

File with:
City of Eureka
531 "K" Street
Eureka, CA 95501
Attention: City Clerk

CLAIM FOR MONEY OR DAMAGES AGAINST THE CITY OF EUREKA

RESERVE FOR FILING STAMP

CLAIM NO. _____

A claim must be presented, as prescribed by the Government Code of the State of California, by the claimant or a person acting on his/her behalf and shall show the following:

If additional space is needed to provide your information, please attach sheets, identifying the paragraph(s) being answered.

1. Name and Post Office address of the Claimant:

Name of Claimant: Forever Found Productions

Post Office Address:

2. Post Office address to which the person presenting the claim desires notices to be sent:

Name of Addressee: Cyndy Day-Wilson

Telephone: (707) 798-5048

Post Office Address: 628 H St., Eureka, CA 95501

3. The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.

Date of Occurrence: See attached.

Time of Occurrence:

Location:

Circumstances giving rise to this claim:

4. General description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of the presentation of the claim.

See attached.

5. The name or names of the public employee or employees causing the injury, damage, or loss, if known.

See attached.

6. **If amount claimed totals less than \$10,000:** The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed.

Amount Claimed and basis for computation: See attached.

If amount claimed exceeds \$10,000: If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case. A limited civil case is one where the recovery sought, exclusive of attorney fees, interest and court costs does not exceed \$25,000. An unlimited civil case is one in which the recovery sought is more than \$25,000. (See CCP § 86.)

Limited Civil Case

Unlimited Civil Case

You are required to provide the information requested above, plus your signature on page 3 of this form, in order to comply with Government Code §910. In addition, in order to conduct a timely investigation and possible resolution of your claim, the city requests that you answer the following questions.

7. Claimant(s) Date(s) of Birth:
-

8. Name, address and telephone number of any witnesses to the occurrence or transaction which gave rise to the claim asserted:
See attached.
-
-
-

9. If the claim involves medical treatment for a claimed injury, please provide the name, address and telephone number of any doctors or hospitals providing treatment:
-
-
-

If applicable, please attach any medical bills or reports or similar documents supporting your claim.

10. If the claim relates to an automobile accident:

Claimant(s) Auto Ins. Co.:

Telephone:

Address:

Insurance Policy No.:

Insurance Broker/Agent:

Telephone:

Address:

Claimant's Veh. Lic. No.:

Vehicle Make/Year:

Claimant's Drivers Lic. No.:

Expiration:

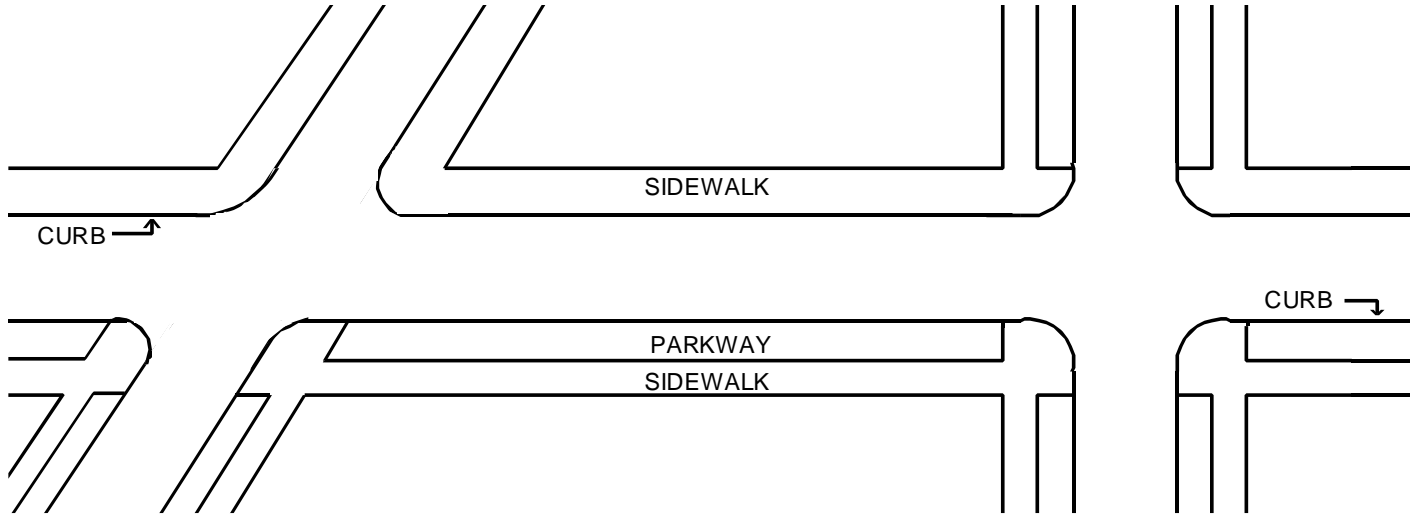
If applicable, please attach any repair bills, estimates or similar documents supporting your claim.

