



MINUTES OF
EUREKA CITY COUNCIL

OCTOBER 17, 2023

The City Council of the City of Eureka met in REGULAR Session on the above date, 5:00 P.M. Closed Session, 6:00 P.M. Open Session, at the Eureka City Hall, Council Chambers, 531 "K" Street, Eureka.

PUBLIC COMMENT: None

CLOSED SESSION - 5:00 P.M.

Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation (1 Case)

Conference with legal counsel - existing litigation
Citizens for a Better Eureka vs. City of Eureka City Council, Does 1 to 10
Humboldt County Superior Court Case No. CV2301562

Conference with legal counsel - existing litigation
Citizens for a Better Eureka vs. City of Eureka City Council, Does 1 to 10
Humboldt County Superior Court Case No. CV2301563

REGULAR SESSION – 6:00 P.M.

ROLL CALL:

PRESENT: Kim Bergel
Leslie Castellano
Kati Moulton
G. Mario Fernandez
Scott Bauer
Renee Contreras-DeLoach

ABSENT: None

REPORT OUT OF CLOSED SESSION: On a motion by Councilmember Bauer, seconded by Councilmember Fernandez, one item of existing litigation added to the agenda in Closed Session as an urgent item, Michael Munson and Michele Constantine

Blackwell vs. City of Eureka – Humboldt Superior Court Case No. CV 2301627, 5 yes votes motion Carried. No final actions to report.

A) MAYOR’S ANNOUNCEMENTS

A.1 Proclamation - National Long-Term Care Residents Rights Month - Councilmember Fernandez presented a proclamation for National Long-Term Care Residents Rights Month

Student Advocates Guiding Engagement (SAGE) of Eureka City Schools, Mental Health for Students provided a presentation.

Mayor Bergel traveled to Long Island City to present on the Tuluwat land transfer and Attended the 100th anniversary of Eureka Rotary Club.

B) PRESENTATIONS

B.1 Talk Eureka - Citizen Engagement: Media Coordinator Cossette Hunter and Admin Tech Ross-Mantle presented on Talk Eureka - Citizen Engagement

C) BOARD/COMMISSION REPORTS: None

D) PUBLIC COMMENT PERIOD:

Ash Teeter
Steve Parr
Linden Tyler Glavich

E) PUBLIC HEARINGS

E.1 Unmet Transit Needs Public Hearing - Finance Director Lane Millar and Stephen Luther Associate Regional Planner of HCOAG provided a report. The Public Hearing opened at 6:56 PM. The following individuals addressed the Council regarding this subject matter:

Unidentified Speaker
Ash Teeter

The Public Hearing closed at 7:02 PM – Council received the report.

E.2 2023-24 Fee Schedule Update - Finance Director Lane Millar provided a report. Public Hearing opened/closed at 7:06 PM. No one from the public addressed the Council regarding this subject matter.

Scott Bauer moved, seconded by Kati Moulton, Adopt Resolution No. 2023-49 of the City Council of the City of Eureka establishing various fees and service charges within the City of Eureka, motion Carried

Ayes: Leslie Castellano, Kati Moulton, G. Mario Fernandez, Scott Bauer, Renee Contreras-DeLoach

Noes: None

Absent: None

F) CONSENT CALENDAR - Kati Moulton moved, seconded by Leslie Castellano, approve the CONSENT CALENDAR minus F.5, motion Carried

Ayes: Leslie Castellano, Kati Moulton, G. Mario Fernandez, Scott Bauer, Renee Contreras-DeLoach

Noes: None

Absent: None

- F.1 Council Minutes – Approve the City Council regular minutes of October 3, 2023 meeting as submitted.
- F.2 Destruction of Police Records - Adopt Resolution No. 2023-50 of the City Council requesting destruction of records pursuant to Government Code and City policy.
- F.3 Sewer Maintenance 2022 Project Acceptance - Accept Sewer Maintenance 2022 Project, Bid No. 2022-07 and authorize the filing of a “Notice of Completion” at the Office of the County Recorder
- F.4 ABC Grant Acceptance - Accept a Department of Alcoholic Beverage Control grant in the amount of \$41,023.00 for enforcement of liquor laws
- F.5 Mental Health Clinician (2 FTE) and Mental Health Case Manager (2 FTE) – Managing Mental Health Clinician Jacob Rosen provided a report. No one from the public addressed the Council regarding this subject matter.

Leslie Castellano moved, seconded by Renee Contreras-DeLoach, Adopt Resolution 2023-51 Approve allocation of two (2) additional Mental Health Clinicians and two (2) Mental Health Case Managers to the City’s Crisis Alternative Response and Engagement (CARE) Division., motion Carried

Ayes: Leslie Castellano, Kati Moulton, G. Mario Fernandez, Scott Bauer, Renee Contreras-DeLoach

Noes: None

Absent: None

- F.6 Engineering Reorganization - Adopt Resolution No. 2023-52 de-allocate one (1) vacant Engineering Technician position; creating new classification of Senior Engineering Technician; and Reclassify one (1) incumbent Engineering Technician to new Senior Engineering Technician classification; and Re-allocate one (1) Special Projects Manager (Full-time) to a regular part-time (RPT) position.

