MINUTES OF
EUREKA CITY COUNCIL

February 15, 2022

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 - existing litigation
Stacy Cobine, et al v. City of Eureka et al
United States District Court Northern District of California, Oakland Division Case No. 16-cv-02239-JSW

Conference with legal counsel – existing litigation
City of Eureka v. Purdue Pharma, L.P., et al.,
United States District Court Northern District of Ohio Case No. 1:18-op-46092

Conference with Legal Counsel - Initiation of Litigation (1 Case)
Pursuant to California Government Code paragraph (4) of Subdivision (d) of section 54956.9

REGULAR SESSION – 6:00 P.M.

ROLL CALL:
PRESENT: Susan Seaman
Leslie Castellano
Natalie Arroyo
Kim Bergel
Scott Bauer
Kati Moulton
ABSENT: None

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION: No final actions to report.

A) MAYOR’S ANNOUNCEMENTS

A.1 National Black History Month Proclamation - Councilmember Bergel presented a proclamation for National Black History Month 2022.

Mayor Seaman attended the 2 x 2 meeting with Eureka City Schools and discussed funding for Universal Pre-school, Pre K program. Reminder, even with the mandatory mask order lifting tomorrow, businesses can still require them. Be kind.

B) PRESENTATIONS - Item I.2 moved to presentations.

I.2 Capital Improvement Program 2022 - City Engineer Jesse Willor provided the presentation.

C) BOARD/COMMISSION REPORTS: None

D) PUBLIC COMMENT PERIOD

Unidentified speaker
Recess – 10 minutes
Ash Teeter
Louise
Scott Chandler
Donny Creekmore

E) PUBLIC HEARINGS: None

F) CONSENT CALENDAR - Natalie Arroyo moved, seconded by Scott Bauer, to approve the CONSENT CALENDAR minus items F.2 and F.6, motion Carried

Ayes: Leslie Castellano, Natalie Arroyo, Kim Bergel, Scott Bauer, Kati Moulton
Noes: None
Absent: None

F.1 Council Meeting Minutes – Approve the regular Council minutes of February 1, 2022 as submitted.

F.2 Humboldt Bay Trail South Letter - Approve a letter encouraging the Coastal Commission to approve the County of Humboldt’s application
for a coastal development permit to construct Humboldt Bay Trail South.

F.3 Establishment of Labor Compliance Program for Use of Proposition 84 Funding for the Elk River Estuary Restoration Project - Adopt Resolution No. 2022-11 of the City Council of the City of Eureka to establish a Labor Compliance Program for use of Proposition 84 Funds for the Elk River Estuary Restoration Project.

F.4 OIR Group Professional Services Agreement - City Manager Miles Slattery and Chief Todd Jarvis provided a report. No one from the public addressed the Council regarding this subject matter.

Kim Bergel moved, seconded by Kati Moulton, Authorize the City Manager to negotiate and execute a professional services agreement not to exceed $90,000 per year with the OIR Group to perform Independent Police Auditor on-call consulting services, motion Carried
Ayes: Leslie Castellano, Natalie Arroyo, Kim Bergel, Scott Bauer, Kati Moulton
Noes: None
Absent: None

F.5 Notice of Intent to Comply (NOI) Under SB 619 Resolution - Adopt Resolution No. 2022-12 of the City Council allowing the Community Services Department to submit a Notice of Intent to Comply under SB 619.

F.6 Grant Award for Oil Spill Response Equipment – Councilmember Scott Bauer recused himself and left the Council Chambers. Deputy Community Services Director Jeff Raimey provided a report. No one from the public addressed the Council regarding this subject matter.