READ CAREFULLY

For all accident claims, place on following diagram name of streets, including North, East, South, and West; indicate place of accident by "X" and by showing house numbers or distances to street corners. If /Agency Vehicle was involved, designate by letter "A" location of /Agency Vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw

/Agency Vehicle; location of /Agency vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X."

NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.



Warning: Presentation of a false claim with the intent to defraud is a felony (Penal Code §72). Pursuant to CCP §1038, the /Agency may seek to recover all costs of defense in the event an action is filed which is later determined not to have been brought in good faith and with reasonable cause.

Signature:

Date: April 18, 2023



April 18, 2023

Pam Powell
City Clerk, City of Eureka
531 K Street
Eureka, CA 95501
ppowell@ci.eureka.ca.gov

RE: Claim for Damages – Roy Gomez, Forever Found Productions LLC

Dear Ms. Powell:

I have been retained by Forever Found Productions LLC (“Forever Found”) and Roy Gomez to file a claim for damages against the City of Eureka.

Forever Found was an event rental space located in Eureka, which aimed to celebrate and showcase the arts and culture of the Eureka community. Forever Found is no longer in business due to actions directly attributable to the City of Eureka, which has resulted in damages being incurred by my client.

Roy Gomez, a member/manager of Forever Found, became aware that Asst. Chief of Police Brian Stephens had sent correspondence to Councilmember Leslie Castellano in which he negatively portrayed my client’s business. Mr. Gomez requested a copy of that email correspondence from Councilmember Castellano **no less than four (4) times** before it was finally provided on or about November 8, 2022. (See enclosed Bates COE-0011- 0012)¹ Asst. Chief Stephens email stated, in part:

“In regard to Forever Found, I will not be approving any ABC permits for events held at their facility, and under their management and control until I speak with ABC. **These temporary licenses are endangering the non-profits that are being used to obtain them and could reflect negatively on this.** So at this time, I will not be signing any ABC permits for events taking place at this location.” [Emphasis added.] (COE-0030)

¹ The documents disclosed by the City of Eureka in response to my client’s January 30, 2023 CPRA have been bates labelled for ease of reference.

Additionally, it appears that Councilmember Castellano proceeded to ignore Mr. Gomez's requests for copies of these emails, under the false presumption that her personal email account is not subject to the Public Records Act. This is in violation of both state law and the City's own policy.² "[A] city employee's writings about public business are not excluded from the CPRA simply because they have been sent, received, or stored in a personal account...If public officials could evade the law simply by clicking into a different e-mail account, or communicating through a personal device, sensitive information could routinely evade public scrutiny." (*City of San Jose v. Superior Court* (2017) 2 Cal.5th 608.)

Councilmember Castellano stated in an email to Mr. Gomez:

When you wrote me and asked for Capt Stephens email on my Ink People email, I was not subject to the same public records act requirements... (COE – 0668)

This is of course contrary to law and City policy. Of additional concern is Councilmember Castellano's use of her Ink People email account to respond to Mr. Gomez instead of her City email account. Mr. Gomez had expressed concern to Councilmember Castellano regarding statements she had made about Forever Found.

I am looping your city government email back into this thread as I noticed you took it out after I addressed my email below to both of your emails and requested a response from you as "your constituent and member of the Ink People." (COE – 0666)

Councilmember Castellano sent another email to Mr. Gomez on November 7, 2022. Numerous other individuals are cc'ed on this email, including several members of Ink People and Mr. Gomez's landlord. In part, this email stated:

I didn't say that us being associated with you is bad for the Ink People, but I do have personal concerns about the ABC licenses. These concerns may be related to Asst Chief Stephens' concerns but may also be more specifically to the Ink People.

I know there are strict requirements about having a cannabis business and how that prohibits the sale of alcohol. I don't want the nonprofit that we are the fiscal sponsor of to be a way of getting around that regulation. (COE – 0055)

Councilmember Castellano's comments make clear that she is utilizing her position as a councilmember to influence decisions made regarding other businesses. These statements were made in conjunction with Captain Stephens statements that negatively portrayed the ethics, business practices of Forever Found. These statements ultimately impacted Forever Found's continued existence.

