

**MINUTES OF THE SECOND REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**WEDNESDAY, JANUARY 24, 2018**

**I. CALL TO ORDER**

Mayor Rotwein called the meeting to order at 6:00 pm. Council members in attendance: West, Ladwig, Rotwein, Miller, Baker. City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

**II. PLEDGE OF ALLEGIANCE**

**III. CLOSED SESSION – *No closed session.***

**IV. CLOSED SESSION REPORT – *No closed session.***

**V. APPROVAL OF AGENDA**

*Motion (Miller/West) to approve the agenda as written. Passed unanimously.*

**VI. APPROVAL OF MINUTES – 12-13-17 cc**

*Motion (West/Ladwig) to approve the minutes as corrected. Passed unanimously.*

**VII. COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS**

**West:** HCAOG – Continued discussion regarding Little River Trail project.

**Baker:** Alternate Ladwig will be taking over Baker's position as primary committee rep.

**Miller:** RCEA – Biomass contract with Fairhaven, types of energy and how it's produced, and wind energy grant discussion.

**Rotwein:** Trinidad Trails Committee will be recommending that the City consider reversing the no dogs on Trinidad Head policy. Meeting with the Rancheria regarding the Galindo Street Trail, Tsunami Siren. Asking the County to prohibit commercial grows in the surrounding watershed. Met with State Lands Commission representative regarding the Harbor Lease. Measure Z applications are due in January.

**Ladwig:** HTA – recognized a person honored for saving someone from a burning vehicle. RREDC – United Airlines offering a direct flight to LA.

**VIII. STAFF REPORTS**

City Manager Berman's written staff report was included in the packet. Various highlights included 1) Thanked the Trinidad Rancheria for offering the space and solution to relocate the Civic Club Memorial Lighthouse until a permanent location is determined, 2) Luffenholtz Creek flow monitor installed and collecting data, 3) The City has reached out to the Trinidad Rancheria & Yurok Tribe to gather information on cultural resources that may be located within the Galindo Trail area. A meeting scheduled with BIA representatives was canceled due to a government shut down and will be rescheduled sometime in February, 4) A letter was sent to the County as authorized by the Council regarding cannabis cultivation in the Trinidad planning area.

**IX. PROCLAMATIONS and RECOGNITIONS**

1. Proclamation 2018-01 in support of declaring February 18, 2018 as Engineer's Week.

*Motion (Miller/West) to approve the Proclamation. Passed unanimously.*

2. Resolution 2018-02; Acknowledging the Exemplary Service of Building Official John Roberts.

*Motion (Ladwig/Baker) to approve the Resolution. Passed unanimously.*

**X. ITEMS FROM THE FLOOR**

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

**Dorothy Cox - Trinidad**

1) Unsatisfied with the lack of communication by the City Manager, 2) there are no meetings from recent special closed session meetings, 3) has not received a response to a records request from October 27, 4) at least 10 requests/complaints are not resolved, 5) I was told I needed to use a city complaint form for complaints, 6) what are new Sheriff Deputy Cumbow's hours, and 7) received an email response from City Manager Berman tonight at 5:35pm.

## XI. CONSENT AGENDA

1. Staff Activity Report for December 2017
2. Financial Status November 2017

*Motion (Baker/Miller) to approve consent agenda as submitted. Passed unanimously.*

## X. DISCUSSION/ACTION AGENDA ITEMS

1. Introduce new part-time Trinidad Deputy Nathan (Nate) Cumbow, and Consider Amendment to Agreement with Humboldt County Sheriff's Office for additional ½ time Deputy.

City Manager Berman explained that the City has been awarded Measure Z grant funding to support additional law enforcement services through our contract with the Humboldt County Sheriff's Office (HCSO). The City's intent has been to utilize those funds to support an additional Trinidad Deputy, however staffing challenges at the HCSO have not made that possible until now. Deputy Nathan (Nate) Cumbow has been assigned to work two days a week in Trinidad, and the other two in the City of Blue Lake. (Deputies typically work four 10-hour days per week) This will result in a dedicated Trinidad deputy on duty six days of the week, instead of the current four days a week. The action item before the Council is to approve and authorize signatures on an amendment to our existing Contract with the HCSO. This amendment increases the contract amount by \$75,000 to reflect the cost of the additional half time deputy. This is the same amount as our Measure Z grant. The Amendment is attached.

**HCSO Sergeant Kevin Miller** introduced Deputy Nate Cumbow. Schedule will be Sunday and Monday, 10am-8pm.

There was no public comment.

