

SUMMARY MINUTES OF A SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JUNE 07, 2006

I. CALL TO ORDER/ROLL CALL

Mayor Lin called the meeting to order at 7:00pm. Present were Councilmembers Bowman, Heyenga, and Cuthbertson. Councilmember Marlow was absent. Also present was Greg Nesty of the Trinidad Rancheria.

II. PLEDGE OF ALLEGIANCE was omitted.

III. APPROVAL OF AGENDA

1. Mayor Lin stated that Agenda Item #1 as stated did not properly describe the MOU to be considered. Therefore the item should be removed from the agenda.
*Motion (Cuthbertson/Bowman) to delete item #1. **Passed unanimously.***

Cuthbertson asked Greg Nesty if there were a deadline for the MOU and Nesty said yes. Heyenga noted that since the item was no longer on the agenda, Mr. Nesty could explain the MOU as an Item from the Floor.

2. *Motion (Cuthbertson/Heyenga) to take Items From the Floor first. **Passed unanimously.***

IV. ITEMS FROM THE FLOOR

1. Greg Nesty - MOU with the Trinidad Rancheria

Mr. Nesty explained that the proposed MOU between the City and the Trinidad Rancheria was part of a package that must arrive at the Bureau of Indian Affairs in Sacramento by June 15. Winzler & Kelly are preparing the package and want to have all signed documents in their office by Friday, June 9.

Nesty explained that because of a federal transportation bill, Indian tribes need to maximize the miles of roads designated as Indian Reservation Roads (IRR). Such roads are not only on Reservations but also connect Reservations with other essential Indian facilities. For example, Highway 101 connects the Trinidad Rancheria with their North Coast Inn property and Caltrans has agreed to designate that portion of 101 as an IRR. Each agency signs a MOU with the appropriate Indian Tribe designating selected roads as IRR. Such a designation does not change ownership, authority, or any other control the local agency has over its roads. The designation only qualifies the designated road for federal funds if repairs need to be made. Indian Tribes through California are developing such agreements in order to increase or at least maintain their access to federal road funds. The agreement before the Council is patterned after the agreement with Caltrans, which Caltrans lawyers reviewed. Nesty agreed to fax the City a copy of the Caltrans MOU.

The Council recognized the importance of such an agreement and allowed questions from Councilmembers and the audience about this item. The Council then set a special meeting for Thursday, June 8 at 8:00pm to reconsider the MOU. Heyenga agreed to post the special meeting agenda before 8:00pm this evening to make the 24 hour posting deadline.

2. Jim Cuthbertson - water testing bill

Cuthbertson explained that a \$400 bill for water testing had actually been authorized by Council vote to be paid out of the Harbor fund.

V. AGENDA ITEM

1. Discussion/Decision to amend Resolution 2005-05; authorize the Mayor to sign State Water Board grant agreement amendments on behalf of the City. (Lin)

Mayor Lin explained that Resolution 2005-05, which authorized the Mayor to prepare and sign the original grant application, did not have a provision for amendments to the grant. The proposal is to amend Resolution 2005-05 to add the phrase "and amendments" to Resolved #2. This new Resolution, amending Resolution 2005-05 will be numbered 2005-05A so it can be filed with the original Resolution. Filing the amendment next to the original and will avoid confusion in the future.

Council comments:

Cuthbertson: will the grant pay for all water testing? Lin said yes, except \$3,000 for testing paid for from the Harbor fund. Lin said he would try to get as much testing paid for by the grant as possible.

Heyenga: questioned the formatting of the proposed Resolution 2005-05A and the Council agreed to let Heyenga reformat the Resolution.

Public Comment: none

*Motion (Bowman/Cuthbertson) to adopt Resolution 2005-05A which amends Resolution 2005-05. **Passed unanimously.***

VI. REQUEST FOR FUTURE AGENDA ITEMS

1. Brad Twoomey (and Stan Binnie) raised the issue of cellular communications companies doing work and installing equipment without Council knowledge or authorization. They gave the Council a list (attached) of alleged unpermitted additions or changes. They asked that this issue be placed on a future Council agenda. Lin noted that any Councilmember can sponsor an issue brought by the public. Heyenga agreed to discuss the issue with the two proponents but the Council took no action on the item.

VII. ADJOURNMENT

There being no further business before the Council, Mayor Lin adjourned the meeting at 7:44pm

Submitted by:

Approved by:

Dean Heyenga
Councilmember

Chi-Wei Lin
Mayor