As Mr. Gomez stated in an email to Councilmember Castellano on November 14, 2022:

² City of Eureka's Policy and Procedure for CPRAs – Policy No. 1.13, approved on July 7, 2015.

Your “Personal Concerns” could not have been expressed at a more difficult time for us as another public official was negatively portraying our ethics, business practices and threatening the existence of our company’s future. This was NOT the response expected from our Ward Representative of which I and our business have supported over the years. You have NEVER addressed these concerns to me over the 6 years of our business being part of the DreamMaker Project and utilizing our space as a place to fundraise for the Ink People, your campaign for election and other non-profits. Your response was surprising and very accusatory in nature. In addition, your above response had absolutely no merit in the accusations emailed to you by Asst. Chief Stephens on Friday October 21st, 2022. In search of transparency from public officials, you accused me of being “hostile” after we simply requested the email sent to you from Asst. Chief Stephen’s [sic] on four separate occasions before getting a response to follow protocols. After finally receiving a copy of that email from the city, it was very apparent that Asst. Chief Stephens did not mention the word “Cannabis” once in his email to you. Your public accusation and new position seemed to want to further damn our business with a separate “Ink People and Personal Concern” added to those of Asst. Stephen’s. Your assumptions and conclusions to these public officials in which you state that our business is using your non-profit as a “way of getting around that regulation” was not fulfilling your oath to act in the public interest as stated by the ‘City of Eureka Code of Ethic and Conduct for Elected and Appointed Officials.’ (COE – 0666-0667.)

In addition, Councilmember Castellano’s response had absolutely no merit in the accusations emailed to her by Captain Stephens on Friday October 21, 2022. Further, in search of transparency from public officials, Councilmember Castellano accused Mr. Gomez of being "hostile" after he requested the email sent to Councilmember Castellano from Captain Stephens on four separate occasions before finally receiving a response from Ms. Lopez that the City would be following the required protocols with regard to response and disclosure under the CPRA.

Councilmember Castellano offered up an apology to Mr. Gomez for incorrectly asserting that cannabis and alcohol could not be sold on the same premises, but the damage had already been done. Councilmember Castellano stated that: “It was my understanding from other people in the industry that there were prohibitions about the sale of cannabis and alcohol. I did a bunch of research today and realize now that there are some possibilities to have a cannabis business and sell alcohol if certain rules were followed. I definitely apologize that I misunderstood the legality of that.” (COE – 0669.)

On November 10, 2022, Councilmember Castellano sent an email to Mr. Gomez containing the following:

I think it might be important to convey that my job at the Ink People and my position on City Council are two separate things. It is generally better policy for them to be treated as separate...(COE – 0670)

Councilmember Castellano is in fact both a councilmember and the executive director for the Ink People. She is not two separate people. She is *always* a councilmember. Yet she is meeting with EPD regarding Ink People business and making statements to EPD officers regarding Mr. Gomez's businesses. In addition, Councilmember Castellano has sent emails to City Manager Miles Slattery and Captain Brian Stephens regarding the Ink People, which begin with the phrase: "I am writing while wearing my 'Ink People ED' hat." (COE – 0046.) This email in particular was regarding ABC permits that Mr. Gomez, via Transcending Jaguar, had requested. Councilmember Castellano further stated that she "personally signs off on each ABC permit that Roy receives and, in a way, Roy is operating as an extension of the Ink People when he sells alcohol at events. With that in mind, I definitely want to make sure that things are going well in relation to the city." (COE – 0046.)

Interestingly, it appears that some of Councilmember Castellano's emails from her Ink People account include a disclaimer at the bottom regarding correspondence from the City of Eureka may be subject to the CPRA. (See COE – 0039.) This could indicate that Councilmember Castellano is frequently utilizing her Ink People email account, which identifies her as the Executive Director of the Ink People, for City business.

