

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, FEBRUARY 10, 2010**

**I. CALL TO ORDER/ROLL CALL**

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

**II. PLEDGE OF ALLEGIANCE**

**III. ADJOURNMENT TO CLOSED SESSION – *No closed session scheduled.***

**IV. RECONVENE TO OPEN SESSION**

**V. APPROVAL OF AGENDA**

- Add 1 emergency item: Presentation by Cal-Fire on emergency request to connect to the City of Trinidad's Water system.

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

**VI. APPROVAL OF MINUTES**

**January 06, 2010 scc**

*Motion (Fulkerson/Ratzlaff) to approve the minutes as written. Passed unanimously.*

**January 13, 2010 cc**

*Motion (Bhardwaj/Fulkerson) to approve the minutes as corrected. Passed unanimously.*

**VII. COMMISSIONERS REPORTS**

Binnie:

- **HCAOG:** 2010 TDA budget has been approved. Received an update on the Annie & Mary Trail program.
- **Misc:** Received a complaint from a resident that the local crows have been harassing her. We should discourage the public from feeding them.

Bhardwaj:

- **Planning Commission:** There is still a vacancy on the Commission.
- **Sales Tax Advisory Committee:** Met last week and reviewed sales tax revenue received to date.

Morgan:

- **Emergency Response:** Introduced CDFChief Steve Hartman. Asked Hartman to brief the Council on the details of the Tsunami drill scheduled for March 24 in the evening.

Fulkerson:

- **WAVE ENERGY:** Last weeks meeting was well attended.
- **Misc:** Brief discussion alerting the community of the potential impacts of marijuana legalization ballot initiative in November 2010.

Ratzlaff:

- **RCEA:** Attended the February 09 meeting and found that Trinidad's grant request for the purchase and installation of insulation and a heating system for the Town Hall has been approved and forwarded to the State.

**VIII. STAFF REPORTS**

City Manager - Albright: Summarized staff activities report and highlighted various other accomplishments. 2 additional council meetings scheduled - February 24 and March 24.

**IX. ITEMS FROM THE FLOOR**

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

**Pat Morales** – Trinidad

Member of the Vacation Dwelling Unit Committee. Read from a 2 page statement that brought forward a number of issues related to owners/operators of local vacation rentals including, but not limited to: 1) Redwood Coast Vacation Rentals illegal dwellings, illegitimate improvements, septic problems, and various hypocrisies, 2) Trinidad Bay B&B does not hire a commercial linen service to do laundry off-site as conditioned by the City in the 1980's, and 3) Complaints on Wagner Street regarding an over-occupied unit managed by Trinidad Retreats. She concluded by urging the city to follow up on complaints and enforce the laws.

**Jim Cuthbertson** – Trinidad

RCVR owner Mike Reinman is not following the rules in Trinidad. He needs to be shut down.

Councilmember Fulkerson requested that the City Manager report back to the Council regarding Morales's complaints, and Councilmember Bhardwaj asked the CM to research how other cities audit Vacation Rental owner's occupancy tax statements.

**X. CONSENT AGENDA**

1. Staff Activities Report through January, 2010
2. Financial Status Reports for December, 2009
3. Proclamation 2010-01 Supporting "Boy Scouts of America" Day
4. Proclamation 2010-02 Supporting "Engineers Week"
5. Freeman Agreement Amendment

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

**XI. AGENDA ITEMS**

***Emergency Agenda Item:***

Presentation by Cal-Fire on Emergency Request to Connect to the City of Trinidad's Water System

George Williamson, LAFCO Chairman, PlanWest Planner introduced the proposal. Williamson began by describing LAFCO's purpose, representation, and function. He stated that Cal-Fire approached LAFCO to discuss the possibility of connecting to the City's water service from an emergency perspective due to poor drinking water quality at the station on Patrick's Point Dr. He explained that LAFCO was considering 2 options:

- State of CA funding provision that extension of service is permissible for health & safety emergencies. However, this station is far outside the city's current sphere of influence.
- Expand/improve County Service Area 4, established to provide year-round services to the fire station.

Williamson further explained that LAFCO wants what's best for Cal-Fire and also understands the limitations of the City's water supply.