The Council thanked and welcomed Deputy Cumbow.

*Motion (Miller/Ladwig) to approve and authorize signatures on the First Amendment to Agreement to Provide Law Enforcement Services Within the City of Trinidad. Passed unanimously.*

2. Consider Draft Resolution 2018-01 formalizing principles of cooperation and communication with the Yurok people and the governments that represent them.

City Manager Berman began the discussion by introducing an email received from the Yurok Tribe shortly after 4:00pm today requesting the City table this resolution, citing the "Tribal Council's deep concerns about the language negatively impacting the Yurok Tribe's federally protected rights...", and "requesting a meeting with Council representatives as soon as possible."

Public comment included:

**Javier Kinney** – Yurok Tribe Director of Self-Governance

Asked when the Tribe was first made aware of this Resolution, and read aloud the full email written by Tribal Chairman O'Rourke requesting that the Resolution be tabled to a future meeting. The Yurok Tribe is looking forward to improved communication with the City. Explained 2x2 meetings, suggested that the Brown Act does not hinder communication between governments, and shared a flyer inviting lineal decedents of Tsurai to a meeting on February 01, 2018.

**Zack Brown** – Trinidad Rancheria Tribal Councilmember

The Trinidad Rancheria supports the Resolution as written. We would also like to be part of the requested government-to-government consultation meetings. We work hand-in-hand with all Yurok people.

Council comments included:

**Baker:** We would also like to consult with the Tribes, but it must be understood how the Brown Act can restrain our ability to communicate under certain circumstances.

**Miller:** To respect the Tribal Chairman's request, I support tabling the Resolution until we can hear their input. The Resolution wording is very positive, and I support it, but agree that consultation should occur since it affects multiple groups.

**West:** I'm in favor of improved communication and welcome feedback from others as to how we're not meeting expectations.

**Ladwig:** I'll echo my fellow Councilmember's comments, and appreciate the results of our collaborative discussions.

**Rotwein:** The Resolution is intended to move forward in a positive way and set a policy for the City to follow.

*By consensus, the Council agreed to table the Resolution as requested by the Yurok Tribal Chairman.*

3. Consider Trails Committee Recommendation Re: Dogs on Trinidad Head.

City Manager Berman explained that the current City Code prohibits dogs on Trinidad Head. This was a part of the original 1983 Ordinance establishing rules for the use of the Trinidad Head property when the City was granted ownership of most of the Head. This rule has not been enforced in recent years, if ever. Signage on the trail indicates dogs are allowed on leash, and the City maintains a 'doggie bag' dispenser.

The Trinidad Head Trails Committee has reviewed this situation and recommends that the City modify the existing ordinance to allow dogs on leash on the Trinidad Head trail. This would be consistent with the current regular use of the Trinidad Head Trails, and is therefore not anticipated to result in any change in impact or use of the Head. Implementing this recommendation would involve amending the existing Ordinance. If directed to proceed by Council, Staff would return to a future meeting with a revised Ordinance for consideration by the Council.

Public comment included:

**Javier Kenny** - Yurok Tribe Director of Self-Governance

I was unaware that this item was on the agenda. I support NO dogs on Trinidad Head. The Yurok people have history of prayer on the Head, and why would anyone allow a dog to defecate in their church? To allow this to go forward would be disrespectful. This lack of understanding is why I have to be here tonight to express these concerns.

**Zack Brown** – Trinidad Rancheria Tribal Councilmember

I'm on the Trails Committee and supported this recommendation. I learned from our elders that dogs were beloved animals and were one of the only animals that were allowed to go anywhere. The Rancheria supports amending the Resolution to allow dogs on Trinidad Head.

There was no Council comment.

*Motion (Miller/Baker) to direct staff to modify and bring back a draft Ordinance that allows Dogs on Trinidad Head, and welcomed the Yurok Tribe to provide comments to the City prior to final approval. **Passed unanimously.***

**XI. FUTURE AGENDA ITEMS:**

**Miller:** Single Payer Healthcare Issue

**Baker:** Want a response to go out to Chairman O'Rourke regarding 02/06/18 TMT meeting, and requested an agenda item regarding composition of TMT.

**Rotwein:** Allocation of Occupancy Tax.

**West:** Little River Trail endorsement.

**XII. ADJOURNMENT: 7:15 pm**

**Submitted by:**

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**Gabriel Adams**  
Trinidad City Clerk

**Approved by:**

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**Susan Rotwein**  
Mayor