

**CITY OF ARCATA  
CITY COUNCIL MEETING**

ARCATA COMMUNITY CENTER

MARCH 21, 2018

**SPECIAL MEETING**

A special meeting of the City Council of the City of Arcata was held on the above date at 5:15 p.m. with Mayor Pereira presiding. Notice of this meeting was posted on March 16, 2018. PRESENT: Pereira, Watson, Ornelas, Pitino, Winkler. ABSENT: None. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Assistant City Manager/Personnel Director Demello, Police Lieutenant Silvers.

**PUBLIC COMMENT**

No one was present to speak during public comment.

**CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION  
Pursuant to Government Code Section 54956.9(d)(2): One Case.**

The Council met in closed session in the conference room at the Arcata Community Center at 5:15 p.m.

The Council met in open session beginning at 5:35 p.m. in the conference room at the Arcata Community Center.

**OPEN SESSION**

**A. Interview One Applicant for One of Two Vacancies on the Transportation Safety Committee for a Term to Expire Either October 31, 2018, or October 31, 2020.**

The Council interviewed Mary Ella Anderson for one of two vacancies on the Transportation Safety Committee.

The Council returned to the main gym at the Arcata Community Center at 5:47 p.m to meet in open session.

**CLOSED SESSION REPORTS**

**A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION  
Pursuant to Government Code Section 54956.9(d)(2): One Case.**

Mayor Pereira said there was nothing to report out from the closed session.

**ADJOURNMENT**

The meeting was adjourned at 6:05 p.m.

## **SPECIAL MEETING**

A special meeting of the City Council of the City of Arcata was held on the above date at 6:05 p.m. with Mayor Pereira presiding. Notice of this meeting was posted on March 16, 2018.

PRESENT: Pereira, Watson, Ornelas, Pitino, Winkler. ABSENT: None. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Director of Community Development Loya, Assistant City Manager/Personnel Director Demello, City Engineer Class, Director of Environmental Services André, Assistant City Engineer Khatri.

### **FLAG SALUTE**

Mayor Pereira led the flag salute.

### **CEREMONIAL MATTERS**

#### **A. Proclamation Designating April 3, 2018, *National Service Recognition Day*.**

Councilmember Ornelas read the proclamation and presented it to Maureen McGarry, Director of the Volunteer Center of the Redwoods and Retired Senior Volunteer Program (VCOR/RSVP), who thanked the Council for the recognition. Ms. McGarry reported on the Home Away From Home project that had hosted three community potlucks for Humboldt State University students to welcome them in the community. She announced the final potluck would be held April 1, 2018, at the D Street Neighborhood Center celebrating César Chávez Day.

#### **B. Proclamation in Recognition of *Welcome Home Vietnam Veterans Day, March 30, 2018*.**

Councilmember Winkler read the proclamation and presented it to Leonard Shumard, Vietnam Veteran, who thanked the Council for the recognition and accepted the proclamation on behalf of all who lost their lives in the Vietnam War.

### **REPORT BY COMMISSION/COMMITTEE**

#### **A. Annual Report by the Economic Development Committee.**

Craig Wruck, Chairperson of the Economic Development Committee, appeared before the Council and gave an oral version of the Committee's annual report. He drew the Council's attention to three areas of interest the Committee had identified to address in the next year: 1) underutilized industrial lands in the City—how they could be better used; 2) technology needs for small businesses; and 3) strategies for how to help Arcata businesses adapt and tend to the needs of an increasingly diverse group of residents.

### **EARLY ORAL COMMUNICATIONS**

Mayor Pereira invited public comment.

Bob Holcomb appeared before the Council and critiqued the reasons Councilmember Ornelas gave for voting on February 21, 2018, to remove the President William McKinley statue saying he felt her reasons exemplified what was wrong with the decision.

An unidentified member of the audience appeared before the Council and expressed their appreciation to the Council for voting to remove the President William McKinley statue from the Plaza.

An unidentified member of the audience appeared before the Council and asked it to direct Councilmember Winkler and Councilmember Ornelas to keep their comments and interactions with citizens respectful and kind, and not create further hurt, tension and aggravations.

Tracy Smith, a resident of McKinleyville, appeared before the Council and requested it review the Public Safety Task Force's report through a racial equity lens as its primary focus.

An unidentified man appeared before the Council and said he would be revisiting the topic of justice for all. He invited people to the D Street Neighborhood Center on March 22, 2018, at 6:00 p.m., where people of color could have their voices heard.

Bob Ornelas, a resident of Sunny Brae, appeared before the Council and thanked the City for building the Humboldt Bay Trail North. He also requested an update on proposed dog parks in Arcata.

Mayor Pereira closed Early Oral Communications.

### **CONSENT CALENDAR**

Councilmember Watson removed item A from the Consent Calendar for further discussion.

