

**MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, MARCH 14, 2007**

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

- Mayor Lin called the meeting to order at 7:30PM. Council members in attendance: Binnie, 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 – No closed session.**

**IV. RECONVENE TO OPEN SESSION**

**V. APPROVAL OF AGENDA**

*Motion (Binnie/Bhardwaj) to approve the agenda as submitted. Passed 3-0.*

**VI. APPROVAL OF MINUTES**

- No minutes to approve

**VII. COMMISSIONERS REPORTS**

Binnie - Parks and Recreation, Streets

**Trails:** A total of 20 new aluminum plaques have been installed on the commemorative benches along the Trinidad Head trail, and one bench has been repaired.

The Wagner Street trail was mowed to its required width on Sunday. Met with John Frame on Saturday and had a long conversation about the trail. The easement across the trail entrance belongs to the HNCLT. Plans to meet with the HNCLT in the near future to see what can be done, if anything, to resolve Mr. Cuthbertson's concerns about the posts that mark the entrance of the trail.

**TR:** Thanked the TPD for the apprehending the Tsurai grave robber.

Bhardwaj – Health & Human Services, Planning

**Health:** Nothing to report.

**Planning:** Feb.15 meeting highlights: An amendment to the Rheinshcmidt project on Berry Road was approved. First 5 Humboldt commented on the correlation between the lack of childcare facilities and zoning. Resident Kathleen Lake stated that the complaint she submitted last year was ignored by the City. She insisted that the City look into the issue and requested a response. Lastly, communication between the City Council and Planning Commission needs improvement.

Lin – Water, Town Hall

**Town Hall:** City Attorney Guttero will not be seeking to renew his contract with the City. Mayor Lin thanked him for his service and success. The City must now recruit a new attorney, and will place an ad in the local newspapers soliciting resumes and letters of interest.

**Grants:** **Water Quality** 1) City Planner Bob Brown was granted \$330,000 in funding for OWTS program. 2) ASBS project is moving forward. Mayor Lin presented a progress report to the State and partner agencies in La Jolla, CA last week. He was pleased to announce that Trinidad has advanced ahead of the other agencies.

Miller – Finance - Absent

## VIII. STAFF REPORTS

City Clerk/IWMC – Adams: Commended the new City Councilmembers for doing a great job so far.

**Waste Management**: Every year in March the City is required to complete an electronic report to the California Integrated Waste Management Board. The report brings Board up to speed on the progress of programs identified in a Waste Reduction plan adopted by the city in 1994. Many of the programs simply require participation and/or support in shared programs throughout the county, but the City is responsible for reporting on its own programs as well.

The most important information in that report, however, is the diversion rate. The diversion rate is calculated by comparing the reporting year data with a base rate that was determined by a survey taken back in 1994. Trinidad's garbage is weighed and recorded as it passes over the scale at Humboldt Sanitation. In 1994 the State passed legislation mandating that all cities would reduce that amount by 50% in 10 years, or 2004. **Trinidad's diversion rate was 70% for 2005.**

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.)*

**Jim Cuthbertson** – Trinidad

Asked Mayor Lin why he kept the names of one city council candidate confidential until the filing date closed. Mayor Lin denied the accusation and explained that there must have been a misunderstanding. Cuthbertson also asked what the City was doing about the 4x4 posts that were installed in the Wagner Street trail opening that he claimed violate the settlement agreement.

**Mike Morgan** – Trinidad

Asked the Council to consider purchasing the Provolt building.

## X. CONSENT AGENDA

1. Second Reading: City Ordinance #2007-03 amending section 2.20.090 of the Trinidad Municipal Code, relating to the qualifications of Planning Commission members. (Lin)
2. Resolution 2007-03; Amending City of Trinidad resolution #2003-20, updating authorized signers for the city's local agency investment fund. (City Clerk)
3. Resolution #2007-03; Updating authorized signers for Trinidad's LAIF account. (City Clerk)
4. Resolution #2007-04; Updating authorized signers for Trinidad's checking accounts. (City Clerk)

*Motion (Bhardwaj/Binnie) to approve the consent agenda. Passed 3-0.*

## XI. AGENDA ITEMS

1. Discussion/Decision regarding appointment of a new City Council member to fill the remaining term of a vacancy on the City Council. (Lin)  
Mayor Lin announced that a City Council vacancy occurred as a result of Dean Heyenga's resignation on February 15, 2007. At a special meeting held on February 19, 2007, the Council decided to fill the remaining term by way of appointing a new Council member. A vacancy announcement was posted from February 20 to March 7, 2007. The City received letters of interest from the following individuals; Julie Fulkerson and Carol Rowe.

**Julie Fulkerson**: I moved to Trinidad in the 1960's. I miss the diversity the Trinidad once had when more fishermen lived in town. I would like to see the charm and small town character of Trinidad preserved, and it would be an honor to serve the City alongside the new council.

**Carol Rowe:** I'm new to town, but plan to stay forever. I bring a fresh perspective and love the community. There are 4 brilliant individuals currently seated on the Council, and I would like the opportunity to serve with them.

