

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JANUARY 10, 2007

I. CALL TO ORDER/ROLL CALL

- Mayor Lin called the meeting to order at 7:30PM. Council members in attendance: Binnie, Heyenga, Bhardwaj. **Miller - absent.**
- City Staff in attendance: City Clerk, Gabriel Adams; Police Chief, Ken Thrailkill; City Attorney, Jeff Guttero;

II. PLEDGE OF ALLEGIANCE

III. ADJOURNMENT TO CLOSED SESSION

IV. RECONVENE TO OPEN SESSION

V. APPROVAL OF AGENDA

Heyenga: Move consent agenda item 1 to regular agenda for discussion.
Motion (Heyenga/Binnie) to approve the agenda as amended. Passed 4-0.

VI. APPROVAL OF MINUTES

December 19, 2006 cc:
Motion (Heyenga/Bhardwaj) to approve the Minutes as amended. Passed 4-0.

VII. COMMISSIONERS REPORTS

Binnie - Parks and Recreation, Streets

Trails: Many bench plaques need replacement. There are a few benches that also need repair. High seas have eroded the foot of the ALM Trail. High winds during the December 28 storm fell a tree over the Parker Creek trail near the Sebring house. Section of the tree blocking the trail has been removed and the trail is open.

TR: (Tribal Relations): Working with City Engineer to develop a MOU for clean beach grant.

CCNM: (CA Coastal National Monument): Subcommittee met to discuss proposed info kiosk at Launcher Beach, and proposed informational brochure scheduled to be distributed at various locations throughout the City.

Heyenga - Public Safety

LHMC: (Local Hazard Mitigation Committee): Residents are invited to a meeting on January 18 at the Arcata Community Center in Arcata to view hazard maps.

Tsunami: The consultant that prepared the tsunami maps for the County is preparing a similar map for Trinidad. Once completed, the map will be presented to the community and incorporated into disaster planning.

Police: Revised dog ordinance will be brought to the Council in February. Final draft of fire and fireworks ordinances will be on the second meeting agenda in January.

FEMA: Trinidad does not participate in the National Flood Insurance Program. Coastal residents have asked the City to look into it. A special workshop may be scheduled in late January with a FEMA specialist.

IGC: (Indian Gaming Committee): First meeting will be held on February 21.

Bhardwaj – Health & Human Services, Planning

Health: Village Keepers kick-off meeting will be held on January 17 at Town Hall from 1-3pm. Thanked the Trinidad Trust Fund for donation of start up costs.

Planning: Met with Mayor Lin and City Planner to discuss long-term planning goals. It was agreed that a General Plan update should be considered in the next budget.

Lin – Water, Town Hall

Town Hall: A special meeting will be held to discuss the City's finances. Auditor Ralph Marcello will be asked to give a brief overview of the city's financial structure.

Park: Disadvantaged Business Enterprise (DBE) is complete. The City Engineer may now proceed with TEA infrastructure grant for park area.

Water: Power was out in Trinidad from December 27 – December 29. As tank levels dropped, the water department ordered a back-up generator from Peterson Caterpillar in Oregon. The generator was delivered, installed, and cost \$600.

Grants: City staff is completing grant application for the Clean Beach Initiative. The City Engineer will be asked to present the grant to the Council at the next meeting.

Miller – Finance - Absent

VIII. STAFF REPORTS

City Clerk/IWMC – Adams: Nothing to report.

City Attorney – Guttero: Nothing to report.

Police Chief – Thrailkill – Announced arrests, service calls, and statistics.

IX. ITEMS FROM THE FLOOR

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

Clay Johnson – Trinidad

Encouraged Trinidad City Council and residents to attend the Planit-Green conference scheduled for January 17 in Eureka. Development of a green building rating system for Humboldt County will be discussed.

Steve Ruth – Trinidad

The flag at the lighthouse should be replaced. Slip-out repair site at the corner of Edwards & Van Wycke St. is showing signs of movement. Asked the Council to take a proactive approach to stabilize the bluff before Edwards St. erodes away.

Glenn Saunders – Trinidad

The City lost money on its investments last quarter.

X. CONSENT AGENDA

1. A proposed ordinance to amend City municipal code Section 2.04.010 and 2.04.070 relating to Council meetings. (Lin)

Mayor Lin explained that the Municipal Code establishes the time, date and the order of business for regular Council meetings. The Municipal Code is inflexible and difficult to change. The proposal is to amend the City code to allow the Council to set the date, time, and order of business of Council meetings by resolution.