**ON MOTION BY WINKLER, SECONDED BY ORNELAS, AND WITH A UNANIMOUS VOICE VOTE, THE COUNCIL ADOPTED THE CONSENT CALENDAR FOR MARCH 21, 2018, WITH THE EXCEPTION OF ITEM A. MINUTES OF THE CITY COUNCIL MEETING OF FEBRUARY 21, 2018. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

- A. Item VII-A was moved to Items Removed from Consent Calendar.**
- B. Approve the Minutes of the City Council Meeting of March 7, 2018.**
- C. Bi-Weekly Report on General Warrants.**
- D. Reject Claim for Money or Damages Against the City of Arcata from Ervin Eugene Sweat, Sr., and Sandra Robinson and Refer to the Redwood Empire Municipal Insurance Fund.**
- E. Award a Construction Contract for the 2018 Asphalt Grind Out and Inlay Project to Darren Taylor Construction, Inc., in the Amount of \$325,821.08; Authorize the City Engineer to Increase the Contract Amount by up to \$48,873.16 (15 Percent, for a Total of \$374,694.24) to Allow for Any Unforeseen Contingencies and Additional Paving Work as Necessary; and Authorize the City Manager to Execute All Applicable Documents.**

- F. Award a Striping Contract for the 2018 Alliance Road Restriping Project to Apply-A-Line, LLC, in the Amount of \$31,080.50; Authorize the City Engineer to Increase the Contract Amount by up to \$6,216.10 (20 Percent, for a Total of \$37,296.60) to Allow for Any Unforeseen Contingencies and Additional Striping Work as Necessary; and Authorize the City Manager to Execute All Applicable Documents.**
- G. Adopt Resolution No. 178-50 Supporting Proposition 69 Preventing the Diversion of Transportation Funds and Opposing the Repeal of Senate Bill 1 That Provides Transit Funding for the City of Arcata.**
- H. Adopt Resolution No. 178-49 Supporting Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.**

**ITEMS REMOVED FROM CONSENT CALENDAR**

**A. City Council - Regular and Special Meeting - Feb 21, 2018 6:00 PM**

Councilmember Watson said that at the February 21 meeting, Councilmember Pitino had asked if it was possible to put a measure on the June 2018 ballot, and staff had responded that it would be very difficult to meet the submission deadline, which was the end of February. He requested this question and answer be included in the minutes.

**ORNELAS MOVED AND PITINO SECONDED TO APPROVE THE MINUTES OF FEBRUARY 21, 2018, AMENDED TO INCLUDE THE QUESTION AND ANSWER ON THE POSSIBILITY OF SUBMITTING A BALLOT MEASURE FOR THE JUNE 2018 ELECTION.**

Mayor Pereira invited public comment. No one came forward to speak. Mayor Pereira closed the public comment period.

**THE MOTION PASSED ON A UNANIMOUS VOICE VOTE. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

**OLD BUSINESS**

**A. Consider a Voting Process to Assess the Community's Preference for a New Location for the President William McKinley Statue.**

City Manager Diemer explained that this agenda item was to consider a voting process that would assess the community's preference on a new location for the President William McKinley statue. She said the Council had voted on February 21, 2018, to remove the statue from the center of the Plaza and this initiated an environmental review process through the California Environmental Quality Act (CEQA). She said staff had prepared an outline of what that environmental review process looked like in addition to some background information put together by the City Attorney on the concept around the historic nature of that statue, both in terms of the statue itself and, contextually, in terms of its location in the center of the plaza. She said the proposal that came forward at the Council's March 7, 2018, meeting was to consider a voting process to assess a preference for a new location for the statue. City Manager Diemer

related that initial conversations with the Humboldt County Elections Division confirmed that a ballot measure with a series of choices would not be possible with the County's election software, i.e. ballot measures must have a yes or no choice. She said this would point in the direction of doing something unique such as a mail-in ballot or computer banks at City Hall for voting. She said that if it were the will of the Council to hold such a vote, staff would need several months to refine a process. She noted that Councilmember Ornelas's concept proposal had not yet been vetted by staff. She said staff would use a vote as the alternative analysis process of the overall CEQA process and would include input received by the Council at its last two meetings, as well as the evening's meeting. She said staff was ready to receive the Council's direction.

Councilmember Pitino said he felt that including a location choice of "Plaza center" was in conflict with the vote the Council had already taken. He said he would like to have the citizen's input on where the statue is relocated.

City Manager Diemer pointed out that the Council was clear at its March 7 meeting that it did not wish to reconsider the vote it took at its February 21, 2018, meeting to remove the statue from the center of the Plaza.