Councilmember Castellano is in fact both a councilmember and the executive director for the Ink People. She is not two separate people. She is *always* a councilmember. That is confirmed in the Council's Code of Ethics. Yet she is meeting with EPD regarding Ink People business and making statements to EPD officers regarding Mr. Gomez's businesses. In addition, Councilmember Castellano has sent emails to City Manager Miles Slattery and Captain Brian Stephens regarding the Ink People, which begin with the phrase: "I am writing while wearing my 'Ink People ED' hat." (COE-0007)

Councilmember Castellano accused Forever Found of committing what she inaccurately considered an offense against a cannabis regulation that does not exist. She acted and communicated to others inside and outside of the City, a potential threat to the Ink People if she continued to support Mr. Gomez's business in the same fashion that the Ink People support another non-profit Synapsis or any other Dream Maker. In doing this, she damaged my client's reputation with law enforcement and emphasized her own personal concerns along with Asst. Chief's Stephen's unfounded accusations of ABC violations during an event. Because of these statements, Forever Found could no longer fundraise for non-profit entities with liquor/beer/wine sales during those events. The agreement we made with the Ink People and all non-profit entities was that they were awarded 15% of the bar profits after overhead expenses and staff were paid after each event. This is the agreement that the Ink People make with all DreamMakers under their umbrella. The funds that Forever Found would earn from alcohol/beer/wine sales after paying the Ink People went directly to paying all bills and debts. The portion of profit from alcohol sales allocated to Forever Found after each event helped pay 85% of the overhead costs of the business. Councilmember Castellano's accusations and the unfounded violations spoken of by Captain Stephen's that led to his decision to not sign ANY daily permits for events at my client's location, directly led to Forever Found not being able to pay its bills, employ anyone or service any debts on the books.

The City of Eureka is identified on the Ink People's website as a "major funder," with a link to the City's website. The Ink People also co-sponsored a fundraiser for Leslie Castellano for Eureka City Council. (See attached Facebook post.) Interestingly, Gary Bird, former Director of HR for the City, is the Secretary for the Ink People. There is clearly a lot of questionable overlap between the Ink People, an independent nonprofit organization, and the City of Eureka.

In the year 2022, Forever Found suffered a loss of \$105,939.69. This is directly attributable to the actions and statements of Councilmember Castellano, who communicated with EPD and the City in a manner that resulted in Forever Found being unable to continue to host profitable events.

In addition, these statements and actions impacted Forever Found's ability to service its liabilities/debt to founding investor and lenders. Mr. Gomez gave a loan to Forever Found of \$248,620.83 and in addition, Heart of the Emerald loaned \$144,591.25 for a total of \$393,211.58 for start-up. These loans will never be recovered due to this issue and Forever Found's inability to operate. In addition, Heart of the Emerald (HOTE) lent Forever Found the amount above during the Covid shutdown to pay rent, utilities and keep the dream alive at Forever Found. All this was properly booked. Me personally and my business will suffer significant losses due to this issue and will never be paid back as Forever Found is now unable to service those debts.

In summary, Forever Found and Mr. Gomez have suffered monetary losses of over \$500,000 due to the actions and statements of Councilmember Castellano and Captain Stephens. Demand is hereby made for payment to Forever Found and Mr. Gomez.

Sincerely,

A handwritten signature in black ink, appearing to read "Cindy Day-Wilson". The signature is fluid and cursive, with a large loop at the end.

Cyndy Day-Wilson, Esq.

cc: Client
Enclosures
City Attorney's Office

From: [Leslie Castellano](#)
To: [Brian Stephens](#), [Todd Jarvis](#), [Autumn Luna](#), [Pam Powell](#), [Miles Slattery](#)
Date: 08 Nov 2022 at 10:32
Subject: Fwd: Captain Stevens email

Sent from my iPhone

Begin forwarded message:

From: Forever Found Productions - Info <info@foreverfoundproductions.com>
Date: November 8, 2022 at 9:11:47 AM PST
To: Leslie Castellano <lcastellano@eurekaca.gov>, Leslie Castellano <leslie@inkpeople.org>, monica@inkpeople.org, Roy Gomez <roy@humboldtcountygrown.com>, libby@inkpeople.org
Subject: Captain Stevens email

⚠ **NOTICE:** This came from outside of the City's email system! ⚠

Please exercise caution. Do not click links or open attachments unless you have *verbally* confirmed with the sender that the message actually came from them and that the content is safe. Contact the [Helpdesk](#) if you are unsure!

Good morning Leslie,

As your constituent, community member, campaign supporter and Ink People member, I am formally again requesting (for the 4th time) that you forward the email sent to you from Captain Steven's that you referenced on 11/21 and read to my partner Jessica Frint regarding "Transcending Jaguar" and Forever Found. This is and should be considered public domain as it was to and from public officials. As you know, there are "Freedom of Information" statutes that protect our position and I do plan on making this very public if we do not receive this as requested by end of day.

