parker Creek Drive this past weekend. Also noted that neighbors of VDU permit holders should be notified as stated in the Ordinance.

**Brent Twoomey – Trinidad**

Alerted the Council of a demonstration forest next to CDF station on Patrick's Point Drive, and encouraged the city to help the Land Trust find funds to secure this property and protect it for visitors and locals to enjoy.

**Pat Morales – Trinidad**

Complained about the party that occurred at Paloma VDU this weekend, and a lost dog that was associated with the rental.

**Jonna Kitchen** – Trinidad

Acknowledged the City Clerk's workload, and concern for meeting minutes not being posted quick enough on the city website. Staff should get more help.

### **PROCLAMATIONS & ANNOUNCEMENTS**

1. Proclamation 2015-03: Great American Smokeout
2. Proclamation 2015-04: In Recognition of Kenzie Mullen for Dedicated Service to the Trinidad Library.

*Motion (Miller/West) to approve the proclamations. Passed unanimously.*

### **IX. CONSENT AGENDA**

1. Financial Status Reports for September 2015.
2. Law Enforcement Report October 2015
3. GHD Scope of Services for the Water Treatment Plant Operations and Maintenance Manual.
4. Master Agreement for City Planning Services with Streamline Planning Consultants.
5. Agreement with Streamline Planning for Services with Coastal Commission LCP Grant Project.

*Motion (Miller/Baker) to approve the consent agenda as amended, moving discussion item 5 to consent. Passed unanimously.*

### **X. DISCUSSION AGENDA**

1. Discussion/Decision regarding Planning Commissioner Appointment.

Mayor Fulkerson explained that the recent resignation of Commissioner Kathleen Lake has left the Commission with one vacant position for a term through December 2016. As of the Wednesday, November 04 deadline, the City received (3) letters of interest for (1) vacant position from residents Cliff Poulton, Doren Morgan, and Ben Hawkins. The applicants all live in the city limits.

Only one applicant was in attendance - Cliff Poulton. The Council asked Poulton a variety of interview-type questions:

1. What peaked your interest? Poulton explained that the VDU conversation got his attention and he felt he could contribute to that subject.
2. What's the biggest challenge the City currently faces? Poulton responded, VDU policy.
3. How does your background prepare you? Poulton explained that his years in construction, experience in the city process, as well as professional experience in Public Works will help him in this role.
4. Are you ready to sit on the hot seat? Poulton answered, yes.

Council comment included:

**Winnett:** Commented on Poulton's very tasteful recent Underwood Dr. home remodel.

**Miller:** Met the other candidate at the Trinidad Post Office the other day. He claimed to be a member of the Trinidad Volunteer Fire Dept. He said he was concerned with vacation rentals taking away permanent home opportunities for locals. I'd like to hear from him, and curious why he's not here tonight.

**West:** I'd like to hear from the other applicants as well.

*Motion (Miller/Baker) to table the item to the next meeting and encourage applicants to attend. Passed 4-1. Winnett – NO.*

2. Discussion/Decision regarding HCAOG proposal for a \$30,000 polling study for a Countywide Transportation Tax Measure

HCOAG Marcella Clem explained that on August 26, 2015, the Humboldt County Association of Governments (HCAOG) hosted a Local Transportation Revenue Option Workshop, which was attended by over 30 community leaders involved in transportation planning, including elected officials, staff from local jurisdictions and Caltrans, and interested community members. A survey performed at the workshop revealed that 79% of the attendees did not believe the state and federal governments would be likely to solve the funding shortfall for local

transportation needs. Further, 83% of attendees supported some sort of county-wide tax measure to fund road maintenance and additional transportation/mobility options. An HCOAG summary of that meeting is attached.

The most recent assessment of transportation infrastructure for Humboldt County resulted in an overall poor grade, with costs needed to improve infrastructure well beyond currently available resources. State and federal funding for transportation infrastructure have been declining steadily.

This would be a special tax requiring a two thirds voter approval. The envisioned proposal for a .025% sales tax would generate roughly \$4.8 Million dollars annually. Recent changes in state transportation funding provide specific benefits to 'self-help' Counties and Regions. This funding would also help provide match to state grant proposals from our region, which increases our scoring in those grant efforts. The funds would be spent in our region, with benefits to local planning, design, and construction firms and employees as well as our transportation infrastructure.

Trinidad is in the unusual position of casting a decisive vote on the HCOAG Board, as the measure will not pass if Trinidad does not support it. Arcata, Eureka, Fortuna, and the County voted yes, Rio Dell, Ferndale, and Blue Lake voted no. HCOAG Director Marcella Clem will be attending our meeting to answer any additional questions.

*Motion (Miller/Baker) to authorize Councilmember Jack West in his capacity as Trinidad's HCOAG representative to vote in favor of the proposal to spend \$30,000 on a polling study to inform a decision about pursuing a County wide sales tax measure for transportation infrastructure funding. Passed unanimously.*

3. Discussion/Decision regarding Vacation Dwelling Unit Ordinance Implementation, and request for direction regarding Intent for "1-VDU per parcel" language.

City Manager Berman explained that the City received 38 applications for VDU Licenses for the 2015-2016 Fiscal Year. Many of these applications also included OWTS license applications, as an approved OWTS permit is required for a VDU License. Applications were received at the height of the vacation rental season, and staff decided to allow applicants to proceed in operating their VDUs while the City reviewed the applications. Of the thirty-eight applications received, twenty-eight VDU licenses have been granted at this time. City staff is working with the remaining ten applicants to resolve a variety of issues, some small and some major.

**Enforcement:** The majority of staff effort to date has gone to processing the applications and working through the challenges therein. A number of the VDUs have not received licenses as a result of potential compliance problems, thus the licensing itself is a primary mechanism in achieving compliance. Staff's goal is to work cooperatively with applicants to implement the ordinance. We have recently issued letters to three applicants who have more significant issues to address requiring that they cease any VDU Operation until they can be issued a license.

Many VDUs are not in compliance with the sign requirements in the ordinance. Staff have provided initial notification with the licenses, and will be following up. Staff's goal is to have the remaining ten applicants either fully licensed, or formally noticed to halt operations until they are fully licensed, by the next Council meeting of December 9<sup>th</sup>.

**Council Intent Regarding the "1 VDU per Parcel" condition:** One enforcement issue of contention revolves around the Ordinance language that states "There shall be no more than one VDU per parcel." While the sentence itself is clear, the Ordinance's definition of a VDU is less so:

*"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. "Vacation Dwelling Unit" does not include home exchanges or a short-term rental one time in a calendar year."*

The interpretation question arises where a single parcel has multiple legal dwelling units, like a duplex, or a main house and a detached 'mother in law' unit. VDU license applicants have proposed that their 'single VDU' encompass multiple legal dwelling units on the same parcel.

Staff believes the simplest reading of 'one VDU per parcel' is that for a parcel with multiple legal dwelling units, only one of them can be used as a VDU. So only one unit of a duplex could be a VDU, or for homes with detached MIL units, the operator would need to license either the main house or the smaller unit.

