

**MINUTES OF THE CONTINUATION MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, DECEMBER 06, 2006**

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

- Mayor Heyenga called the meeting to order at 7:30PM. Council members in attendance: Marlow & Lin. **Bowman & Cuthbertson – absent.**
- City Staff in attendance: City Clerk, Gabriel Adams; Police Chief, Ken Thrailkill.

**II. PLEDGE OF ALLEGIANCE**

**III. ADJOURNMENT TO CLOSED SESSION**

**IV. RECONVENE TO OPEN SESSION**

**V. APPROVAL OF AGENDA**

*Motion (Lin/Marlow) to approve the agenda as submitted. Passed unanimously.*

**VI. APPROVAL OF MINUTES**

No minutes to approve.

**VII. COMMISSIONERS REPORTS**

Marlow – Parks and Recreation, Streets

**Streets:** Van Wycke Street residents continue to throw vegetation over the bluff, which contributes to bluff instability and is not advised.

Pacific St. repair is complete. The project cost approximately \$3000, and consisted of regarding, and improvements to the existing concrete berm in front of the Osborn residence. Azalea Street improvements will be more complicated. The road base is riddled with large islands of concrete that were once part of the old pavement. These segments must be removed prior to re-grading the roadway. The City Engineer advised that the project is more cost effective to do in the Spring when both Azalea and Parker Streets can be done at the same time.

Traffic Calming Committee: The Committee's recommendations have been forwarded to the City Engineer for incorporation into the Safe Routes to School grant application.

**Gateway:** Various artists proposals for the interpretive element of the Gateway project are currently under review.

Bowman – Police, Harbor: **Absent**

Heyenga – Fire, Planning (Read by Councilmember Cuthbertson)

**Planning:** No meeting in December. The issue regarding illegal secondary dwelling units will be discussed beginning in January 2007.

**Fire:** The Fire Department is recruiting volunteers. See the City Clerk for details.

**Town Hall:** The Trinidad Civic Club has graciously agreed to donate the heavy particle board tables in Town Hall to the Bayside Grange and Larrupin's Cafe. Arrangements are being made to have the tables picked up. Additional tables will need to be purchased to seat people for large events.

The City's Budget Booklet is now available on the City's website.

Lin – Water, Town Hall

**Town Hall:** Proposals for Town Hall improvements are still being accepted. The projects will be discussed in January.

**Saunders Park:** Our application for a recycled rubberized walking path in the Saunders Park area was accepted for funding by the California Integrated Waste Management Board. Approximately 70 projects were submitted, and only about 30 were selected. The winning applications were drawn from a lottery system. Trinidad was one of the lucky ones!

Cuthbertson – Finance: **Absent**

### **VIII. STAFF REPORTS**

City Clerk/IWMC – Adams:

**Election:** Announced the results of the election as listed in Resolution 2006-15, slated for approval by consent.

**Recycling:** Thanks to Glenn Saunders who's allowing the City to accept Christmas Trees for recycling through January 15 on a corner of his property located at the intersection of Murphy's Alley and View.

City Attorney – Guttero: **Absent**

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.)*

**Glenn Saunders** – Trinidad

Thanked the outgoing Councilmembers for their years of service and congratulated the incoming Councilmembers. Criticized the Council for quickly spending the money earned from the sale of property. Criticized the City for having too many vehicles in its fleet.

**Tom Odom** – Trinidad

Echoed Saunders comments. He also added that the new Council should not focus only on Trinidad Head cell issues and concentrate on the Tsurai Village Site Management Plan. He explained that the natives should be given the right to manage their land, but the town's southern view must be preserved.

### **X. CONSENT AGENDA**

1. Resolution 2006-15; Canvassing returns and declaring result of the General Municipal Election held on Tuesday, November 07, 2006.

