



AGENDA SUMMARY EUREKA CITY COUNCIL

TITLE: Certificate of Sufficiency – Initiative Petition Title: “An Initiative to amend the City of Eureka’s General Plan as the plan affects City-owned Parking Lots and Eureka City Schools-owned Jacobs Site”

DEPARTMENT: City Clerk

PREPARED BY: Pam Powell

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION

1. Receive and file “Certificate of Sufficiency of Initiative Petition”; and take one of the following actions, pursuant to Election Code Section 9215:
 - a. Adopt the ordinance, without alteration, at this meeting, or within 10 days; or
 - b. Submit the ordinance, without alteration, to the voters.

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

DISCUSSION

On June 14, 2024, an initiative petition proposing an ordinance amending the General Plan titled: “City of Eureka Housing for All and Downtown Vitality Initiative” was filed with the City Clerk’s office by Michele Constantine-Blackwell and Mike Munson of Eureka. Pursuant to the California Election Code, the City Attorney prepared the title: “An Initiative to Amend the City of Eureka’s General Plan as the Plan Affects City-owned Parking Lots and Eureka City Schools-owned Jacobs Site”. On August 28, 2023, the proponents of the initiative filed 2,811 signatures with the City Clerk. The City Clerk provided for the examination of the petition within the requisite 30-day period from the date of filing of the petition.

To qualify for immediate legislative action, a petition must be signed by not less than 10 percent (10%) of the voters of the City according to the last report of registration by the County Elections Official to the Secretary of State at the time the Notice of Intent to Circulate a Petition was published. The number of Eureka voters listed in that report was 15,868, therefore, ten percent (10%) of the voters of the city as of the date of the report would be 1,568. The signatures on the petitions have been verified for sufficiency

by the Humboldt County Elections Office and certified 1,974 signatures. The City Clerk has notified the proponents accordingly.

Pursuant to California Elections Code § 9215, when a petition is signed by not less than 10 percent of the voters of the city, the legislative body shall take one of the following actions:

- (a) Adopt the ordinance without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; or
- (b) Submit the ordinance, without alteration, to the voters pursuant to subdivision (b) Section 1405; or
- (c) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b). At the August 15, 2023 Council meeting, Council directed staff to prepare a report pursuant to Section 9212 of the election code which will be presented within 30 days of the action taken at October 17, 2023 meeting.

Should the Council select to choose option (b) in the recommendation, to submit the ordinance to the voters, Staff would bring back resolutions pursuant to subdivision (b) of Section 1405 at the time that election preparations are formalized for the next regular General Election to be held on November 5, 2024.