This interpretation is consistent with the discussions of the Council about impacts to neighbors, as this would reduce the number of VDU guests allowed on a parcel, with all that implies for parking, noise, and other impacts. This interpretation is also consistent with the concerns the Council have expressed about the loss of long term housing as a consequence of homes being converted to VDUs. However, the City Manager and City Planner have not been confident that the definition of a VDU in the Ordinance prohibits a 'single VDU' from encompassing both the main house and a second (or third unit). Rights not expressly limited are retained by the property owner, and staff have been concerned about triggering a legal challenge if our interpretation, and subsequent enforcement, go beyond what is clearly stated in the Ordinance.

There are two issues – what to do in the short term under the existing language, and whether to amend the Ordinance to be more clear.

First - Staff need to know which of these outcomes the Council wants:

A. Should the ordinance clearly limit a VDU to a single detached legal dwelling unit? In this case any other legal dwelling units on the parcel could not be part of, or operated together with, the VDU in any way. Nor could they be a separate VDU.

OR

B. Should the ordinance allow multiple legal dwelling units on a lot to be operated as one VDU? So the 'one VDU' can consist of both sides of a duplex, or both the front house and back unit on a single parcel.

Whichever option Council indicates, staff believes the VDU definition in the Ordinance should be amended to provide a clear and defensible basis to accomplish the Council's intent. Your direction on this issue then goes to the Planning Commission as part of the ordinance amendment process they are engaged in.

Until the ordinance is revised, staff is actively working with our City Attorney to ensure that our interpretation is soundly based in the existing ordinance language, and therefore minimizes legal risk to the City. The City Attorney has recently provided the following guidance to staff:

- A. **The VDU definition is clearly about a single structure;**
- B. **Therefore the City should not allow a 'single VDU' to encompass two detached dwelling units,**
- C. **But a duplex (as a single structure) could have both units treated as a single VDU (if truly managed as such)**

Public comment included:

**Tom Davies** – Trinidad

It doesn't matter what the structure is. Why do you need to answer A or B as indicated in the staff report? It should say "only one unit on a single property". If a duplex could be all used as one VDU, it takes away affordable housing options.

**Mike Reinman** – RCVR Owner, Trinidad property owner

Responded briefly to complaints about Parker Creek rental, and argued that any comment stating that a second unit on a property would become "affordable" housing is false.

**Pat Morales** – Trinidad

Has anyone asked the Coastal Commission for an interpretation? Dinner parties should be held at the Town Hall, not at vacation rentals. The Planner and Manager were paid to write this ordinance. Why were they not confident in their own language? The citizens are paying for these amendments and mistakes.

**Leslie Farrar – Trinidad**

One VDU per parcel is reasonable. Enforcement is a problem, and occupancy taxes should fund these issues, not be spent on other things.

**Don Allan – Trinidad**

Curious if members of the Council have a conflict of interest? No more than one VDU per parcel, period, and rentals shouldn't be allowed in residential areas.

**Cliff Poulton – Trinidad**

If language says one VDU per parcel, then there should only be one rental unit on the property.

**Kathleen Lake – Trinidad**

Handed out a letter showing properties on Ocean Avenue that had more than one unit. Only one VDU per parcel should be allowed. Stated that second units could be affordable housing for residents.

**Dan & Dorothy Cox – Trinidad**

Supports only one VDU per parcel. Concerned about septic and parking overload.

**Jonna Kitchen – Trinidad**

Would have been good to have the attorney here tonight. I manage a VDU with a second unit that has never been rented. Argued that 1) you can't control rental rates and 2) you can't guarantee that if a second unit exists, it will be used as a long-term rental. Assuming that Pleasantville will occur if only one VDU per parcel allowed is ridiculous.

Council comments included:

**Baker:** Dwelling units are defined in the ordinance. A separate detached bedroom is not considered a dwelling unit. I agree with the one VDU per parcel interpretation.

**Miller:** The attorney says that a duplex could be considered one VDU. I would support choice A and not allow a separate unit, or not more than one in a duplex or multi-unit complex.

**West:** Enforcement of choice B is very difficult.

**Fulkerson:** One VDU PER PARCEL

*Motion (Miller/Winnest) to communicate to the Planning Commission that the intent of one VDU per parcel is to clearly limit a VDU to a single detached legal dwelling unit, and that any other legal dwelling unit on the parcel could not be part of, or operated together with, the single permitted VDU in any way. Nor could they be a separate VDU. **Passed 4-0-1. Baker - Abstained.***

4. Annual Unmet Transit Needs Hearing

Each year HCAOG conducts citizen participation process to assess unmet transit needs within Humboldt County. The public is invited during this hearing to express their opinion, solutions, complaints, or suggestions regarding Humboldt County's public transportation systems and/or general unmet transit needs.

Public comment included:

**Don Allan – Trinidad Area Resident**

Used this as an opportunity to plug the Little River Trail project.

*Comment will be forwarded to HCAOG.*

5. Discussion/Decision regarding Amendments to the Redwood Coast Energy Authority JPA to Facilitate the Development of a Community Choice Aggregation Program.

*Moved to consent calendar for approval.*

6. Discussion/Decision to send letter to the Coastal Commission encouraging protection of Scenic Views as a condition of the proposed Homan Subdivision on Stagecoach Road.  
City Manager Berman explained that a coastal development permit for a 6 lot subdivision fronting Stagecoach Rd. and Anderson Lane has been approved by the County Planning Commission, upheld upon appeal to the Board of Supervisors, and is now being appealed to the California Coastal Commission. One of the appellants are requesting that the City send a letter to the Coastal Commission as follows:

*Whereas the views from Trinidad Head and coastal points south are of unique national significance, and important to the City's tourism economy, we hereby request the California Coastal Commission to require modifications to the subdivision that will fully protect the natural unbroken forested character of this ridgeline in all public coastal viewpoints including Trinidad Head and coastal points south.*

The Board of Supervisors recently heard the appeal of the Planning Commission decision, and while denying the appeal, they did approve additional conditions related to views. The appellants would like the City Council to weigh in on the importance of the viewshed from Trinidad Head.

Public comment included:

**Robert Vogel** – Trinidad Area Resident

Explained that he and a number of area residents are appealing the Homan Subdivision – approved by the County – to the Coastal Commission. He presented a slideshow outlining his group's arguments and grounds for the appeal, focusing on the view shed and alternatives to protect impacts to

**Peter Martin** – Trinidad Area Resident

Member of Friends of College Cove (FOCC)

The visual impacts are unacceptable to FOCC. The Board of Supervisors and Planning Commission didn't understand the visual implications. Both agencies are pro-development. We won't accept further damage to the hillsides. A letter of support from the City will have significant affect on the outcome we desire.

**Steve Saunders** – Trinidad

I support FOCC.

**Charles Netzow, Kate Green, Nina Groth** – Trinidad Area Resident

All support FOCC and the appeal.

**Kim Tays** – Arcata

Support FOCC and the appeal.

Council comment included:

**Baker:** In favor of sending the letter.

*Motion (Miller/West) to a) send the letter with the statement italicized in the staff report, and b) recommend the Commission consider FOCC alternative that preserves the treescape on the affected ridgeline. **Passed unanimously.***

*Robert Vogel explained that the letter needed to be sent immediately and City Manager agreed to email it to appropriate agency after the meeting adjourned.*

### XIII. ADJOURNMENT

- Meeting ended at 9:40pm.