Public comment included:

Jim Cuthbertson – Trinidad

Last time we tried to change the meeting time there was a problem. We should be consistent.

Glenn Saunders – Trinidad

The system isn't broken. I agree with Jim that consistency is best. The Council should stick to a regular time and just keep it as is.

Kim Binnie - Trinidad

The Committee recommended the time change and agreed on 7:00pm.

Steve Ruth – Trinidad

Pass the resolution. Start earlier, end earlier.

Council comments

Bhardwaj, Heyenga, & Binnie all supported the proposal.

*Motion (Lin/Bhardwaj) to approve the proposed City Ordinance No. 2007-01; amending 1) Section 2.04.010 to allow time and date of regular Council meetings to be established by resolution, and 2) Section 2.04.070 to allow order of business of regular and special Council meetings to be established by resolution. **Passed 4-0.***

XI. AGENDA ITEMS

1. Discussion/Decision on creating Disaster Planning Preparedness budget item. (Heyenga/Thrailkill)
Heyenga explained that expenditures for disaster planning and preparedness will be needed now and in the future. For example, Trinidad was not included in the County's tsunami mapping program, even though a near-shore earthquake could produce devastating wave damage to Pacific Street homes, the harbor/pier/Seascape facilities, and even boats in the harbor. The consultant who produced other Humboldt County tsunami hazard maps can generate one for Trinidad for \$750. Having such a map will be important not only for public education but also as a basis for state or federal funding.

At this time there is no budget category from which to allocate the \$750. Having the "Disaster Planning and Preparedness" category will make such allocations easy to accomplish. \$750 is within the policy limit established by the Council as not needing Council approval. Larger allocations would come before the Council for discussion and approval. Regardless of the amount, good accounting practices require clearly designating from which account funds will be spent. We need such a category for disaster planning and preparedness.

No public comment.

*Motion (Heyenga/Binnie) to establish a "Disaster Planning and Preparedness" line item in the General Fund Police budget, effective immediately, and to allocate \$1,500 from the General Fund Unreserved Total Fund Balance for the new line item. **Passed 4-0.***

2. Discussion/Decision on a proposed ordinance to amend City Municipal Code Section 2.20.090 relating to the qualifications of Planning Commission members. (Lin)
Mayor Lin explained that currently, the City municipal code allows the City Council to "appoint one member of the Planning Commission from outside the City limits but within the City's sphere of influence, *in the even there are an insufficient number of qualified and interested applicants to serve on the Planning Commission*". The last statement practically eliminates anyone from outside the City to apply because they would be the lowest priority during the selection process. The proposal is to eliminate the last statement.

It is the City's advantage to have members of the Greater Trinidad Community serving on the Planning Commission. This will also provide an opportunity for citizens outside the City to participate in making planning decisions. Having members from the surrounding community participate in decisionmaking will bring our communities closer together.

Public comment included:

Glenn Saunders – Trinidad

The ordinance is fine as written. If we can't fill the vacant seats with Trinidad residents, then we can look outside the City limits. Trinidad residents should have first choice.

Tom Odom & Jim Cuthbertson – Trinidad

I agree with Mr. Saunders. Don't modify the ordinance.

Patti Fleschner – Trinidad

I support the proposal. It encourages competition and has the potential to energize the community. There are people who love Trinidad (who live outside the City) that would love to serve and have their voice heard.

Steve Ruth – Trinidad

Trinidad is getting older and greyer. I support the proposed change to the ordinance. It doesn't "require" that we appoint someone from beyond the City limits, it gives us the opportunity to.

Mike Morgan – Trinidad

I would trust that the Mayor would use good judgement in selecting a potential commissioner from outside the City limits.

Jim Gould – Trinidad

Submitted his comments in writing (read by Heyenga). Disagreed with the proposal. Argued that it gives more power to officials and disenfranchises City residents.

Council comments

Heyenga: It's reasonable to let people make decisions about your property if they're connected to you. People outside the City limits don't have to live with our regulations. Turning over power to people who aren't subject to the same regulations is not good government. We can encourage their participation in other areas – water, human services, committees, etc, but Planning Commission seats should be reserved exclusively for City residents.

Lin: The City could not survive at its current capacity without the support of the surrounding communities. They live in our sphere of influence and we have a say in thier development. They will only have one vote.

Binnie: Exactly what is our sphere of influence?