G) LEGISLATIVE ACTION CORRESPONDENCE: None

H) ORDINANCES/RESOLUTIONS

H.1 Entheogenic Plants and Fungi Criminal Priority - Assistant City Attorney Robert Black Clinical Management Jacob Rosen provided a report. Commander LaFrance and City Manager Slattery provided information. The following individuals addressed the Council regarding this subject matter:

Danielle
Roy King
Jenn Bruce
Rachel Ricks
Unidentified Speaker
Maria Barone
Unidentified Speaker
Jason Wheeler
Donnie Freeman
Larkin
Allison
Molly
Breanne Hutchinson
Kim
Laura
Unidentified Speaker
Chelsey
David
Katie VanSpeybrock
Unidentified Speaker
Marlin Jones II
Lissie Rydz
Carrie Griffin
Ranee Litten
Larry Norris
Roy Gomez

G. Mario Fernandez moved, seconded by Kati Moulton, Adopt Resolution No. 2023-48 of the City Council of the City of Eureka declaring that the investigation and arrest of individuals twenty-one (21) years of age or older involved with the adult personal use, cultivation and possession of entheogenic plants and fungi listed on the Federal Schedule 1 list, will not be a priority for the City of Eureka with the amendment to eliminate the words personal and spiritual growth on the 3rd Whereas, motion Carried

Ayes: Leslie Castellano, Kati Moulton, G. Mario Fernandez, Scott Bauer, Renee Contreras-DeLoach

Noes: None

Absent: None

- H.2 September 2023 Zoning Code Update - Development Services
Director Cristin Kenyon provided a report. No one from the public
addressed the Council regarding this subject matter.

Kati Moulton moved, seconded by G. Mario Fernandez, Waive full reading, read by title
only, and adopt Bill No. 1032-C.S., Ordinance No. 951-C.S. "An Ordinance of the City of
Eureka amending portions of Eureka Municipal Code Chapter 155 for the September
2023 Zoning Code Update", motion Carried

Ayes: Leslie Castellano, Kati Moulton, G. Mario Fernandez, Scott Bauer, Renee
Contreras-DeLoach

Noes: None

Absent: None

Leslie Castellano moved, seconded by Kati Moulton, motion to extend meeting to 10:15
PM, motion Carried

Ayes: Leslie Castellano, Kati Moulton, G. Mario Fernandez, Scott Bauer, Renee
Contreras-DeLoach

Noes: None

Absent: None

I) REPORTS/ACTION ITEMS

- I.1 Certificate of Sufficiency - 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 - City Clerk Pam Powell and City
Attorney Black provided a report. The following individuals addressed
the Council regarding this subject matter:

Thea Stewart

Holly Klingel

Mike Munson

Marian Brady

Linden Tyler Glavich

Roy Gomez

Kenny Carswell

Caroline Griffith

Jessica Frint

Michelle Constantine Blackwell

Castellano moved Fernandez 2nd extend meeting to 10:30 PM, motion Carried

Ayes: Leslie Castellano, Kati Moulton, G. Mario Fernandez, Scott Bauer, Renee
Contreras-DeLoach

Noes: None

Absent: None

Leslie Castellano moved, seconded by G. Mario Fernandez, Receive and file "Certificate of Sufficiency of Initiative Petition; and Submit the ordinance, without alteration, to the voters at the next regular General Election on November 5, 2024, motion Carried

Ayes: Leslie Castellano, Kati Moulton, G. Mario Fernandez, Scott Bauer, Renee Contreras-DeLoach

Noes: None

Absent: None

J) FUTURE AGENDA ITEMS:

Councilmember Leslie Castellano requested that staff agendize a City Endorsed Rental Lease at a future date. By consensus, Council approved.

K) CITY MANAGER REPORTS – City Manager reported that an update on the Climate Action Plan will be coming on November 7th.

L) PUBLIC COMMENT CONTINUED: None

M) COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS:

Councilmember Castellano – Attended the Redwood Coast Music Festival, HTA meetings housing meetings traveled to economic development conference.

Councilmember Moulton – Attended the Chamber of Commerce 2x2 meeting and encourages everyone to go to a haunted house events in the area.

Councilmember Fernandez - Visited Silver Wind Cruise Ship, attended the Redwood Coast Music Festival and is looking forward to 2 x2 meeting with Eureka City Schools.

Councilmember Contreras DeLoach – Attended Redwood Coast Music Festival, HWMA, Autumn at the Acres and the Chamber of Commerce 2x2 meeting

Councilmember Bauer – Barbequed for the EHS Homecoming game and attended HBF JPA meeting.

ADJOURNMENT: 10:32 PM

APPROVED:

Kim Bergel
Mayor

Attest:

Pamela J. Powell
City Clerk