

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JUNE 12, 2013

I. CALL TO ORDER

- Mayor Fulkerson called the meeting to order at 7:00PM. Council members in attendance: West, Fulkerson, Baker, Davies. **Councilmember Miller was absent.**
- City Staff in attendance: City Manager Karen Suiker, City Clerk Gabriel Adams

II. PLEDGE OF ALLEGIANCE

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

IV. RECONVENE TO OPEN SESSION

V. APPROVAL OF AGENDA

Motion (Davies/Baker) to approve the agenda as written. Passed 4-0.

VI. APPROVAL OF MINUTES – No minutes were submitted for approval.

VII. COMMISSIONERS REPORTS

Fulkerson: HCAOG Mayors Meeting, NCRA Board Member vote report.

Baker: Met with Sheriff Department officials at a follow up law enforcement meeting. Sheriff explained that he doesn't have the man-power to be everywhere at once. They reinforced the Neighborhood Watch program, and expressed their concern about issues in Trinidad. There has been follow-up, but Sheriff doesn't advise changing Deputy Hicks hours in response to the community.

VIII. ITEMS FROM THE FLOOR

Stan Binnie – Trinidad Resident

Streetlight on View Avenue is on all day and night. Noticed more signs in town.

Richard Johnson – Trinidad Area Resident

Questions about overpaid tax report from the County. Suiker noted that issue will be on the July meeting agenda.

IX. CONSENT AGENDA

1. Financial Status Reports for April 2013.
2. Staff Activities Report for May 2013.
3. Agreement for Accounting and Financial Consulting Services
4. Luffenholtz Creek Source Water Protection Construction Project Award
Motion (West/Davies) to approve the consent agenda as written. Passed 4-0.

X. DISCUSSION AGENDA

1. Discussion/Decision to approve Resolution 2013-05; Adopting FY 2013-2014 Budget.
City Manager Suiker presented the proposed FY 2013-14 City of Trinidad budget. A public study session that included a power point presentation of the draft budget was held on May 22, 2013. At that meeting Council gave direction to increase the distribution of Transient Occupancy Tax (TOT) revenue to reflect 12% of the prior year receipts, and the final budget presentation has been modified accordingly. Key points related to the final budget presentation include:

Overall Budget Highlights

- Funding for 2% across the board salary adjustments plus a six month 2.5% promotional progression in accordance with the procedures set forth in the Employee Policies Manual (total equivalent annual increase of 2% for employees at the top step in their classification and 3.25% for employees not currently at the top step in their classification).
- Medical insurance was initially estimated at a 15% increase, but actual costs are now known to be only 3.9%. No overall changes were made, however, due to the anticipated increase in number of dependents on the city's policy.

General Fund Revenues

- Status quo most revenue sources with slight increases.
- Sales tax is highest revenue source (¾% sales tax add-on generates about \$105,000).
- Reflects transfer-in of \$30,000 gas taxes and transportation development act funds to offset street light expenses and pro-rated salaries of public works employees working on road-related activities (fund balance as of 6/30/2012 \$45,493).

General Fund Administration

This budget unit funds pro-rated employee salaries, liability, property and casualty insurance, contracted planner, building official, attorney, financial contractor, bookkeeper, auditor, lease of city annex and new library, utility costs, distribution of transient occupancy taxes (TOT), office supplies

- Planner activities budgeted as follows

General Plan	\$ 15,000
ADU/VDU	1,000
Planning Commission	4,800
Permits (offset by revenue)	5,000
City generated projects	5,000
OWTS	1,800
Miscellaneous, general planning	<u>6,000</u>
	38,600
- Attorney costs are estimated at \$30,320, which includes \$8,000 toward defense of litigation(s)
- Storm water permit \$2,006
- Distributes 12% of prior year TOT receipts (Chamber 60%, Museum 30%, Library 10%)
- Replacement of city manager computer (\$1,500)

General Fund Law Enforcement

- Contract for law enforcement services \$190,933 (\$100,000 funded COPS, although this might be an ambitious expectation based on current data)
- Animal control services \$1,900

General Fund Fire

- \$10,000 transfer to fire capital reserve (added to balance of \$40,700)

General Fund Public Works

Budget includes pro-rated staffing costs, town hall, annex and library supplies, street paint, signs, trail and park maintenance.

- New ASBS Monitoring Contract \$10,900 (does not include data analysis)
- Tree trimming \$3,000
- Town hall repair and maintenance \$5,000
- Provides for no transfer to capital reserve (compared to \$10,000 current year)

General Fund Revenue:	\$539,730
General Fund Expenditures:	
Administration	\$294,937
Police	107,271
Fire	21,245
Public Works	<u>127,450</u>
	\$550,903
 Difference (from fund balance)	 \$ 11,173

Overall, the General Fund financial position improved by over \$75,000 last fiscal year due to a number of one time revenues (asset seizure funds, sale of surplus equipment and lawsuit settlement). Fund balance at end of last year was \$1,035,692. Goal is right around \$1 million for cash flow purposes, especially given the City's heavy reliance on grants which are usually retroactively reimbursed.