I accept your position as the Executive of the Ink people that agrees with some of Captain Stevens concerns that he laid out in his email to you regarding our DreamMaker account known as Transcending Jaguar. In your explanation email, you stated your concerns are "related to Asst. Captain Stevens' concerns" but you mentioned also the following: "there are strict requirements about having a cannabis business and how that prohibits the sale of alcohol."

Without the requested email, your "related concerns" cannot be properly considered and/or addressed in relation to that email and Captain Steven's sentiments that are now on record must be considered before we meet with him. **COE - 0011**

If you'd like to discuss this very important issue, please give me a call.

Thank you,

Roy Gomez

Get [Outlook for iOS](#)

From: [Brian Stephens](#)
To: [Leslie Castellano](#), [Todd Jarvis](#)
Date: 21 Oct 2022 at 11:14
Subject: RE: ABC Permit for consideration
Attachment(s): 1

Good Morning Leslie,

Here is your permit for the Ink People Event. I hope you have a great event.

In regards to Forever Found, I will not be approving any ABC permits for events held at their facility, and under their management and control until I speak with ABC. At one of their most recent events we had several issues and noticed violations when we were on scene and it was clear they weren't following the guidelines set by ABC. Reports were forwarded to ABC for evaluation. It will be my recommendation that they apply for a liquor license that allows them to have onsite sales through ABC. These temporary licenses are endangering the non-profits that are being used to obtain them and could reflect negatively on them. So at this time, I will not be signing any ABC permits for events taking place at this location.

Take care, stay well and have a great weekend!

Godspeed,

~Asst. Chief Stephens

Brian Stephens, Assistant Chief

Eureka Police Department

604 C Street

Eureka, California 95501

Desk Phone: 707-441-4087

Cell Phone: 707-382-7940

email: bstephens@ci.eureka.ca.gov

COE - 0030

In your email below you attempt to circumvent your duties, obligations, and oath to uphold the Ethics and Conduct expected of you as an elected official with this following statement:

"I think it might be important to convey that my job at the Ink People and my position on City Council are two separate things. It is generally better policy for them to be treated as separate. When you wrote me and asked for Capt Stephens email at my Ink People email, I was not subject to the same public records act requirements...honestly, i didn't realize you were requesting it in that matter."

Your faulted perception is NOT supported by the following language and clause in the City's Ethics Code:

1(b). In Private Encounters

Continue respectful behavior in private

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations. Be aware of the insecurity of written notes, voicemail messages, and E-mail Technology allows words written or said without much forethought to be distributed wide and far. Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

Even private conversations can have a public presence Elected and appointed officials are always on display - their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

In private, board and commission members may communicate at any time and on any subject with the City Council and may express to Council individual viewpoints and opinions.

Public Records

Councilmembers and members of boards and commissions should also be aware that their electronic communications (such as emails and texts) concerning City business whether on City or personal equipment can be disclosable in response to a Public Records Act request. Communications with anyone can become public and could be taken out of context; or, subject the City or even an individual member to potential liability. Thus, members should evaluate their written communications before they are sent. Any questions concerning members' written communications should be directed to the City Manager, City Attorney or City Clerk.

From: [Forever Found Productions - Info](#)
To: monica@inkpeople.org, [Pam Powell](#), [Leslie Castellano](#), [Autumn Luna](#), [Leslie Castellano](#), [Roy Gomez](#), [Riley Topolewski](#), [Christine Lopez](#), libby@inkpeople.org, [Miles Slattery](#)
Date: 14 Nov 2022 at 07:06
Subject: Asst. Chief Stephen's Email

⚠ **NOTICE:** This came from outside of the City's email system! ⚠

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Hi Leslie,

Thank you for the response below.

I am looping your city government email back into this thread as I noticed you took it out after I addressed my email below to both of your emails and requested a response from you as "your constituent and member of the Ink People." I'm also looping in our landlord, Dave Mulhern into this email as your initial position on this issue, unfounded allegations, and unethical dereliction of your duties as a public servant will also affect him as your supporter and constituent who will be losing a tenant as we are now closing our business at his location due to this issue.

In addition, I am looping the City Manager, City Attorney, and others into this thread for internal reference, to better inform them of these issues and help memorialize this email as a public document.

On Monday, November 7, 2022 1:03 PM, you responded to an email that I sent that included a request for an email sent to you from Brian Stephens (bstephens@ci.eureka.ca.gov) which included his negative portrayal of our business along with language that is damning to our reputation and ability to move forward with our business known as Forever Found Humboldt, LLC (I will forward that complete email thread to memorialize that in a separate email.)

Here was your response:

COE - 0666

Hi Roy- It is good to hear from you.