Submitted by:

\_\_\_\_\_  
**Gabriel Adams**  
City Clerk

Approved by:

\_\_\_\_\_  
**Julie Fulkerson**  
Mayor

**MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL**  
**MONDAY, NOVEMBER 16, 2015**

**I. CALL TO ORDER**

- Mayor Fulkerson called the meeting to order at 4:00PM. Council members in attendance: West, Miller, Fulkerson, Baker, Winnett.
- City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF AGENDA**

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

**IV. ITEMS FROM THE FLOOR**

**Susan Rotwein – Trinidad**

Invited the public to attend the upcoming Blessing of the Fleet on Thanksgiving day.

**IX. DISCUSSION AGENDA**

**1. Discussion/Decision regarding reconsideration of City Letter on Homan Subdivision.**

City Manager Berman explained that the project proponent Dr. John Homan was not notified of this item on the prior November 10<sup>th</sup> agenda, and has requested that the City hear both sides of this issue and reconsider their letter accordingly. The original November 10<sup>th</sup> staff report stated that a coastal development permit for a 6 lot subdivision fronting Stagecoach Rd. and Anderson Lane has been approved by the County Planning Commission, upheld upon appeal to the Board of Supervisors, and is now being appealed to the California Coastal Commission. The appellants are requesting that the City send a letter to the Coastal Commission as follows:

*Whereas the views from Trinidad Head and coastal points south are of unique national significance, and important to the City's tourism economy, we hereby request the California Coastal Commission to require modifications to the subdivision that will fully protect the natural, unbroken, forested character of this ridgeline in all public coastal viewpoints including Trinidad Head and coastal points south.*

At that meeting, the public heard comments from the public (only the appellants), and the Council agreed to a) send the letter that includes the statement italicized in the staff report, and b) recommend the Coastal Commission consider FOCC alternative that preserves the treescape on the affected ridgeline. The decision passed unanimously.

Public comment included:

**John Homan – Trinidad Area Resident, Project Applicant**

12 years ago we approached the county to subdivide our 19 acre parcel. This project has been reviewed by the City Council and Planning Commission and the County Board of Supervisors and Planning Commission. We've met with our opponents, hired many expensive consultants, and made changes to the project as requested in response to all the feedback received. We changed the parcel size, driveway locations and septic locations. I met with the City Manager onsite a few months ago and showed him around. He assured me that the City has no intentions to comment further on the issue. On October 13, Robert Vogel met with Julie Fulkerson and requested that the City send a letter to the Coastal Commission. The greenest County Planning Commissioner called out Friends of College Cove's (FOCC) propaganda. Why did the City Planner not notify the Council that this issue has already been dealt with? I've spent over 20 hours on site with Coastal Commission representatives, who scrutinized my project beyond what the City has. Vogel and FOCC have presented gross inaccuracies. I would like the city to rescind the letter they wrote, and wait until the Coastal Commission makes a formal response and let them do their job.

**Robert Vogel – FOCC**

The issue we present is an effort to preserve the viewshed of the coastline looking north from Trinidad.

**Paul Hasselquist – Trinidad Area Resident**

I started working on a project on Stagecoach Road years ago that this same group of people tried to stop. They got what they have, and don't want to let anyone else in. John Homan is an excellent community member and has done everything to satisfy his neighbors, but they still harass him.

**Peter Martin, Charles Netzow, Steve Saunders, Kim Tays**, all support FOCC and don't want the letter to be rescinded.

**Tom Lindquist** – Trinidad Area Resident

The Council should rescind the letter, apologize to Mr. Homan for the mistake, and stay out of this. There are over 7 clear-cuts along the ridge surrounding Strawberry Rock... has anyone noticed this? Homan has done back flips for everyone, he's an outstanding member of this community, and the hypocritical complainers are ridiculous. They cut their trees too.

Council comment included:

**Baker:** We represent our constituents. They expressed interest in the view surrounding the Trinidad area. But I don't like how we ended up here and I feel that the issue has been mishandled. I respect Mr. Lindquist's comments, and support keeping the revised letter more general. I assume Mr. Homan didn't care to be here last week and I voted the way I did because of that.

**Fulkerson:** This meeting was called to give Mr. Homan a voice. We apologize for not notifying him of the previous meeting (AND the Planning Commissioner applicants). Mr. Homan and I discussed potential revisions to the letter that he would support (read aloud).

**West:** I apparently don't know enough to be making judgments on this project. I support rescinding the letter and not rewrite it until we have Coastal Commission input.

**Miller:** I disagree. Vogel's presentation was clean and true. There is not enough time for alternatives to be discussed. I based my decision on the information I had to work with.

**Winnett:** Have we talked with our City Planner about this? As Council members, we rely heavily on Staff. We don't have enough understanding of the project over the last 10 years to intervene with a heavy hand. We have a planner that we should have heard from. I will support the revised letter if it was more general, not naming the Homan subdivision specifically, but rather a preference to consider overall.

*Motion (Miller/West) to rescind the letter written last week to the Coastal Commission, and send a new revised letter as proposed by Fulkerson. **Passed unanimously.***

2. Discussion/Decision regarding Planning Commissioner Appointment

Mayor Fulkerson explained that the recent resignation of Commissioner Kathleen Lake has left the Commission with one vacant position for a term through December 2016. As of the Wednesday, November 04 deadline, the City received (3) letters of interest for (1) vacant position from residents Cliff Poulton, Doren Morgan, and Ben Hawkins. The applicants all live in the city limits.

Only one applicant was present at the November 10 meeting, so the Council agreed to postpone the decision until all applicants were available. All three were present.

The Council asked a series of questions to each applicant:

1. What made you want to apply.
2. What qualities do you possess that make you a good fit?
3. How would your role on the PC help resolve the local transient population?
4. What would you do with your position to affect the health and livability of Trinidad?

**Ben Hawkins:** Want to serve the community I live in. General Plan and law enforcement are of interest. I'm a good listener, not reactionary, I've lived here for 13 years and have construction experience. I would like to see more housing opportunities in Trinidad. Water quality isn't good, VDU's are a problem, and affordable housing is important.

**Doren Morgan:** I want to serve the community and preserve what I love about it. I grew up in Arcata, sold my house in Arcata, and moved to Trinidad. I served on an HOA and social boards in Sacramento. I understand the importance of enforcing regulations. I have management experience and many years of real estate experience.

I don't think I can help the transient population as a Planning Commissioner, but I do appreciate and will continue to support the local sheriff. I've seen the divisiveness that the VDU issue has caused in Trinidad and I would like to participate in advising policy decisions. I can contribute, reach compromises, and continue to support families as they continue to move to Trinidad.

**Cliff Poulton:** The VDU controversy has caught my attention and I thought the Planning Commission would be a good place to start volunteering my time. Cell Towers and undergrounding utilities are also concerns. I'm a licensed contractor, Public Works Superintendent for the City of Arcata, and have experience in many Planning Commissions – including the City of Trinidad's. Transient population seems mainly to be a law enforcement issue.

Council comment included:

**West:** Length of time living in the community is a deciding factor for me.

**Baker:** Experience is my priority, and Cliff seems to have the most.

*Motion (West/Baker) to appoint Cliff Poulton as Planning Commissioner to serve through December 2016.*

**Passed unanimously.**

### XIII. ADJOURNMENT

- Meeting ended at 6:20 pm.