Integrated Waste Management

Budget includes pro-rated staffing costs, recycling revenue, blue bag sales and disposal costs. The budget is based on recycling center operations; to be revised when recycling center dismantled, as new data becomes available.

Revenue:	\$ 38,000
Expenditures:	\$ 46,841
Difference (from fund balance)	\$ 8,841

The Integrated Waste Management fund declined by about \$9,760 last year to a year end balance of \$44,590. With the addition of voluntary curbside recycling and the dismantling of the recycling bins, the costs should stabilize, but will transfer pro-rated staffing to water/general funds.

Cemetery

Budget includes pro-rated staffing costs, plot sales and fencing repair/replacement

Revenues:	\$ 7,200
Expenditures:	\$ 11,162
Difference (from reserve)	\$ 3,962

Fund balance declined by \$7,578 prior fiscal year but the fund still has a substantial unrestricted asset balance of \$144,900. There may be a need to consider increase in plot sale amount or consider contribution from General Fund in the future. Current year plot sales are exceeding budget expectations (\$9,475 through March compared to \$6,000 budgeted) and fund balance is expected to increase by year end.

Water Fund

- \$15,000 set aside/reserve for capital
- Davis Grunsky loan fully paid
- Final year of water bond payment (\$11,096)

Revenue:	\$ 301,500
Expenditures:	\$ 282,719
Difference (add to fund balance)	\$ 18,781

Fund balance declined by \$5,300 prior year but did not have a full year of water rate increases. Net unrestricted assets at end of year \$641,745. Goal is around \$750,000.

Public comment included:

Stan Binnie – Trinidad

Various questions about ASBS Stormwater Permit fees.

*Motion (Davies/West) to approve Resolution 2013-05 adopting the FY 2013-2014 Annual Budget. **Passed 4-0.***

2. Discussion/Decision regarding consideration of Streetlight at Azalea & Pacific Streets.

City Manager Suiker explained that at the request of some of the residents in the area of Azalea Way and Pacific Street, the City Council authorized staff to evaluate the possibility of installing a streetlight in conjunction with the road and drainage rehabilitation project to be completed this year. The Council directed staff to consider a low voltage and low height to have as minimal visual impact as possible. In working with PG&E, the best potential location would be at the northeast corner of Azalea Way and Pacific Street. A lower pole (14) feet and lower wattage (70w) could be incorporated into a proposed project. For comparison purposes, the newer street lights along Trinity are 18 feet high with 150w bulbs. Other than the possible reduced height of the pole, it would be the same design as the newer streetlights.

In order to determine whether there was support to incorporate a new streetlight, a letter was sent to nine addresses requesting input. From the nine addresses potentially impacted, five homeowner households plus one tenant responded opposing the streetlight, one responded neutral, and one responded in favor of the streetlight (5 + 1 no, 1 neutral, 1 yes). There was no response from one household.

Based on the stated preferences of the majority of the potentially impacted homeowners, it is recommended that the Council discontinue further consideration of a streetlight in that area.

Public comment included:

Kurt Osborn – Trinidad

There has been a lot of disagreement among neighbors about this streetlight proposal. I realize it won't pass, but I can't see why they wouldn't want a light. Arguments against, for instance, making people less safe? I'm mystified.

Kim Tays – Trinidad

Don't forget that street lights ruin the night sky. I don't care for lights. I moved up here to see the night sky and enjoy the darkness.

Tom Marquette- Trinidad Fire Chief

From a safety point, the streetlight helps emergency service personnel find your house.

Council comment included:

Baker: Balancing competing interests here. Lighting increases safety, but it's tough to decide against the numbers.

Davies: Agree with Baker.

*Motion (West/Baker) to direct staff to discontinue efforts toward addition of a new streetlight in the area of Azalea Way and Pacific Street. **Passed 4-0.***

3. Discussion/Decision regarding Ordinance 2013-02; Prohibiting Skateboarding in Saunders Park.

City Manager Suiker explained that law enforcement continues to have problems with a handful of skateboarders using Saunders Park as a skate park, and staff has received a number of citizen complaints about this problem. The area is posted "no skateboarding", and Deputy Hicks has repeatedly educated park users and encouraged compliance, however there are a few who continue to blatantly and repeatedly ignore these efforts at discouraging skateboarding. There is presently no ordinance or municipal code to enforce or give "teeth" to our law enforcement personnel, and the repeat offenders are well aware of the lack of an enforceable regulation.

To address the ongoing complaints, revision of the current Ordinance to prohibit skateboarding in the Trinidad Center (the area consisting of the Library, Museum and Park) is proposed for Council consideration. The proposed ordinance will, however, allow for the issuance of special permits for skateboarding in the park and surrounding area such as is done in concert with Trinidad Art Nights. These events are well-supervised and the sponsor has appropriate insurance to minimize liability on the part of the city. Continuation of these permitted events is recommended.