From: [Leslie Castellano](mailto:Leslie.Castellano)
To: monica@inkpeople.org, davidmulhern@gmail.com, Forever Found Productions - Info, Roy Gomez, Brian Stephens, Todd Jarvis
CC: Brian Stephens, monica@inkpeople.org, davidmulhern@gmail.com
Date: 07 Nov 2022 at 13:03
Subject: Re: Following up with Transcending Jaguar/Forever Found

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Hi Roy- It is good to hear from you.

I didn't say that us being associated with you is bad for the Ink People, but I do have personal concerns about the ABC licenses. These concerns may be related to Asst Chief Stephens' concerns but may also be related more specifically to the Ink People.

I know there are strict requirements about having a cannabis business and how that prohibits the sale of alcohol. I don't want the nonprofit that we are the fiscal sponsor of to be a way of getting around that regulation. I think that you do really valuable work in the community but I am not sure if it is best for the Ink People to support continued ABC permits from Transcending Jaguar at that location, unless we have a meeting with EPD and Bryan from the ABC office in order to make sure that we are not doing anything that is problematic for state regulations. It might be good to involve someone from the cannabis permitting department as well.

If we receive okay on that, then I would feel comfortable moving forward with limited ABC licenses in the upcoming year.

The Ink People can only receive 12 licenses for hard alcohol each year (outside of beer/wine). In the past year, Transcending Jaguar received 10 or 11 of those, which left almost none available for all of our other DreamMakers. In order to make sure that other people get the opportunity, I will be only allowing each DreamMaker (regardless of the program) to receive one hard alcohol permit per year, at most.

I hope this answers any questions!

I hope your haunted house went well!

Leslie

On Mon, Nov 7, 2022 at 7:33 AM Forever Found Productions - Info
<info@foreverfoundproductions.com> wrote:

Hi Everyone,

Leslie, thank you for attempting to put this important meeting together after receiving the email from Captain Steven's containing his portrayal of our business and how our affiliation could reflect poorly on the Ink People. I am paraphrasing here after you shared this information in a conversation with Jessica (my partner) in regard to the email received. I ask that you forward that email to us so that we have a better understanding of his sentiments as we hope to open up a more direct and positive line of communication with the Eureka Police Department (EPD).

From: [Forever Found Productions - Info](#)
To: monica@inkpeople.org, [Pam Powell](#), [Leslie Castellano](#), [Autumn Luna](#), [Leslie Castellano](#), [Roy Gomez](#), [Riley Topolewski](#), [Christine Lopez](#), libby@inkpeople.org, [Miles Slattery](#)
Date: 14 Nov 2022 at 07:06
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Hi Leslie,

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In addition, I am looping the City Manager, City Attorney, and others into this thread for internal reference, to better inform them of these issues and help memorialize this email as a public document.

On Monday, November 7, 2022 1:03 PM, you responded to an email that I sent that included a request for an email sent to you from Brian Stephens (bstephens@ci.eureka.ca.gov) which included his negative portrayal of our business along with language that is damning to our reputation and ability to move forward with our business known as Forever Found Humboldt, LLC (I will forward that complete email thread to memorialize that in a separate email.)

Here was your response:

COE - 0666

Hi Roy- It is good to hear from you.

I didn't say that us being associated with you is bad for the Ink People, but I do have personal concerns about the ABC licenses. These concerns may be related to Asst Chief Stephens' concerns but may also be related more specifically to the Ink People.

I know there are strict requirements about having a cannabis business and how that prohibits the sale of alcohol. I don't want the nonprofit that we are the fiscal sponsor of to be a way of getting around that regulation

Your "Personal Concerns" could not have been expressed at a more difficult time for us as another public official was negatively portraying our ethics, business practices and threatening the existence of our company's future. This was NOT the response expected from our Ward Representative of which I and our business have supported over the years. You have NEVER addressed these concerns to me over the 6 years of our business being part of the DreamMaker Project and utilizing our space as a place to fundraise for the Ink People, your campaign for election and other non-profits. Your response was surprising and very accusatory in nature. In addition, your above response had absolutely no merit in the accusations emailed to you by Asst. Chief Stephens on Friday October 21st, 2022. In search of transparency from public officials, you accused me of being "hostile" after we simply requested the email sent to you from Asst. Chief Stephen's on four separate occasions before getting a response to follow protocols. After finally receiving a copy of that email from the city, it was very apparent that Asst. Chief Stephens did not mention the word "Cannabis" once in his email to you. Your public accusation and new position seemed to want to further damn our business with a separate "Ink People and Personal Concern" added to those of Asst. Stephen's. Your assumptions and conclusions to these public officials in which you state that our business is using your non-profit as a "way of getting around that regulation" was not fulfilling your oath to act in the public interest as stated by 'City of Eureka Code of Ethic and Conduct for Elected and Appointed Officials.' Here are some important Ethics that your conduct in this matter is in violation of:

1. Act in the Public Interest. Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Eureka and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Eureka City Council, boards and commissions.