**Submitted by:**

\_\_\_\_\_  
**Gabriel Adams**  
City Clerk

**Approved by:**

\_\_\_\_\_  
**Julie Fulkerson**  
Mayor

**DRAFT**

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, DECEMBER 09, 2015**

**I. CALL TO ORDER**

- Mayor Fulkerson called the meeting to order at 6:00PM. Council members in attendance: Miller, West, Fulkerson, Baker, Winnett.
- City Staff in attendance: City Manager Dan Berman, Brian Buckman, Ryan DeSmet, Paul Rosenblatt, Becky Price-Hall, Sandra Cuthbertson.

**II. PLEDGE OF ALLEGIANCE**

**III. ADJOURNMENT TO CLOSED SESSION**

Government Code section 54957: Personnel Review-City Manager Performance Evaluation.

**IV. RECONVENE TO OPEN SESSION – Council approved revised contract for City Manager .**

**V. APPROVAL OF AGENDA**

The Agenda was approved as written

**VI. APPROVAL OF MINUTES – No Minutes to approve.**

**VII. COUNCIL MEMBER REPORTS:**

Council member West reported on HCOG meeting where the Eureka / Arcata corridor was discussed and additionally a potential sales tax increase for transportation.

Council member Baker reported a discussion with Troy Fletcher, Yurok tribe, regarding the land transfer process.

Council member Miller reported that the Redwood Coast Energy Commission is considering joint powers of authority which would allow each household to choose a local energy source or stay with P.G. & E.

Mayor Fulkerson asked who is paying TOT.

**VIII. STAFF REPORT:** City Manager Berman presented a "year in review", highlighting city projects and activities in 2015. Council member West suggested that Dan's presentation be printed for residents, so they know how their tax dollars were spent.

**IX. ITEMS FROM THE FLOOR:** There were no items from the floor.

**X. CONSENT AGENDA:** The consent agenda was approved unanimously

**XI. DISCUSSION/ACTION AGENDA ITEMS:** Council members presented certificates of appreciation to each city staff member.

**XII. ADJOURNMENT**

Meeting ended at 8:00pm.

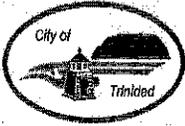
**Submitted by:**

**Approved by:**

\_\_\_\_\_  
**Sandra Cuthbertson**  
(for) City Clerk

\_\_\_\_\_  
**Julie Fulkerson**  
Mayor

12-09-15



## CONSENT AGENDA ITEM 1

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES**

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1. Financial Status Reports for November 2015.

**City of Trinidad**  
**Statement of Revenues and Expenditures - GF Revenue**  
**From 11/1/2015 Through 11/30/2015**

	Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue				
41010	0.00	0.00	91,500.00	100.00)%
41020	0.00	0.00	3,300.00	100.00)%
41040	0.00	0.00	50.00	100.00)%
41050	0.00	0.00	900.00	100.00)%
41060	0.00	0.00	200.00	100.00)%
41071	0.00	0.00	1,000.00	100.00)%
41110	0.00	0.00	1,300.00	100.00)%
41130	0.00	0.00	1,600.00	100.00)%
41140	0.00	0.00	1,200.00	100.00)%
41190	0.00	0.00	(2,420.00)	100.00)%
41200	0.00	0.00	(1,200.00)	100.00)%
41210	0.00	0.00	27,500.00	100.00)%
41220	0.00	0.00	28,000.00	100.00)%
42000	26,800.00	80,657.81	200,000.00	(59.67)%
43000	0.00	105,604.19	120,000.00	(12.00)%
43100	0.00	8,937.68	0.00	0.00)%
53010	0.00	0.00	30.00	100.00)%
53020	143.90	1,168.64	6,000.00	(80.52)%
53090	0.00	19,318.83	1,000.00	,831.88)%
54020	0.00	1,500.00	6,000.00	(75.00)%
54050	767.10	6,758.83	7,000.00	(3.45)%
54100	0.00	0.00	200.00	100.00)%
54150	120.00	7,978.00	11,500.00	(30.63)%
54300	0.00	0.00	400.00	100.00)%
56400	2,058.41	10,292.20	23,000.00	(55.25)%
56500	5,135.00	5,135.00	5,125.00	0.20)%
56550	0.00	0.00	9,500.00	100.00)%
56650	0.00	3,626.87	3,800.00	(4.56)%
56700	275.00	2,325.00	5,000.00	(53.50)%
59999	0.00	0.00	30,000.00	100.00)%
Total Revenue	<u>35,299.41</u>	<u>253,303.05</u>	<u>581,485.00</u>	<u>(56.44)%</u>

**City of Trinidad**  
**Statement of Revenues and Expenditures - GF Expense**  
**201 - GFAdmin**  
**From 11/1/2015 Through 11/30/2015**

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	250.00	1,250.00	3,000.00	58.33%
61000	EMPLOYEE GROSS WAGE	8,700.99	45,303.64	112,705.00	59.80%
61470	FRINGE BENEFITS	46.16	276.96	600.00	53.84%
65100	DEFERRED RETIREMENT	383.81	1,998.32	4,941.00	59.56%
65200	MEDICAL INSURANCE AND EXPENSE	1,827.67	5,304.51	11,389.00	53.42%
65250	Health Savings Program	9.73	48.62	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	(4,499.30)	3,832.00	217.41%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	84.76	265.14	750.00	64.65%
65600	PAYROLL TAX	691.72	3,603.85	9,000.00	59.96%
65800	Grant Payroll Allocation	(516.42)	(3,571.91)	(6,278.00)	43.10%
68090	CRIME BOND	0.00	455.00	455.00	0.00%
68200	INSURANCE - LIABILITY	0.00	14,283.75	8,314.00	(71.80)%
68300	PROPERTY & CASUALTY	0.00	3,859.05	4,225.00	8.66%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	3,315.00	10,000.00	66.85%
71130	ATTORNEY-LITIGATION	0.00	0.00	10,000.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	2,000.00	100.00%
71310	CITY PLANNER-ADMIN. TASKS	5,656.75	28,096.93	38,000.00	26.06%
71410	BLDG INSPECTOR-ADMIN TASKS	350.00	2,235.23	4,500.00	50.33%
71420	BLDG INSPECTOR-PERMIT PROCESS	0.00	0.00	12,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	0.00	5,592.01	14,000.00	60.06%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	15,500.00	100.00%
72000	CHAMBER OF COMMERCE	0.00	689.52	13,200.00	94.78%
74200	REIMBURSED GRANT ADMIN EXP	0.00	0.00	(500.00)	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	345.00	1,460.00	5,500.00	73.45%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	1,500.00	500.00	(200.00)%
75170	RENT	650.00	3,250.00	8,200.00	60.37%
75180	UTILITIES	753.86	3,748.71	8,500.00	55.90%
75190	DUES & MEMBERSHIP	0.00	0.00	500.00	100.00%
75200	MUNICIPAL/UPDATE EXPENSE	2,290.00	2,320.00	4,500.00	48.44%
75220	OFFICE SUPPLIES & EXPENSE	416.68	1,903.35	5,500.00	65.39%
75240	BANK CHARGES	0.00	0.00	250.00	100.00%
75300	CONTRACTED SERVICES	0.00	(888.15)	8,000.00	111.10%
75990	MISCELLANEOUS EXPENSE	0.00	2,860.29	500.00	(472.06)%
76110	TELEPHONE	794.29	1,336.26	1,550.00	13.79%
76130	CABLE & INTERNET SERVICE	294.81	1,473.33	3,300.00	55.35%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	181.58	0.00	0.00%
78170	SECURITY SYSTEM	0.00	0.00	1,500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	30.00	1,360.81	1,000.00	(36.08)%
<b>Total Expense</b>		<u>23,059.81</u>	<u>129,012.50</u>	<u>322,433.00</u>	<u>59.99%</u>