Council comments included:

**Binnie:** Asked engineering related questions, such as how large the main would have to be to deliver the water to the station. This seems like an expensive solution? **Williamson** explained that pressure, volume, and elevation changes are key to answering the question, and engineers are currently looking into it.

**Fulkerson:** What is this about, and how did a city service extension become a solution? This project would encourage expansion, and I'm uncomfortable pairing Health & Safety, Water, Budget & Planning with Emergency Service work. I appreciate the service that Cal-Fire provides to the community and all the hard work they do, but there are (and have been) many residents who live along the city's existing water main, who have bad water, that are denied access to the service.

Public comments included:

**Steve Hartman** – Cal-Fire Chief

This station is over 60 years old and the water supply is Martin's Creek. We've had personnel become sick from unknowingly ingesting bad water from the station. The State of CA has allocated money to assist in resolving problems like this. Keep in mind that we are the only 24/7 emergency service in the area.

**George Williamson – LAFCO**

If the City does not have the water supply, the process stops. LAFCO can't compel the City to provide the service. We're here to solve a problem, not incur costs for the City. I'd like to proceed with the assessment and return with more information.

**Jim Cuthbertson – Trinidad**

If the city has control, we can do what we want.

*No decision was made.*

1. First Reading, Proposed Ordinance 2010-01 Amending the OWTS Ordinance  
City Manager Albright explained that after lengthy work and public review by the Trinidad Planning Commission, the City Council in 2008 approved the Onsite Wastewater Treatment System (OWTS) Ordinance (2008-03). This Ordinance amends the City's Municipal Code by requiring a process of permitting and inspecting septic systems in the City. The goal is to increase public safety and improve water quality.

One of the requirements of the Ordinance was for the Planning Commission to prepare and approve "Guidelines" that would identify many of the implementation requirements of the program. In carrying out this responsibility, the Planning Commission has recommended that the City Council instead be named to approve the Guidelines. In a letter to the City Council dated December 4, 2009, the Commission stated that the Guidelines will mandate both implementation and enforcement requirements, and these policy decisions should be the responsibility of the City Council and/or the City Manager.

Following is the Section of the OWTS Ordinance is proposed to be amended:

**Section 1:12 – OWTS Guidelines**

This ordinance shall be supplemented with guidelines to aid in the interpretation and implementation of the ordinance and to allow for adaptive management of the OWTS Program. The Guidelines shall become effective when adopted by resolution of the ***Planning Commission and shall be made a part of this ordinance as Appendix B. Guidelines issued pursuant to this section may be amended from time to time as needed by staff after Planning Commission approval to provide clarification to these ordinance provisions.***

This ***bold/italics*** portion of this section is proposed to be changed to the following language (changes underlined):

.....by resolution of the ***City Council and shall be made a part of this ordinance as Appendix B. Guidelines issued pursuant to this section may be amended from time to time as needed by staff after City Council approval to provide clarification to these ordinance provisions.***

The Guidelines have been drafted. If this Ordinance is approved, then those Guidelines will be brought to the City Council as soon as possible so that the program can begin later in 2010.

*Motion (Fulkerson/Ratzlaff) to complete the first reading for Ordinance 2010-01, and set a public hearing for Wednesday, March 24, 2010 for City Council consideration of the Ordinance. Passed unanimously.*

2. First Reading, Proposed Ordinance 2010-01 Amending the City's Traffic Code  
Trinidad Police Chief Ken Thrailkill has requested that the City's Traffic Code be amended to include a provision that would allow the Police Department to enforce a 72-hour parking limitation on City streets. This request is in response to numerous complaints regarding either abandoned vehicles or vehicles that are simply parked and left at a single location indefinitely. This parking limitation is standard in many cities and is enabled by State legislation.

Proposed Ordinance 2010-02 would amend the Code by inserting provision ***10.04.125*** and would read as follows: ***"It shall be unlawful for any vehicle to be parked on any street or alley for seventy-two or more consecutive hours. Any such vehicle parked or left standing on violation of this section may be removed by order of a City police officer."***

Council comments included:

There were no comments from the Council.

Public comment included:

There was no public comment.