*Motion (Lin/Marlow) to approve the Consent Agenda. **Passed unanimously.***

### **XI. AGENDA ITEMS**

1. Ceremonial recognition of departing Councilmembers and swearing in of new Council members. (Council)  
*Mayor Heyenga administered the oath of office to the new Councilmembers; **Stan Binnie, Dwight Miller, and Kathy Bhardwaj.***
2. Discussion/Decision on selection of Mayor and Mayor Pro Tem. (Council)  
*Councilmember Binnie nominated Chi-Wei Lin for Mayor. **Passed unanimously.***  
*Councilmember Heyenga nominated Stan Binnie for Mayor Pro-Tem. **Passed unanimously.***

3. Discussion/Decision on procedure to determine Commissionerships and representatives to regional organizations. (Heyenga)

Mayor Heyenga explained that the first issue is whether all Commissionerships are "on the table" for reassignment or just those of the Councilmembers leaving office. Since it takes many months to become familiar with some departments, it makes little sense to reassign a Commissionership from a continuing Councilmember unless he wants to change assignments. So, the first proposed procedure is:

*1. When Councilmembers leave office due to an election, their Commissionerships shall be reassigned to incoming Councilmembers. Continuing Councilmembers may ask to change Commissionerships before the new assignments are made. Commissionerships may be assigned in any combination and not necessarily the combination previously held by departing Councilmembers.*

Once the list of Commissionerships to be assigned is known, the Mayor shall ask Councilmembers to submit their preferences in writing. If more than one Councilmember asks for the same Commissionership, the Mayor will informally discuss with each their reasons and try to accommodate them. If the requests cannot be resolved the issue will be decided by drawing lots. That way the Mayor will not be forced to choose between Councilmembers and the issue will be resolved objectively. The next procedure therefore would be:

*2. Councilmembers shall submit requests for Commissionerships to the Mayor. In the event two or more Councilmembers request the same Commissionership and the issue cannot be resolved by informal discussion, the Councilmembers will draw lots to determine assignments.*

After Commissionerships are agreed to, the Council should take formal action to announce the assignments in public. An unexpected Council vacancy before a term is completed is another matter. The member appointed to fill the vacancy could just assume the Commissionerships of the member he replaced or the Council could consider other reassignments. At this time no policy is proposed to cover this situation.

Public Comments:

**Carol Rowe** – Trinidad

Can the Council discuss alternative proposals tonight?

**Pat Lusk** – Trinidad

Why are we trying to fix a system that isn't broken to being with? This seems unnecessary.

**Tom Odom** – Trinidad

The traditional procedure hasn't ever been a problem in the past. What's the deal?

Council comments:

**Mayor Lin:** The traditional method of asking and negotiating with new councilmembers has the potential for the best outcome and is fine as-is. The system doesn't need to be fixed, or controlled by another policy. Councilmembers submit their requests to the Mayor. The Mayor considers their requests, and develops the most effective administration of duties, and resolves – through negotiation - any conflicts that may arise.

**Bhardwaj:** Councilmembers should be prepared to inherit new commissionerships after each election, and therefore shouldn't limit their scope of knowledge to any one department. It's not the best idea to have a fragmented government.

*Motion (Heyenga) to establish a policy that authorizes the Mayor to assign commissionerships based on Councilmembers requests. Conflicts shall be resolved by drawing lots. **Motion failed due to lack of second.***

*Motion (Lin/Binnie) that Councilmembers submit their commissionership requests to the Mayor for consideration. The Mayor will negotiate with councilmembers, and councilmembers may discuss amongst themselves in order to reach an agreement. If conflicts arise, the Mayor is authorized to make the final decision. **Passed 4-1. No-Heyenga.***

4. Discussion/Decision on Recommendations by the Citizen Committee on Council Meeting Procedures. (Lin)

Councilmember Lin explained that the Citizen Committee on Council Meeting Procedures completed its assignment and submitted a recommendation to the Council for consideration.

Currently, the Council is operating without a properly adopted meeting procedure since the previous procedure (Resolution 2002-18) was rescinded. The Council should act promptly to adopt a meeting procedure to guide its future meetings.

The Citizen Committee's recommendation calls for reinstating the Resolution 2002-18 and modifying it to incorporate items of the recommendation. Mayor Lin proposed appointing a subcommittee – nominating himself & Miller - to draft a Council Meeting Procedures by amending the Resolution and considering the Citizen Committee's recommendations. A draft will be introduced in two phases. The first part will be brought back to the Council at the second meeting and focus primarily on Agenda Submission & Preparation Guidelines. The second part will focus on Meeting Procedures.

Public comment included:

**Carol Rowe** – Trinidad (CCCMP Representative)

The recommendations submitted to the Council were intended as non-negotiable. The committee carefully deliberated the issues and made their recommendations in their entirety. She highlighted a few of the main recommendations and gave brief descriptions of their intent.

Mayor Lin responded, stating “that’s not how the Council does business”. He noted that the committees created by the Council are charged with providing guidance through recommendations, not policy.