**City of Trinidad**  
**Statement of Revenues and Expenditures - GF Expense**  
**301 - Police**  
**From 11/1/2015 Through 11/30/2015**

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
61000	EMPLOYEE GROSS WAGE	263.68	1,409.86	3,427.00	58.86%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	117.00	100.00%
65600	PAYROLL TAX	20.18	107.88	262.00	58.82%
75170	RENT	650.00	3,250.00	8,190.00	60.32%
75180	UTILITIES	178.95	718.33	2,500.00	71.27%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	400.00	100.00%
75300	CONTRACTED SERVICES	300.00	5,325.00	88,085.00	93.95%
75350	ANIMAL CONTROL	113.00	565.00	1,500.00	62.33%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	500.00	100.00%
76110	TELEPHONE	<u>82.64</u>	<u>444.09</u>	<u>1,200.00</u>	<u>62.99%</u>
	Total Expense	<u>1,608.45</u>	<u>11,820.16</u>	<u>106,181.00</u>	<u>88.87%</u>

**City of Trinidad**  
Statement of Revenues and Expenditures - GF Expense  
401 - Fire  
From 11/1/2015 Through 11/30/2015

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
60900	HONORARIUMS	150.00	750.00	1,800.00	58.33%
75180	UTILITIES	40.94	125.09	1,150.00	89.12%
75190	DUES & MEMBERSHIP	0.00	0.00	100.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	400.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	23,500.00	100.00%
76110	TELEPHONE	66.80	670.81	720.00	6.83%
76140	RADIO & DISPATCH	0.00	831.50	450.00	(84.78)%
78140	VEHICLE FUEL & OIL	0.00	85.08	350.00	75.69%
78150	VEHICLE REPAIRS	0.00	0.00	2,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	44.07	2,500.00	98.24%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	400.00	100.00%
Total Expense		<u>257.74</u>	<u>2,506.55</u>	<u>34,370.00</u>	<u>92.71%</u>

**City of Trinidad**  
**Statement of Revenues and Expenditures - GF Expense**  
**501 - PW (Public Works)**  
**From 11/1/2015 Through 11/30/2015**

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
Expense					
61000	EMPLOYEE GROSS WAGE	5,150.48	27,432.34	64,837.44	57.69%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	553.40	2,956.95	7,207.64	58.97%
65200	MEDICAL INSURANCE AND EXPENSE	3,788.80	10,045.36	24,074.23	58.27%
65250	Health Savings Program	16.75	84.98	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	2,280.30	100.00%
65600	PAYROLL TAX	420.62	2,236.25	5,682.06	60.64%
65800	Grant Payroll Allocation	(756.94)	(13,710.57)	(24,428.00)	43.87%
71210	CITY ENGINEER-ADMIN. TASKS	1,519.00	3,575.00	5,500.00	35.00%
71250	CITY ENGINEER - PROJECT FEES	0.00	0.00	5,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	455.00	28,000.00	98.38%
75370	UNIFORMS/PERSONAL EQUIP.	86.98	86.98	450.00	80.67%
76110	TELEPHONE	0.00	58.83	0.00	0.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	90.00	10,000.00	99.10%
78120	STREET LIGHTING	351.29	1,843.25	4,500.00	59.04%
78130	TRAIL MAINTENANCE	0.00	3,347.00	2,500.00	(33.88)%
78140	VEHICLE FUEL & OIL	399.58	1,701.40	4,800.00	64.55%
78150	VEHICLE REPAIRS	0.00	989.86	2,000.00	50.51%
78160	BUILDING REPAIRS & MAINTENANCE	12,557.95	44,853.12	12,000.00	(273.78)%
78180	OTHER REPAIR & MAINTENANCE	20.51	20.51	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	303.09	2,219.10	6,500.00	65.86%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	423.64	500.00	15.27%
79120	WATER PLANT CHEMICALS	260.86	260.86	0.00	0.00%
	<b>Total Expense</b>	<u>24,672.37</u>	<u>88,969.86</u>	<u>161,903.67</u>	<u>45.05%</u>

**City of Trinidad**  
Statement of Revenues and Expenditures - Monthly Reports  
204 - IWM  
From 11/1/2015 Through 11/30/2015

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
<b>Revenue</b>					
47650	RECYCLING REVENUE	784.57	4,109.50	5,200.00	(20.97)%
56150	FRANCHISE FEES	0.00	0.00	7,000.00	(100.00)%
	<b>Total Revenue</b>	<u>784.57</u>	<u>4,109.50</u>	<u>12,200.00</u>	<u>(66.32)%</u>
<b>Expense</b>					
61000	EMPLOYEE GROSS WAGE	832.22	4,403.23	10,313.00	57.30%
65100	DEFERRED RETIREMENT	99.88	528.47	1,314.00	59.78%
65200	MEDICAL INSURANCE AND EXPENSE	771.56	2,048.77	5,017.00	59.16%
65250	Health Savings Program	3.50	17.08	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	372.00	100.00%
65600	PAYROLL TAX	71.27	377.22	938.00	59.78%
65800	Grant Payroll Allocation	(29.83)	(123.16)	0.00	0.00%
75120	WASTE RECYCLING PICKUP/DISPOSA	0.00	0.00	500.00	100.00%
75130	GARBAGE	0.00	131.18	0.00	0.00%
78100	STREET MAINT/REPAIR/SANITATION	0.00	55.60	0.00	0.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,200.00	100.00%
	<b>Total Expense</b>	<u>1,748.60</u>	<u>7,438.39</u>	<u>19,654.00</u>	<u>62.15%</u>
	<b>Net Income</b>	<u>(964.03)</u>	<u>(3,328.89)</u>	<u>(7,454.00)</u>	<u>(55.34)%</u>

**City of Trinidad**  
**Statement of Revenues and Expenditures - Monthly Reports**  
**601 - Water**  
**From 11/1/2015 Through 11/30/2015**

	Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
<b>Revenue</b>				
53020	INTEREST INCOME	0.00	0.00	1,500.00 (100.00)%
53090	OTHER MISCELLANEOUS INCOME	450.00	3,993.90	2,500.00 59.76%
57100	WATER SALES	24,092.56	127,602.60	305,000.00 (58.16)%
57200	Water Sales - Wholesale	1,800.00	4,500.00	0.00 0.00%
57300	NEW WATER HOOK UPS	0.00	0.00	2,000.00 (100.00)%
57500	WATER A/R PENALTIES	430.65	79.85	1,000.00 (92.02)%
	<b>Total Revenue</b>	<u>26,773.21</u>	<u>136,176.35</u>	<u>312,000.00 (56.35)%</u>
<b>Expense</b>				
61000	EMPLOYEE GROSS WAGE	7,938.24	41,672.84	101,244.00 58.84%
61250	OVERTIME	0.00	0.00	500.00 100.00%
65100	DEFERRED RETIREMENT	904.43	4,748.98	11,708.00 59.44%
65200	MEDICAL INSURANCE AND EXPENSE	6,079.39	16,246.73	37,110.00 56.22%
65250	Health Savings Program	25.67	128.02	0.00 0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	(2,422.70)	3,495.00 169.32%
65600	PAYROLL TAX	662.50	3,473.54	8,759.00 60.34%
65800	Grant Payroll Allocation	(4,232.49)	(10,117.22)	(25,594.00) 60.47%
68090	CRIME BOND	0.00	245.00	0.00 0.00%
68200	INSURANCE - LIABILITY	0.00	7,391.25	4,477.00 (65.09)%
68300	PROPERTY & CASUALTY	0.00	2,077.95	2,275.00 8.66%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	1,000.00 100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	4,000.00 100.00%
71510	ACCOUNTANT-ADMIN TASKS	0.00	3,011.09	6,500.00 53.68%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	7,000.00 100.00%
72100	BAD DEBTS	0.00	0.00	350.00 100.00%
75180	UTILITIES	803.82	5,333.29	13,000.00 58.97%
75190	DUES & MEMBERSHIP	0.00	564.49	1,000.00 43.55%
75220	OFFICE SUPPLIES & EXPENSE	70.00	1,381.00	3,750.00 63.17%
75280	TRAINING / EDUCATION	115.00	115.00	500.00 77.00%
75300	CONTRACTED SERVICES	0.00	0.00	25,000.00 100.00%
76110	TELEPHONE	600.76	1,095.30	1,100.00 0.43%
76130	CABLE & INTERNET SERVICE	61.95	309.75	750.00 58.70%
76160	LICENSES & FEES	473.45	473.45	2,750.00 82.78%
78120	STREET LIGHTING	0.00	0.00	1,600.00 100.00%
78140	VEHICLE FUEL & OIL	83.08	370.78	1,500.00 75.28%
78150	VEHICLE REPAIRS	0.00	1,092.26	2,000.00 45.39%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	159.61	1,000.00 84.04%
78170	SECURITY SYSTEM	386.49	484.99	500.00 3.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	8.81	314.03	12,500.00 97.49%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00 100.00%
79100	WATER LAB FEES	439.00	1,629.00	3,500.00 53.46%
79120	WATER PLANT CHEMICALS	0.00	1,613.12	9,500.00 83.02%
79130	WATER LINE HOOK-UPS	0.00	0.00	2,000.00 100.00%
79150	WATER LINE REPAIR	900.00	10,980.57	15,000.00 26.80%
79160	WATER PLANT REPAIR	1,635.00	9,774.62	17,000.00 42.50%
90000	Capital Reserves	0.00	0.00	15,000.00 100.00%
	<b>Total Expense</b>	<u>16,955.10</u>	<u>102,146.74</u>	<u>292,774.00 65.11%</u>
	<b>Net Income</b>	<u>9,818.11</u>	<u>34,029.61</u>	<u>19,226.00 77.00%</u>

**City of Trinidad**  
Statement of Revenues and Expenditures - Monthly Reports  
701 - Cemetery  
From 11/1/2015 Through 11/30/2015

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
<b>Revenue</b>					
58100	CEMETERY PLOT SALES	150.00	5,760.00	9,500.00	(39.37)%
58150	Cemetery Plot Refunds	0.00	(1,410.00)	0.00	0.00%
	<b>Total Revenue</b>	<u>150.00</u>	<u>4,350.00</u>	<u>9,500.00</u>	<u>(54.21)%</u>
<b>Expense</b>					
61000	EMPLOYEE GROSS WAGE	1,053.44	5,439.79	12,956.00	58.01%
65100	DEFERRED RETIREMENT	126.42	652.86	1,663.00	60.74%
65200	MEDICAL INSURANCE AND EXPENSE	978.71	2,649.90	6,413.00	58.68%
65250	Health Savings Program	4.35	21.30	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	0.00	471.00	100.00%
65600	PAYROLL TAX	90.18	465.95	1,187.00	60.75%
65800	Grant Payroll Allocation	(34.20)	(155.89)	0.00	0.00%
75180	UTILITIES	146.55	426.12	700.00	39.13%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,200.00	100.00%
	<b>Total Expense</b>	<u>2,365.45</u>	<u>9,500.03</u>	<u>24,590.00</u>	<u>61.37%</u>
	<b>Net Income</b>	<u>(2,215.45)</u>	<u>(5,150.03)</u>	<u>(15,090.00)</u>	<u>(65.87)%</u>



## CONSENT AGENDA ITEM 2

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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2. Law Enforcement Report December 2015

**ACTIVITY REPORT  
TRINIDAD  
BY DEPUTY WILCOX**

**12/01/2015-12/31/2015**

- Numerous citizen contacts and warrant arrests.
- Regular patrol at Hidden Creek.
- Conducted numerous vehicle investigations.
- Have contacted numerous subjects, on separate occasions parking over night (camping) in front of the Light House. The City Manger and I have discussed placing "No over night parking" signs there.
- Conducted numerous foot patrols with State Parks for transient's camps.
- Towed abandoned vehicles or vehicles blocking the roadway(s).
- Worked with casino closely locating wanted suspects and calls for service involving the casino.
- Responded to alarm calls. All were accidental and there were no suspicious circumstances.
- Conducted mental health evaluations.
- Arrested subject parked in the Murphy's Parking Lot causing a disturbance. He was subsequently arrested for public intoxication and out of county warrants for his arrest.
- Responded to a possible overdose. Subject was stable and transported by ambulance for treatment.
- Assisted in searching for a lost child on Patrick's Point Drive. Child was located and safe.
- Conducted welfare checks of individuals.
- Civil standbys for custody exchange.
- Conducted regular foot patrols behind the library. Removed any subjects camping.
- Deputies responded to a stabbing at the Ocean Grove. The incident is still under investigation therefore, there is no more information at this time.
- Responded to a noise complaint involving Ocean Grove.
- Conducted regular patrol check on Scenic Drive, Patrick's Point, Westhaven Drive.
- Patrol check for down wires after large storm.
- Picked up found property.
- Responded to a burglary at Larrupins.
- Responded to neighbor dispute(s).
- Assisted in evictions.



**CONSENT AGENDA ITEM 3**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES**

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3. Approve Recommended Amendments to the HCAOG Cooperative Agreement



## HCAOG

*Regional Transportation  
Planning Agency*

611 I Street, Suite B  
Eureka, CA 95501  
707.444.8208  
Fax: 707.444.8319  
www.hcaog.net

December 22, 2015

Dear City Managers and Humboldt County Administrative Officer:

At the November 19<sup>th</sup> Humboldt County Association of Governments (HCAOG) meeting, the HCAOG Board supported amendments to their Cooperative Agreement. The changes, shown in strike out and bold type, were made to clarify the appointment process for member entities and to clarify signatory requirements.