*Motion (Fulkerson/Bhardwaj) to complete the first reading for Ordinance 2010-02, and set a public hearing for Wednesday, March 24, 2010 for City Council consideration of the Ordinance. **Passed unanimously.***

3. Edwards Street Traffic Safety Discussion/Action

City Manager Albright explained that at the last Council meeting, a report was provided from Winzler & Kelly regarding traffic safety issues on Edwards Street. The report included recommendations that were endorsed in a staff report from Police Chief Ken Thraikill. The Council action included three items:

- 1) Complete the improvements to no-parking areas (red curbs) on the north side of Edwards Street;
- 2) Support the formation of a Committee of locally concerned residents and property owners; and
- 3) Return to the Council with the required documentation for action necessary to officially declare Edwards Street as a 20-mph zone.

Subsequent to that meeting, clarification was sought from the Traffic Engineer regarding the authority of the City to immediately undertake some of the other recommendations without further analysis. It was affirmed by the Traffic Engineer that the City Council could immediately implement the following additional recommendations:

- Install a marked crosswalk across Trinity Street at the intersection of Trinity and Edwards Streets;
- Relocate the centerline along Edwards Street to conform to an 8-foot parking width on the north side of the street, two 11-foot traffic lanes, and a pedestrian "lane" on the south side of Edwards Street.
- Install a "fog line" at the edge of both traffic lanes on Edwards Street.
- Install a "fog line" at the edges of the traffic lanes on Trinity Street.

The City also has authority to place appropriate traffic warning signs as needed to implement these actions and to correct any discovered deficiencies, such as the non-compliant handicapped parking spaces.

Actions which will require further analysis are the installation of stop signs at Edwards and Trinity Streets or at other locations, installation of speed humps (should the City Council choose to pursue this option), and the installation of any other improvements which may trigger other traffic or sidewalk modifications.

This report addresses only some of the issues that have been raised by area residents. Below is a compilation of concerns that have been raised. These are not listed in any priority, and there may be others that are brought forward at the Council meeting or on community meetings.

- Excessive speeding;
- Pedestrian safety;
- Need for pedestrian crosswalks;
- Visibility problems due to on-street parking and vegetation growth;
- Lack of stop signs at some intersections;
- Inadequate lane width on the north side of Edwards;
- Noise from speeding cars and trucks;
- Dangerous curve near Edwards and Azalea;
- Make traffic control signs more visible.

Council comment included:

**Fulkerson:** There are no maps or diagrams, again. We should table this discussion until such resources are available. *The Council agreed, by consensus, to continue the discussion at the next meeting.*

**Edwards Street Traffic Safety Discussion – PART II**

City Manager Albright explained that there is potential funding available to analyze the combination of all these problems. CalTrans has a program under its "Community Based Transportation Planning" fund that could support a creative approach to safe streets in Trinidad. It requires a 10% match, of which 2.5% could be in-kind. The

Council may want to instruct staff to pursue this funding opportunity in the next two months. The grant application is due on April 01.

Council comments included:

**Morgan:** Let's prioritize Edwards Street first, and use this program for the whole city later.

Bhardwaj: The Smart Streets group would be preferred to write grant on the city

Public comment included:

There was no public comment.

*No decision was made. City Manager will report back at the first meeting in March with a refined list of improvements and grant update.*

4. Resolution 2010-03 Amending the FY 2010 Budget

City Manager Albright explained that there are a number of changes to the City's 2009-10 budget, and that this would be the second budget amendment in this fiscal year. Most of the changes are either mid-year adjustments based on the trend of actual expenditures. There are also a number of recommended new expenditures. Some amendment highlights included:

- General Fund spending continues to require some commitment of reserves.
- Revenues from TOT, Investment interest, Building Inspection Fees, and Town Hall rental are up.
- Several additional or increased line item expenditures include \$12,000 for litigation, Council commitment to library infrastructure, \$5000 for City Hall upgrades = \$22,194.
- Summary net deficit spending of \$40,766.

There was no Council or public comment.

*Motion (Fulkerson/Bhardwaj) to approve Resolution 2010-03 amending the FY 2010 City of Trinidad Budget.*

**Passed unanimously.**

**XII. COUNCIL REQUEST FOR FUTURE AGENDA ITEMS**

**XIII. ADJOURNMENT**

- Meeting ended at 9:35pm.

**Submitted by:**

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

**Approved by:**

\_\_\_\_\_  
**Stan Binnie**  
Mayor