**Tom Odom** – Trinidad (CCCMP member)

The reason that the section pertaining to Council minutes was included to avoid the “he said, she said” nonsense and speed things up.

**Brad Twoomey** – Trinidad (CCCMP member)

The purpose of our suggestions are to speed up the meetings and to encourage greater participation from the public. The recommendation of having the City Clerk create the agenda was to preserve agenda neutrality as much as possible.

**Mike Morgan** – Trinidad (CCCMP member)

If the subcommittee is created, I hope they meet with the original committee to gain a better understanding of the recommendations.

Council comments:

**Heyenga:** 1) Paper minutes are the most important and reliable form of archiving. The tradition must be preserved.  
2) Giving the responsibility of creating agendas to the City Clerk is problematic. I don't support this recommendation.  
3) It might be illegal for the Council to present their voting preference prior to hearing public comment.

**Miller:** Summarized Lin's proposal and agreed to participate in the sub-committee. Thanked the CCCMP for their recommendations.

**Bhardwaj:** Acknowledged the diverse make-up of the committee, and how well they worked together to reach their consensus. The Council should at least give it a try for 2 meetings and see how it goes.

**Binnie:** Noted that the previous council's inability to function efficiently was the primary reason this committee was formed.

Motion (Lin/Heyenga) to appoint councilmembers Lin & Miller as a sub-committee to draft a Council meeting procedure combining Resolution 2002-18 and the recommendations made by the (CCCMP). The sub-committee will bring back part one (Agenda Submission & Preparation) of their recommendation at the special meeting on December 19. **Passed unanimously.**

5. Discussion/Decision on Council meeting schedule for December. (Lin)

*The second regular monthly meeting will be held on Tuesday, December 19, 2006 at 7:00pm.*

6. Discussion/decision on approving fund for the purchase of an used truck to replace a disabled one for Water Department and Public Works. (Lin)

Councilmember Lin explained that Public Works Director Ponniah has informed him that the old Nissan pick-up truck currently used for the Water Department and Public Works is in constantly breaking down and costing too much to maintain. He requests that the City acquire another used truck as a replacement. The request is for the Council to approve spending not more than \$6,000 for the purchase and outfitting of a new, used truck. The expenditure will be evenly divided between the Water Department and the Public Works.

Public comment included:

**Glenn Saunders & Tom Odom** – Trinidad

There's no reason why the Public Works department needs a third vehicle. The department employees should share a vehicle.

**Kim Binnie & Carol Rowe** – Trinidad

The City should strongly consider fuel efficiency as a priority when selecting new vehicles.

Staff Comment Included:

**City Clerk Adams:** The third vehicle is not something new. The department has had 3 vehicles for at least 6 years. Our Public Works crew needs this vehicle not only as a back-up, but also so that Buckman doesn't have to shuttle one person at a time to separate parts of town when all part-time workers are called up to work. Furthermore, Buckman and Ponniah have always been issued their own personal vehicles. They both live within 1 mile or so of the City and by no means are frivolous in terms of the way they drive them. They are required to be on call 24 hours a day, and must be able to respond at a moments notice. Having their vehicle and all their tools on hand is critical to operating the Water and Public Works department efficiently. Part-time workers should not be required to haul the City's garbage in their personal vehicles. If our crew is asking for a minimal \$6000 for a tool that will help them perform their jobs better, the Council should give their request serious consideration.

**Bhardwaj:** I don't know enough about our Public Works Department to understand the necessity of this third vehicle. I will spend some time orienting myself with their department in the future, but in the meantime I can't see why not to support this proposal.

**Miller:** Ponniah is an incredible asset to this City. It's obvious that our Public Works crew is not trying to get rich off Trinidad or take advantage of the City. They do a great job, and we should help them do their job.

**Lin:** We should avoid micromanaging our staff. They do a great job and we should help them.

**Heyenga:** Supports the proposal, but asked that the City try to get as much revenue as possible from salvaging the old vehicle.

*Motion (Lin/Miller) to approve spending up to \$6000 for the purchase and outfitting of a used truck to service the Water Department and Public Works. The expenditure will be divided evenly between the two departments.*

**Passed unanimously.**

## XII. ADJOURNMENT

- Council meeting ended at 9:40pm.

**Submitted by:**

**Approved by:**

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**Gabriel Adams**  
City Clerk

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**Dean Heyenga**  
Mayor