5. Decisions Based on Merit. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

Maintain an open mind

Members of the public deserve an opportunity to influence the thinking of elected and appointed officials. To express an opinion or pass judgment casts doubt on a member's ability to conduct a fair review of the issue.

COE - 0667

After receiving your informal apology in your email below, the damage had already been done, plans/ events have been canceled and a catastrophic amount of revenue has been lost (which we will document and provide to the city in a spreadsheet in the coming days.) Your irrelevant surprise response regarding our 'Cannabis business' prompted me to ask if you had talked to an official or someone else regarding this newly founded position. These exact sentiments regarding the misguided understanding that cannabis permit holders cannot apply for alcohol permits were shared that same day by Asst. Captain Stevens to Dave Mulhern in a verbal conversation (along with others in the past). This led us to believe that your (all of a sudden position) on Cannabis and non-profit daily alcohol permits was also something you spoke of with Stephens. You denied this below:

Hi Roy-

Capt Stephens and I never talked about cannabis. It was my understanding from other people in the industry that there were prohibitions about the sale of cannabis and alcohol. I did a bunch of research today and realize now that there are some possibilities to have a cannabis business and sell alcohol if certain rules were followed. I definitely apologize that I misunderstood the legality of that.

In terms of whether or not you are using your DreamMaker program to get around regulations, i don't know

It is very disheartening to learn that you could jump to conclusions and judgements without properly researching the legality of this or any issue at hand. This informal apology is not acceptable as it should include and be formally addressed to our community of visual artists, employees, musicians, dance performers, security staff, vendors, sponsors, non-profits, patrons, etc who will no longer enjoy our space that celebrated and showcased the Arts and Culture that you claim to be a representative of. Needless to say, you have lost my confidence and vote.

I will conclude with a strong suggestion that you read the 'City of Eureka's Code of Ethics' to avoid from helping destroy anyone else's businesses and conduct yourself in a more diplomatic manner that puts the People of Eureka before any 'personal opinions' and/or assumptions of wrongdoing. Your constituents deserve better from their representative.

This last reference from 'Eureka City's Code of Ethics' speaks volumes to this issue and I hope it resonates with you:

Remember that Eureka is a small town - Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper department in the City of Eureka. Honesty and respect for the dignity of each

COE - 0669

individual should be reflected in every word and action taken by members, 24 hours a day, seven days a week. It is a serious and continuous responsibility

You are a public servant, 24 hours of the day - 7 days a week, regardless of what email you use or what 'hat' you believe that you have on.

Congratulations on your recent uncontested reelection.

This email is sent on behalf of,

Roy Gomez

Jessica Frint

Forever Found Humboldt, LLC

From: Leslie Castellano <leslie@inkpeople.org>

Sent: Thursday, November 10, 2022 10:27 PM

To: Forever Found Productions - Info <info@foreverfoundproductions.com>

Subject: Re: Captain Stephen's Email

Hi Roy-

Capt Stephens and I never talked about cannabis. It was my understanding from other people in the industry that there were prohibitions about the sale of cannabis and alcohol. I did a bunch of research today and realize now that there are some possibilities to have a cannabis business and sell alcohol if certain rules were followed. I definitely apologize that I misunderstood the legality of that.

I think it might be important to convey that my job at the Ink People and my position on City Council are two separate things. It is generally better policy for them to be treated as separate. When you wrote me and asked for Capt Stephens email at my Ink People email, I was not subject to the same public records act requirements...honestly, i didn't realize you were requesting it in that matter. i had transparently read the email aloud to jessica previously and replied to you with the suggestion that we meet in person because I think in person meetings go much farther to resolve issues and address challenges.

in terms of whether or not you are using your DreamMaker program to get around regulations, i don't know. I wrote that I don't want it to be that. I think you could explore getting a beer and wine permit on your own and I am not sure why you haven't done that. I suggested that to Jessica when I talked with her. I suggested to explore different business structures when I talked to her in order to go about

COE-0670

From: [Brian Stephens](#)
To: [Baird, Chandler@ABC](mailto:Baird,Chandler@ABC)
Date: 23 Mar 2022 at 17:46
Subject: RE: Arts Alive Language & Other Info
Attachment(s): 1

Thanks Chandler. Really appreciate this and I will get it to main street.