Heyenga: Explained that the sphere of influence is defined in the General Plan. It includes only a few small parcels adjacent to Westhaven Drive just east of town. Adopting the proposal as written would restrict us finding commissioners within this small area.

Bhardwaj: Looks like we don't have enough info to make this decision tonight.

Mayor Lin withdrew the motion for further study.

3. Discussion/Decision on conceptual design for branch library building. (Heyenga)

The design of the branch library has yet to be determined. The County determined that a 2000 sq. ft. branch library will meet Trinidad's needs for the next twenty years. Our branch library serves several thousand people in the surrounding region in addition to Trinidad residents. The library building will be built with funds raised from local residents, regional gifts, local foundations, and grants. Once built, the title to the building will be turned over to the HNCLT, which will then develop a triple-net lease with the City for the building's operation and maintenance.

The issue before the community is: which building design will best serve community needs? Two general options (designed by Councilmember Heyenga) have been proposed:

1. A 2000 sq. ft. building which serves as a library only
2. A 2000 sq. ft. library with additions to allow the building to have more community uses

Several individuals and community groups have already considered the options and stated their preference. The City Council is being asked to evaluate the different designs and decide which, in our opinion, will best serve the community. Our decision will help build a community consensus.

Public comment included:

Tom Odom – Trinidad

Does the library committee know about this discussion? The Council should wait to hear from a library member before making any decision. Councilmember Heyenga is not an authorized representative of the library.

Jim Cuthbertson – Trinidad

Why are we discussing this if the building doesn't belong to the City?

Patti Fleschner – Trinidad

When the library plans go before the Planning Commission, the community will have a chance to comment on the proposal and the City will have an opportunity to participate in the design. No one's hands should be tied. The library doesn't even have a plan yet. This proposal is premature.

Kim Binnie - Trinidad

I agree with Tom and Patti. The library committee should be here and make their recommendations before the Council makes any decisions. Site planning and traffic congestion should also be considered.

Council comments:

Mayor Lin: At the last joint planning meeting, the Library group asked that the meeting room be eliminated from the proposal. They voted unanimously to limit the footprint of the building to 2000sqft and directed their architect to redraw the site plan. If we're not contributing development funds, why should we tell them how to build.

Heyenga: The design of the library should be a community decision. If the City will pay for it, the City should make its recommendations. The Council is being asked to evaluate proposals. The Land Trust and Civic Club have given their feedback.

Bhardwaj: This is also a question of fundraising. I don't feel qualified to estimate how much money the community can raise for the project. If we recommend the larger building – and the funds raised fall short – I would feel morally obligated to contribute and make up the difference. I don't think we're in the position to make that kind of decision tonight.

*Motion (Heyenga) to endorse the design option as the one that best suits community needs and the one that should guide construction planning. **Motion failed due to lack of second.***

Motion withdrawn.

4. Discussion/Decision on establishing a policy to regulate the use of City letterhead, website and email list by individual Council members. (Bhardwaj)

Councilmember Bhardwaj explained that during tenure of the previous Council, disagreements arose about how public contacts should be made. Individual members used the City letterhead stationary, City website, or City Email list to contact the public. Other members felt this practice was inappropriate. This resulted in conflict on the Council. In addition, the public may have been confused as to the source of the communication; did it represent the City, or the individual Council member?

There has been instances when more than one member of the Council used City letterhead to write to the same person. The recipient received two letters on City letterhead, but the letters disagreed with each other. This situation does not reflect favorably on the City. The proposal is to establish a clear policy in order to prevent future misunderstandings.

Public comments included:

Richard Johnson – Trinidad

Someone should check the ethics code to see if guidelines are already incorporated. If not, maybe they should be?

Kim Binnie – Trinidad

We should also create ways to identify the sender of email newsletters.

Council comments:

Heyenga: I would be interested in volunteering to assist on the committee.

Lin: We should look into other cities policies first. Maybe the citizens committee should work with the City Clerk.

Binnie: This certainly is an area that needs to be clarified.

Motion (Bhardwaj/Binnie) to direct the City Clerk to select 2 members of the public to draft a policy regarding the appropriate use of City letterhead, website, and email list by Councilmembers. The draft policy will be submitted to the Council for consideration at a future meeting. Passed 4-0.

XII. ADJOURNMENT

- Council meeting ended at 9:55pm.

Submitted by:

Approved by:

Gabriel Adams
City Clerk

Dean Heyenga
Mayor