Public comment included:

Crystal Ortiz – Trinidad Area Resident

Our kids need a safe place to skate. The park is a safe place. The more we say no, the more we put these kids in troubling situations. We should focus our attention on the vandals, not the skaters. I enjoy and support my kids skateboarding activities. This is an era where kids don't get enough activity, and we should encourage the development of safe and legal places to skate.

Janine Volkmar – Trinidad Area

I may be the oldest skater in the room. I'm 64 and concerned with being knocked over by skaters in the park. I've tried talking to the kids. I've also spent a lot of time and energy helping the library get built and don't want to see the place vandalized.

Stan Binnie - Trinidad

Asked Lisa about modular ramps, and if there was a place where they could be installed on a periodic basis.

Katherine Burleson – Trinidad Area

I support the ordinance, and thank CM Suiker for presenting it. I only see skaters using the park. The intention of the park was for passive recreation, not to become a skatepark.

Robi Sclafani – Trinidad Area

I'm an advocate for the kids, and agree with Crystal. I appreciate that the Council supports finding an alternative location that is suitable for skating.

Laurie McDonald – Trinidad Area

I have two kids that skate. The laws should be enforced equally when they're in place, and I'm afraid Hicks will enforce them too much.

Kim Tays – Trinidad

I feel for the kids and would like to see a facility developed for them, but don't want to see or encourage vandalism at the Park.

Tom Marquette – Trinidad Fire Chief

Skateboarding is not a crime. We've never had to respond to a skateboarding incident hitting a pedestrian. Physical activity shouldn't be banned. Grinding and vandalizing should be enforced.

Lisa Espejo – Trinidad Skatepark Alliance

Skaters see the urban landscape differently than most people. We encourage physical activity and even considered purchasing an individual bench dedicated to skate on. We would like to see a place that is legal for them to skate.

Kurt Osborn – Trinidad

Kids skate when they want to skate. They don't schedule their skating around a mobile ramp schedule.

Council comments included:

Davies: I agree with ticketing vandals. I don't agree with banning skateboarding. If there are kids violating or damaging property, they should be ticketed and their parents involved in the citation. If they didn't want the park to become a skate facility, it shouldn't have been designed in such an attractive way to skaters. I can't support this ordinance.

Baker: The Museum Society agrees that destruction and vandalizing the park needs to stop, along with the profanity. Passing laws like this is not the answer. I like hearing the sound of skateboarding. I've grown used to it after living next to the school, and hearing the kids skate outside my front door. I support skateboarding in locations appropriate for that activity, but I also support whatever mechanisms are in place to discourage vandalism. This ordinance is not the answer. The Council should develop something that is more effective, but shows the Museum that the City is concerned.

Fulkerson: In Arcata, the City shaped it's policy for the Arcata Plaza based on activities that are safe for a two-year old. I have trouble feeling that there will be backlash if this ordinance is passed. Where are the girl skateboarders? There are many opportunities for kids to be active in Humboldt.

West: I agree that this ordinance isn't the answer, but we need to find a way to protect the peaceful users of the park.

No decision was made, but the following tasks were agreed to by consensus:

- *Vandalism enforced to the fullest extent.*
- *Get/Bring some skaters into the discussion before the decision is reached.*
- *West volunteered to work with Lisa Espejo to discuss options/alternatives to be brought back at a later date.*

4. Discussion/Decision regarding Policy Concerning Street Light Banners in City limits.

City Manager Suiker explained that at the meeting of April 10, 2013, the 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 submitted for consideration by the full Council.

Councilmember West explained that 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.

Councilmember West explained further details within the draft policy, and the changes that were made prior to the meeting.

Public comment included:

Stan Binnie – Trinidad

How will you distinguish between private or commercial interests? Who's going to determine when the banners need to be replaced?

Kim Tays – Trinidad

I like the plain, uncluttered look of the town without banners. What happens if the banner hardware damages the light poles? I don't like banners. They look cheap. If we're going to allow them, they should be on canvas, and for a very limited time period.

Tom Marquette – Trinidad

Has anyone considered the possible noise factor that banners may have on incredibly windy days?

Richard Johnson – Planning Commission Chairman

The Planning Commission only looked at 5 light poles for these banners to be installed. The poles can be insulated from the banner hardware with rubber gaskets. Suggested that applicants coordinate with the Clerk, and make sure the banner proposal gets to Planning Commission in advance. Applicant should also be responsible for lifting, installing, and removal of banners, as well as the fee for Planning Commission review. We may not want all groups that qualify to display their banners, and the distinction between non-commercial and non-profit needs clarification.

Council comment included:

Davies: We committed to proceeding with the Fisherman's Wives proposal, so let's move forward with it.

The Council agreed, by consensus, that the policy needed more details and discussion. No decision was made. Policy will be brought back to the Council at a future meeting.

5. Discussion/Decision regarding Committee Assignments

The Council briefly discussed the current assignments, and agreed to wait till Miller returned from vacation to make any final decisions.

XIII. ADJOURNMENT

- Meeting ended at 9:45pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Julie Fulkerson
Mayor