**Bhardwaj:** This is overwhelming. Fulkerson has one thing that the rest of us don't have – she's been here most of her life. To have someone like her on the Council now in this transitional period is important. Also, having 3 people on the Council that are also affiliated with the Friends of Trinidad Head may not be good. Rowe's skills may be critical in future issues facing Trinidad. Finally, we encourage participation in City government, but I can imagine how frustrating it is when you get turned down multiple times. Rowe has now been passed over for both Planning Commission and City Council positions. I recommend appointing Fulkerson to the City Council tonight, but with that a position will be open, once again, on the Planning Commission. I insist that if Rowe is interested in serving on the planning commission, she should be considered.

**Binnie & Lin** seconded Bhardwaj's comments.

*Motion (Lin/Binnie) to nominate Julie Fulkerson as City Councilmember. **Passed 3-0.***

2. Discussion/Decision on a proposed resolution to establish new dates and time for regular City Council meetings. (Lin)

Mayor Lin explained that over the past four years, the City held two regular Council meetings each month. The first meeting of the month is held on the second Wednesday and the second meeting on the fourth Tuesday. This schedule has caused residents a considerable amount of confusion. This may be one of the reasons for low participation in some of the Council meetings.

Currently, all regular Council meetings start at 7:30 PM. Due to the late starting time, meetings often end late. The Citizen's Committee on Council Meeting Procedures, appointed in late 2006, recommended starting the meetings earlier so that they could end earlier.

The proposal is to pass a resolution that establishes a new day and time for regular Council meetings. *Beginning April 1, 2007, regular City Council meetings shall be held on every second and fourth Wednesday of the month and the meetings shall start at 7:00 PM.*

Public comment included:

**Glenn Saunders** - Trinidad  
Meetings should end at 10:30pm.

**Jim Cuthbertson** – Trinidad  
Agreed with Saunders.

*Motion (Lin/Binnie) to adopt Resolution #2007-05; Beginning April 1, 2007, regular City Council meetings shall be held on the second and fourth Wednesday's of the month and begin at 7:00pm. **Passed 4-0.***

3. Discussion/Decision on revised budget for Town Hall improvements. (Binnie)

Binnie explained that a Town Hall remodeling committee of 5 individuals was formed in February. Their first decision was to remove the paneling that was covering the walls so that we could better assess the repair/restoration of the original wall coverings and to allow for a better assessment of the electrical wiring needs.

It was determined that restoration of the walls could be done with volunteer labor, and much of that work has been done. The committee has come up with the following revised estimates for the Town Hall project:

- a. Purchase/installation of 6 new hanging fixtures, 12 recessed lights, lights pointed at stage, and 2 new exit/emergency lights. **\$4500**
- b. Electrical wiring/receptical upgrade. **\$1500**
- c. Purchase and installation of two new windows and a door on the south side of Town Hall. **\$1000.00.**
- d. Extension of stage/storage. **\$2500.00.**
- e. New entrance doors/light/ceiling in foyer. **\$1000.**

The committee is seeking approval of expenditures from the City Government Building Fund so that we may proceed with these projects.

Public comment included:

**Margaret & Gene Hughes** – Arizona/Trinidad

Thanked the volunteers for all their hard work on the Town Hall. The building has never looked better.

**Glenn Saunders** – Trinidad

Stage wiring should be prioritized. **Jim Cuthbertson** agreed. Mike Morgan responded, stating the circuit has been closed, and safety is a priority.

*Motion (Fulkerson/Lin) to approve Councilmember Binnie's \$11,000 Town Hall improvement budget proposal.*

**Passed 4-0.**

4. Discussion/Decision regarding donation of a 2002 Chevy Corvette to the Trinidad Police Dept. (Thraikill)  
Police Chief Thraikill explained that on January 30, 2007 Mr. Richard Gonzalez came into Trinidad City hall where he and City Clerk Gabe Adams were discussing city business. Mr. Gonzalez had telephoned the City Clerk earlier in the morning and notified him that he was coming in to donate his vehicle to the police department.

Mr. Gonzalez stated that he was donating the vehicle to the police department to help educate local children about the dangers of vehicles. Mr. Gonzalez signed a document prepared at the time with his wish to donate the vehicle to the police department.

Based on the fact that this was a rare occurrence, and the value of the donation, I contacted the City Attorney. Guttero advised that he could draft a letter to Mr. Gonzalez clarifying his intent with his donation. We would also have a waiting period of 30 days to ensure that if Mr. Gonzalez had second thoughts about his donation, the vehicle would be returned to him.

On February 21, 2007, Mr. Gonzalez came into the TPD with the DMV title to the vehicle and signed it over to the City of Trinidad. I advised him of the letter by the City Attorney and he stated that he had not seen the letter at that time. He stated that he had not changed his mind and wished that the police department put the vehicle to good use. The current value of the vehicle is approximately \$31,000.

The Police Chief informed the Council that the proposal is to accept the donation, and make it an educational vehicle. Other agencies in Humboldt County support the idea.