Due to the minor changes in the document, not all HCAOG Board members were of the opinion that the Cooperative Agreement needed to be scheduled for a separate hearing at their respective meetings. If you recommend scheduling this item on your Board or Council agenda, please let me know the hearing date. This item is scheduled to go before the HCAOG Board at their January 21, 2016 meeting approval and signatures.

I will make myself available for any hearings if requested. Please do not hesitate to contact me with questions.

Marcella Clem  
Executive Director

Enclosure: Proposed HCAOG Cooperative Agreement

**COOPERATIVE AGREEMENT FOR THE FORMATION OF THE  
HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS  
AS AMENDED**

1           This Cooperative Agreement is made and entered into by and among the County of  
2 Humboldt, a political subdivision of the State of California, and the incorporated cities of Arcata,  
3 Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell and Trinidad, all municipal corporations located  
4 within the boundaries of Humboldt County, California; as having executed this agreement. The  
5 parties, in the joint exercise of their power pursuant to Article 1 (commencing with Section  
6 6500), Chapter 5, Division 7, Title 1 of the Government Code, mutually agree as follows:

7 Section 1.     Declaration of Purpose.

8           The parties hereto, by their respective governing bodies, declare as follows:

9           (a)     That it is necessary and desirable that an agency be created with authority to  
10 advise, plan for, and suggest solutions to common problems, assist in the preparation of  
11 proposals by utilizing talents and general plans of the various governmental jurisdictions in the  
12 county and of experts in various other fields, coordinate their efforts, and provide services to  
13 member entities as may be agreed to from time-to-time.

14           (b)     That the creation of such an agency, and action by it upon development projects,  
15 appear necessary to qualify the county, its various cities and special agencies and districts, for  
16 allocation of State and Federal funds necessary to carry out such projects.

17           (c)     That it is not the intention of the parties hereto, in creating such an agency to  
18 require any of the parties hereto to submit its plans for any development project to said agency  
19 for its approval prior to the execution of any project unless such action shall be required as a  
20 condition to securing State or Federal financial assistance for such project.

1 (d) Without limiting the generality of the forgoing, the specific purpose of the  
2 Association is to engage in:

- 3 • Mandated State and Federal Government activities.
- 4 • Regional Transportation Planning Agencies activities.
- 5 • Service Authority for Freeway Emergencies (SAFE) (call boxes).
- 6 • Regional trails planning, management, and development.

7 Section 2. Humboldt County Association of Governments Established.

8 The Humboldt County Association of Governments is hereby created and established  
9 pursuant to the provisions of Sections 65060 through 65089.10, inclusive, of the Government  
10 Code of the State of California, and any amendments or successors to said sections, providing for  
11 area planning. The Association's **Board of Directors** shall consist of ~~the Chairman a member~~  
12 ~~of the Board of Supervisors and the Mayor or a City Councilmember from~~ of each City as  
13 party to this agreement, but any such ~~officer governing board~~ may designate another *elected*  
14 member of ~~his~~ its governing body as ~~his~~ an alternate on the Association's **Board of Directors**.  
15 Such alternate shall have the powers and responsibilities of his ~~or her~~ principal.

16 ~~The members~~ **Both HCAOG Board member and alternate** shall serve at the pleasure  
17 **of the governing body for which he or she represents** so long as each shall hold the office  
18 which qualified him ~~or her~~ for membership on the Association's **Board of Directors**. The  
19 ~~alternate shall serve at the pleasure of the member by whom he was appointed.~~

20 Section 3. Additional Members.

21 In addition to the incorporated cities mentioned in this agreement, any other city which  
22 may hereinafter be incorporated within the boundaries of the County of Humboldt and which  
23 may desire to participate in the activities of the Association may do so by executing this  
24 agreement without prior approval or ratification of the named parties to the agreement, and shall

1 thereafter be governed by all of the terms and provisions of this agreement, including the right of  
2 representation.

3 Section 4. Powers.

4 The powers of the Association are purely advisory to the County of Humboldt and to the  
5 respective cities which execute this agreement.

6 Section 5. Contributions by Members.

7 It is anticipated that administration expenses, including salaries and office expenses of  
8 employees, will be funded by grants from the State of California, and no provision is made  
9 herein for the sharing of expenses of administration by the parties hereto.

10 Section 6. Designation of Treasurer; Accountability.

11 (a) The Treasurer of Humboldt County is hereby designated as the depository of  
12 agency funds, and he shall discharge all of the duties set forth in Government Code Section  
13 6505.5, including the function of auditor, and shall maintain strict accountability of agency  
14 funds.

15 (b) The Association is a public entity separate and apart from its individual members.  
16 It's debts, liabilities, and obligations do not constitute debts, liabilities, or obligations of any  
17 party to this Agreement.

18 Section 7. Custodian of Property; Distribution on Dissolution.

19 (a) From time to time, the parties hereto shall designate the public officers or  
20 persons, having charge of handling or having access to any property of the Authority, and  
21 shall further designate the respective amounts of the official bonds of such persons  
22 pursuant to California Government Code Section 6505.1.

23 (b) In the event of the dissolution of this agreement, assets, office equipment,  
24 etc. may be sold at auction with population proportionate distribution of any proceeds.

1 Archived or present agency informational assets, including proceedings, documents,  
2 reports, etc., shall be archived by the County of Humboldt for a minimum of ten years.

3 Section 8. Other Cooperative Agreements.

4 It is anticipated that the agency will act as a vehicle for some or all member entities to  
5 provide such coordinated municipal services as may be provided by separate cooperative  
6 agreements. But that no member entity will be required to be a party to such agreements. All  
7 policies and directives to the manager of such services shall be determined by the agency's  
8 governing Board; except that only the representative of those members which are parties to the  
9 separate cooperative agreement involved shall be entitled to vote.

10 Section 9. Necessary Powers.

11 The agency shall have such powers as are necessary to carry out the purpose hereinabove  
12 stated, including but not limited to the power to contract for goods and services, to employ an  
13 Executive Officer and other necessary personnel, experts, and consultants, to contract for special  
14 reports, surveys and studies, and to accept gifts, loans or grants from public or private sources,  
15 and to implement other cooperative agreements.

16 Section 10. Amendment of Agreement.

17 Approval of a majority of Board of Directors of the Association shall be required for  
18 amendment of this agreement.

19 Section 11. Organization.

20 An organizational meeting of the Association shall be held as soon after this Agreement  
21 has been executed by the County and by at least four (4) of the seven (7) cities in the county as is  
22 practicable and mutually agreeable. The organizational meeting shall be held to decide upon the  
23 time, place and date of ensuing regular meetings and special meetings, if any, the method of  
24 calling special meetings, the election of officers, and the use of such public entities' personnel as

1 may be mutually agreed upon and determined necessary and appropriate, arrangements for  
2 additional plans for organization functions and financing, rules of procedure, and any other  
3 matters properly before it, organization or not. In any event, regular meetings shall be held not  
4 less often than quarterly.