Leslie has reached out to me about the licensing of the events at Forever Found and I am going to meet with her likely next week. Any chance you have some examples of the issues that have been taking place there?

This is her email to Miles and I:

Hi Captain Stephens and Miles-

I am writing while wearing my "Ink People ED" hat.

I am checking in because you may not know that Roy from Forever Found has a parallel non-profit project that is under the Ink People umbrella. This project is named "Transcending Jaguar" and is the organization through which Roy secures his ABC permits. With the restrictions of the pandemic easing up, Roy has been requesting more permits and someone from the ABC office mentioned to me that there had been some trouble with one of the permits.

I personally sign off on each ABC permit that Roy receives and, in a way, Roy is operating as an extension of the Ink People when he sells alcohol at events.

With that in mind, I definitely want to make sure that things are going well in relation to the city. Please let me know if there is anything that I need to consider or talk with Roy about, so that I can make sure things are running as smoothly as possible.

This doesn't seem right to me. Maybe you can provide some clarification. If you want to meet and talk let me know next time you are around.

Take care, stay well and have a great night.

Godspeed,

COE - 0046

From: Leslie Castellano <leslie@inkpeople.org>
Sent: Friday, October 21, 2022 10:07 AM
To: Brian Stephens <bstephens@ci.eureka.ca.gov>
Subject: ABC Permit for consideration

⚠ **NOTICE:** This came from outside of the City's email system! ⚠

Please exercise caution. Do not click links or open attachments unless you have *verbally* confirmed with the sender that the message actually came from them and that the content is safe. Contact the [Helpdesk](#) if you are unsure!

Hello Captain Stephens!

I am attaching an ABC beer/wine permit for your consideration and signature. It is for a music and dancing event at Synapsis (1675 Union) on October 28.

Also, Roy Gomez from Forever Found contacted me and would like to get a beer/wine permit for 5 nights for his haunted house. 10/27, 10/30, 10/31, 11/1, 11/2

Before I give him permission from Ink People, I wanted to ask if you have any concerns that you would like me to address.

Thank you for your time and consideration!

Leslie

Please note that email correspondence with the City of Eureka, along with attachments, may be subject to the California Public Records Act, and therefore may be subject to disclosure unless otherwise exempt. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

COE - 0039

From: [Leslie Castellano](#)
To: [Brian Stephens](#), [Miles Slattery](#)
Date: 23 Mar 2022 at 15:34
Subject: Forever Found/Transcending Jaguar

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I personally sign off on each ABC permit that Roy receives and, in a way, Roy is operating as an extension of the Ink People when he sells alcohol at events.

With that in mind, I definitely want to make sure that things are going well in relation to the city.

Please let me know if there is anything that I need to consider or talk with Roy about, so that I can make sure things are running as smoothly as possible.

Thanks for all you do!

Leslie Castellano

COE - 0007



SATURDAY, OCTOBER 13, 2018 AT 7 PM

Felabration: Celebrating the life and music of Fela Kuti

Event Ended

Your response is visible to the hosts and Friends

Event by Ink People Center for the Arts, Synopsis and Leslie Castellano Eureka City Council

25 went · 87 interested



Public · Anyone on or off Facebook

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What to expect

leslie castellano eureka city council

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Roy Gomez is with Jenni Devinger and 6 others.

Sep 24, 2018

We're looking forward to hosting this amazing night of live music and benefit for our friend Leslie Castellano's campaign for Eureka City Council!!! Lagos Roots is coming up from OAKLAND to bless us with their AfroBeat Ensemble made up of 12 talented musicians. This will be their special performance for this years "Felabration".....a tribute to the life of Fela Kuti. This is gonna be a serious ass shakin good time!! Look forward to seeing you all on the floor.

Join Leslie Castellano For Eureka City Council

With Special Guests

JUDRUM

Asha & Nan

Oct 13th
109 5th St. Eureka, Ca.
Doors open at 7pm

FELABRATION!!!
CELEBRATING THE LIFE
AND MUSIC OF FELA KUTI

LAGOS ROOTS
AFROBEAT ENSEMBLE

INI Productions
WorldBeat Music

LESLIE CASTELLANO
Eureka City Council

INK PEOPLE

FOREVER FOUND