Public comment included:

**Richard Gonzalez** – Samoa Peninsula (Oasis Water Delivery)

I admire Police Chief Thraikill and believe he is an honest and respectable law enforcement officer. I trust he will use the car as I intended - to promote safe driving to local youth.

**Fulkerson:** Thanked Mr. Gonzales for such an extreme act of generosity.

*Motion (Lin/Bhardwaj) to accept the donation of a 2002 Chevy Corvette by Richard Gonzalez to the City of Trinidad for use by the Trinidad Police Department as an educational vehicle as desired by the donor. Passed 4-0.*

5. Discussion/Decision on authorizing the City to correspond with owner of a parcel of land adjacent to Trinidad City limits to express our interest in acquiring this property. (Binnie)  
Binnie explained that coastal redwoods (sequoia sempervirens) are a significant part of the history, beauty and natural environment of the Trinidad area. It has been brought to the City's attention that a timber harvest permit (THP) has been applied for by the owner of a parcel of land just south of the city limit boundary on Westhaven Dr.

This parcel of land contains some of the largest second-growth redwood trees in the Trinidad area and provides an important buffer for wildlife habitat. It is located adjacent to the Trinidad City limits and could be a potential park site for the City similar to the Arcata Community Forest. The owner has applied for a THP, so in order to preserve these trees, the City needs to act quickly. Erosion and subsequent runoff from timber harvesting activities would have a

detrimental effect on Parker Creek and add pollution to Trinidad Bay. The proposal is that the City contact the owner to determine if this property is available in its present condition and, if so, what the asking price would be.

Possible funding sources for purchase of this property would include the State of California Land and Water Conservation Fund, Save-the-Redwoods League, Humboldt North Coast Land Trust, The Nature Conservancy and from local contributions.

Public comment included:

**Brent Twoomey** – Trinidad

The Kidder family owned these parcels for decades. I encourage the City to work with the current owner (Kenneth Parker of Placerville, CA) in order to protect the redwoods on the property. The trees are some of the last few older redwoods adjacent to the City limits.

*Motion (Binnie/Bhardwaj) to authorize the City Clerk to contact Mr. Kenneth Parker of Placerville, CA to express the City's interest in acquiring his property, located adjacent to the city limits on Westhaven Drive. **Passed 4-0.***

6. Discussion/Decision regarding Trinidad Police Department Facility Proposal Agreement. (Thraikill)

Police Chief Thraikill explained that in 2006, the Trinidad Police Department and the City Council began working together to address the issue of having a more permanent facility for the Trinidad Police Department. Currently the TPD leases its office space next to town hall from Paula Provolt for \$550.00/month. In 2006 the commercial building was placed on the market to be sold by Provolt.

The City Council and TPD applied for and received a \$50,000 grant from the Indian Gaming Committee to be spent on the development of a new police facility. In 2006, Dean Heyenga and Richard Johnson looked for potential sites in which we could build a facility on city property. With a limited amount of space, we only had a few options available to consider. Of the potential sites, we identified 4 locations:

1. Old police facility next to town hall and the tennis court.
2. Trinidad Library (new site)
3. Trinidad Museum (new site)
4. Trinidad Museum (Old Site/529 Trinity Street)

Chief Thraikill recommended that the old Trinidad Museum site (529 Trinity) would be the best site to move the police department with the overall goal to purchase the property at the end of a term lease with the property owner (Patti Fleschner). The recommendation is based upon the following:

1. Location is centrally located near government facilities in town.
2. Location meets department needs (800 sqft)
3. Cost to adapt interior needs can be done for around \$25,000 (paid for by Indian Gaming funds).
4. Long-term lease agreement (\$400/month = \$4800 for 5 years paid for by Indian Gaming funds).
5. Savings of \$33,000 over the next 5 years to the City from its current lease (since rent would be paid from Indian Gaming funds instead of General Fund.)
6. Provides a goal for the City to look for grants or loans to purchase property.

Public comment included:

**Jim Cuthbertson** – Trinidad

Don Blue suggested that the zoning might be a problem. Has anyone looked into this?

**Bryan Rosen** – Trinidad

I'm concerned with aesthetics. I don't want to see more residential areas flooded with lights and chain link fencing.

**Kim Binnie** – Trinidad

Agreed with Bryan Rosen.

Council comment included:

**Binnie:** Of all the options presented, this one looks best. Zoning might be a problem.

**Kathy:** If this location is selected, I would like to see the rustic character preserved.

City Attorney Guttero advised the Council to have an attorney review any draft lease-option.

*Motion (Bhardwaj/Fulkerson) to authorize the Chief of Police to:*

1. *Enter into a lease-option agreement with Patti Fleschner for 529 Trinity Street (Old Museum).*
2. *Expend Indian Gaming Funds to outfit the police facility and pay the monthly lease. **Motion passed 4-0.***

## **XII. ADJOURNMENT**

- **Council meeting ended at 9:40pm.**

**Submitted by:**

**Approved by:**

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**Gabriel Adams**  
City Clerk

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**Chi-Wei Lin**  
Mayor