Kim Bergel moved, seconded by Kati Moulton, Adopt Resolution No. 2022-13 of the City Council approving and authorizing execution of a Grant Agreement with the California Department of Fish and Wildlife, motion Carried
Ayes: Leslie Castellano, Natalie Arroyo, Kim Bergel, Kati Moulton
Noes: None
Absent: Scott Bauer

F.7 Settling Basin - Phase I - Declare Mercer-Fraser Company the preferred bidder on Settling Basin - Phase I; and Award Bid No. 2022-06 to Mercer-Fraser Company for the amount of $146,500; and Approve $176,420 for construction, which includes 17% for contingency and construction management.
H) ORDINANCES/RESOLUTIONS

H.1 January 2022 Zoning Code Update - Principal Planner Kristen Goetz provided a report. No one from the public addressed the Council regarding this subject matter.

Kim Bergel moved, seconded by Natalie Arroyo, Waive full reading, read by title only, and adopt Bill No. 1010-C.S., Ordinance No. 931-C.S., "An Ordinance of the City of Eureka amending portions of Eureka Municipal Code Chapter 155 for the January 2022 Zoning Code Update.", motion Carried

Ayes: Leslie Castellano, Natalie Arroyo, Kim Bergel, Scott Bauer, Kati Moulton
Noes: None
Absent: None

H.2 Bill No.1011 Presentation Of Claims For Certain Causes Of Action Against The City - City Attorney Black provided a report. No one from the public address the Council regarding this subject matter.

Natalie Arroyo moved, seconded by Scott Bauer, Waive full reading, read by title only and Adopt Bill No. 1011-C.S., Ordinance No. 932-C.S., A Ordinance Adding Section 39.11 To Chapter 39 of the Eureka Municipal Code Requiring Presentation Of Claims For Money Or Damages Under The Government Claims Act For Claims Otherwise Excepted From The Claim Requirement By Government Code Section 905, motion Carried
Ayes: Leslie Castellano, Natalie Arroyo, Kim Bergel, Scott Bauer, Kati Moulton
Noes: None
Absent: None

G) LEGISLATIVE ACTION CORRESPONDENCE

Councilmember Castellano, requested that a letter to CPUC, to advocate for broadband be authorized by Council. The letter read into record.

Natalie Arroyo moved, seconded by Kati Moulton, approved sending letter as presented, motion Carried
Ayes: Leslie Castellano, Natalie Arroyo, Kim Bergel, Scott Bauer, Kati Moulton
Noes: None
Absent: None

I) REPORTS/ACTION ITEMS

I.1 Bode Major Subdivisions SDMJ-20-0001 and SDMJ-21-0001 - Senior Planner Kaitlin Castellano provided a report. No one from the public addressed the Council regarding this subject matter.
Kim Bergel moved, seconded by Natalie Arroyo; Receive report; and take no action,
motion Carried

Ayes: Leslie Castellano, Natalie Arroyo, Kim Bergel, Scott Bauer, Kati Moulton
Noes: None
Absent: None

I.2 Capital Improvement Program 2022 – No action taken, presented under presentations.

J) FUTURE AGENDA ITEMS

K) CITY MANAGER REPORTS

K.1 Carson Park Update - City Manager Miles Slattery introduced Robin Praszker to present Carson Park improvements.

L) PUBLIC COMMENT CONTINUED

M) COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

Councilmember Castellano continues to facilitate a housing working group on Mondays, appreciate Councilmember Bauer for the work on Cooper Gulch project.

Councilmember Moulton attended the Eureka City Schools 2 x2 meeting and discussions surrounding the Jacobs site continues. Work toward equality and recognize contributions of all black Americans.

Councilmember Arroyo stated that HTA’s work pertaining to the transit hub, will also fund improvements toward new infrastructure relating to fuel requirements, non-gasoline buses. Working with folks in the native arts community for Native Arts in Eureka.

Councilmember Bauer attended the LOCC Governance Transparency and Labor Relations Meeting. The Cooper Gulch was a great event, over 20 people attended and filled a dumpster.

Councilmember Bergel provided updates about the zoo including the breaking ground on the Bear and Coyote exhibit. She attended the 2 x 2 County of Humboldt meeting and met with DHHS regarding Laura’s Law.

ADJOURNMENT: 9:17 PM
APPROVED:

Susan Seaman
Mayor

Attest:

Pamela J. Powell
City Clerk