5 Section 12. Cooperation Pledged.

6 The parties to this agreement pledge full cooperation to achieve the purposes of this  
7 agreement in any or all matters which shall come before the Humboldt County Association of  
8 Governments, subject to any necessary and legal approval of its acts by the legislative bodies of  
9 the cities and the county. Any party to this agreement may terminate its participation in the  
10 Association by resolution of its governing body to this effect. Such termination shall have no  
11 effect on the continuance of this agreement among the remaining members, and the agreement  
12 shall remain in full force and effect as to the remaining members.

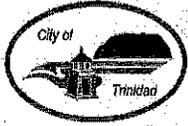
13 Section 13. Execution of Counterparts.

14 This agreement may be executed in any number of counterparts and when any such  
15 counterpart is executed by a party thereto, such counterpart shall be deemed to be an original  
16 hereof.

17 Section 14. Signatures.

18 This **historical** agreement ~~shall take~~ **took** effect upon its execution by authorized  
19 representatives of the legislative bodies of the County of Humboldt and at least four (4) of the  
20 Cities, all of whom were signatories of the original agreement **in 1968**.

21



## DISCUSSION AGENDA ITEM 1

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 0 PAGES**

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1. Trinidad Volunteer Fire Department Recognition and Slide Show Presentation of recent activity.



## DISCUSSION AGENDA ITEM 2

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES**

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2. Discussion/Decision to select Mayor and Mayor pro-tem

## DISCUSSION AGENDA ITEM

Wednesday, January 13, 2016

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**Item:** Discussion/Decision regarding selection of Mayor

**Mayor Selection Process:**

City ordinance 2.06.010 states that "As soon as practicable after each general election at which one or more persons are elected to the city council, the council members shall vote one of their own to serve as mayor, and one to serve as mayor pro tem..."

The Ordinance, however, does not prohibit the seated Mayor (or Council) from requesting the duties be re-appointed to another member at any given time.

Mayor Fulkerson was first appointed Mayor in December 2012 and is currently serving her second 2-year term. She has expressed interest in passing the gavel to another member for 2017.

As a reminder, here is a list of current Councilmember seats and term limits:

<b>Julie Fulkerson:</b>	Term expires December 31, 2016
<b>Jack West:</b>	Term expires December 31, 2016
<b>Dwight Miller:</b>	Term expires December 31, 2018
<b>Jim Baker:</b>	Term expires December 31, 2018
<b>Dave Winnett:</b>	Term expires December 31, 2018

**Recommended Action:** *As requested by Mayor Fulkerson, consider appointment of new Mayor.*

**Attachments:** Ordinance 2.06.010, Office of Mayor

## Chapter 2.06 MAYOR

### Sections:

2.06.010 Office of mayor.

#### **2.06.010 Office of mayor.**

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As soon as practicable after each general election at which one or more persons are elected to the city council, the council members shall vote and select one of their own to serve as mayor, and one to serve as mayor pro tem.

The persons so elected shall serve until the next regularly scheduled council election, or until removed by a majority vote of the council. [Ord. 97-1 § 1, 1997].

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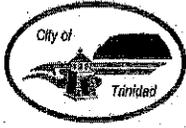
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**The Trinidad Municipal Code is current through Ordinance  
2011-02, passed July 13, 2012.**

Disclaimer: The City Clerk's Office has the official version of the Trinidad Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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## DISCUSSION AGENDA ITEM 3

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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3. Review and consider possible changes to Council Committee Assignments.

## Committee Assignments: *Updated February 02, 2015*

COMMITTEE	REP	ALT
Humboldt Waste Management Authority <b>HWMA</b>	Miller	West
Humboldt County Association of Governments <b>HCAOG</b>	West	Miller
Tsurai Management Plan Implementation Committee	West, Baker	Miller
Redwood Regional Economic Development Corp. <b>RREDC</b>	Fulkerson	Baker
HTA Humboldt Transit Authority <b>HTA</b>	Fulkerson	West
Redwood Coast Energy Authority <b>RCEA</b>	Miller	Baker
BLM Gateway Committee	Miller	City Manager
Humboldt County Convention & Visitors Bureau <b>HCCVB.</b>	Winnett	Miller
Library, Museum, Park Committee	Baker, West	Miller
Office of Emergency Services <b>OES</b>	Baker	West
Hazardous Materials Response Authority <b>HMRA</b>	Baker	West
Indian Gaming Benefit Committee	Miller	West
Humboldt Mayors Committee	Fulkerson	
Local Law Enforcement Committee	Baker	
Trinidad Rancheria Liaison	Fulkerson, West	
League of CA Cities	As Needed	



## DISCUSSION AGENDA ITEM 4

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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4. Approve allocation of TOT revenue to community organizations

## DISCUSSION AGENDA ITEM

Wednesday, January 13, 2016

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**Item:** Approve allocation of TOT revenue to community organizations

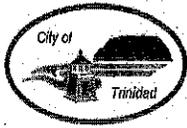
In 2013 the City Council agreed to allocate 10% of the total, annual Tourist Occupancy Tax revenue for community organizations. The Chamber of Commerce, Museum, and Library agreed among themselves to distribute that amount every year to each organization proportionately.

The total, audited Occupancy Tax revenue from 2014-2015 was **\$114,556**. The City will be issuing 10% of the total revenue (\$11,455) to each organization in the following payments:

60%	<b>\$6,873.00</b>	Greater Trinidad Chamber of Commerce
30%	<b>\$3,436.50</b>	Trinidad Museum
10%	<b>\$1,146.00</b>	Trinidad Library

**Recommended Action:** *No action required since this is an approved budget expense.*

**Attachments:** None



## **DISCUSSION AGENDA ITEM 5**

**SUPPORTING DOCUMENTATION FOLLOWS WITH: 1 PAGES**

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5. Review and Discuss 2016 Calendar

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

**Julie Fulkerson, Mayor**  
**Gabriel Adams, City Clerk**



## **2016 CITY BUSINESS CALENDAR**

### **February**

- Accept 2014-15 Audit
- Check-in on City Budget through December

### **March**

- Begin Fiscal Year Budget preparation.

### **April**

- Continue Fiscal Year Budget preparation.
- Discuss/Consider 2017 Sales Tax Extension, Implications on 2017 Budget.
- Consider VDU Ordinance Amendment from Planning Commission (tentative)

### **May**

- Adopt Resolution calling for election on a proposal to extend the Sales Tax Increase
- Adopt Resolution requesting the Election Consolidation with the County
- Continue 2017 FY Budget preparations.
- Possible adoption of VDU Ordinance Amendment from Planning Commission (tentative)

### **June**

- Adopt FY 2017 Budget
- Prepare for Council the upcoming election season calendar.
- Consider third and final extension of Interim Urgency Moratorium on new VDU licenses

### **July**

- Publish Election Notice for (2) Upcoming November Council Seats & Sales Tax Election
- Candidate Nomination Period Opens

### **August**

- Publish Arguments For, Against, and Rebuttals for Sales Tax Extension
- Adopt Ordinance that will authorize the State Board of Equalization to Implement the Sales Tax Extension should it pass.
- Filing Period for City Council Candidates nominees closes August 10.

### **September**

### **October**

- Publish notification of (2) upcoming Planning Commission vacancies.

### **November**

- General Election

### **December**

- When County Election results are certified, swear in new Council members, appoint Mayor, and re-distribute or confirm Committee/Commissionership assignments.