On inquiry by Councilmember Pitino, Councilmember Ornelas said the reason she included "Plaza center" in the list of possible locations was that she thought it could be a way for the City to engage the citizens in the Environmental Impact Report (EIR) process, which included a "no project" option for analysis. She noted that through CEQA, no matter what came out of the alternative analysis, the ultimate discretion was the agency's and the agency would have to justify its decision. She said she felt that letting the citizens have a say would strengthen the EIR. She said that through her analysis of the issue, she felt the statue was offensive to some in the community and felt it did not belong in the center of the Plaza. She expressed that she wanted to have an educational program and trusted the citizens of Arcata to see this issue on a deeper level.

On inquiry by Councilmember Pitino, Director of Community Development Loya said the no project alternative was one of the alternatives that had to be evaluated in an Environmental Impact Report. He said that typically it was discarded because it could not satisfy the project objective. He said that alternatives being evaluated had to be potentially feasible alternatives to achieve at least some of the objective, and he was not sure how a voting process would inform the CEQA process, although he could see how it could be an information-gathering tool.

City Manager Diemer said she did not think a vote would either undermine or support CEQA. She said the determination needed to be if the alternative that was preferred would also mitigate enough of the impact that the decision-making body was comfortable with the alternative.

Councilmember Pitino declared that the "Plaza center" option was confusing and in reality would not be an option.

Director Loya responded that the action taken to remove the statue initiated the CEQA process that would evaluate the project and then the Council would take a final action at the end of the process. He said the Council could not take action until CEQA lapsed. He said he understood the project was to remove the statue, store it, and amend the General Plan to accommodate that removal. He said that once the EIR was certified, the Council could take action to remove the statue and potentially, through the alternative analysis, may have a preferred location for it.

City Attorney Diamond added that this suggestion was to try to integrate some polling/survey/voting process into the CEQA process and it would not supplant or replace the CEQA process, it would just help inform the analysis. She said that CEQA required that one of the alternatives to be analyzed was a “no action” alternative. She said the project was to remove the statue and the next component would be what to do with it.

On inquiry by Councilmember Ornelas, Director Loya explained that the CEQA process had a timeframe during which public comment was taken in, and there would probably be scoping meetings at different times and locations to make sure people had an opportunity to participate.

Mayor Pereira said she shared the concern about the Plaza center option and said she felt putting this to a vote would not give the Council the depth of public opinion about the statue’s location. She said she felt the City could accomplish public engagement through the CEQA process.

Councilmember Watson said he was interested in feedback from the public, but didn’t know if a vote was the best way to obtain information.

Mayor Pereira invited public comment.

Claudia Johnson, a resident of Arcata, appeared before the Council, said the statue was a gift to the citizens of Arcata, that the Council was responsible for caring for it, and right then she didn’t believe the Council was doing that. She said the only people who had a right to determine the fate of the statue were the voting citizens of Arcata.

Carlrey Arroyo, a resident of Arcata, appeared before the Council and said we should be moving toward conversations about what will happen with the statue or where to place it that is not in the center of the Plaza.

Rob Hepburn, a resident of Arcata, appeared before the Council and said that due to actions taken during President McKinley’s administration relative to manifest destiny, the statue should not be in a place of honor in Arcata.

Keenan Hilton, a resident of Arcata, appeared before the Council and encouraged it to hear comments for the process moving forward on where the statue would go. He said the CEQA process was the vehicle for having a careful analysis of this issue.

George Green, a resident of Arcata, appeared before the Council and recommended the statue remain in place, but with a plaque to put it into context. He pointed out inherent problems with a

multiple-choice ballot splitting up the vote. He said the question should be if one wanted the statue on the Plaza, and if not, then three choices for relocation. He surmised the 9,611 registered voters in Arcata might want their chance to vote.

Bob Ornelas, a resident of Arcata, appeared before the Council, said he had been uncomfortable with the process up to this point and he just wanted to have a vote on the future of the statue.

Bob Holcomb, a resident of Arcata, appeared before the Council and said that to use McKinley's signing of the Curtis Act as the sole reason to banish the statue from the center of town was ridiculous. He said he did not believe the author, Charles Curtis, drafted the legislation to harm his own people.

Joanne McGarry appeared before the Council and read a quiet meditation on the Arcata town center. She spoke of the statue's location being a hindrance to activities on the Plaza, and said she wanted a peaceful Plaza for the future.

Maureen Kane appeared before the Council and said that if there was to be peace, people must openly and publicly acknowledge all our wrongdoing so we can ask to be forgiven and to forgive. She pointed out that atrocities occurred in the town square.

Alyson Wendell, a social worker at St. Joseph Hospital, appeared before the Council and encouraged it to include historical trauma and the impact of colonialism in the CEQA report. She recommended keeping the statue in storage until the curriculum in the schools had the correct history of the nation.

Ryan Emenaker, professor of political science at College of the Redwoods and lecturer at Johns Hopkins University, appeared before the Council and argued against a vote on where to relocate the statue saying it would impair the public process. He explained that the multi-tiered vote on where to relocate the statue would fracture public opinion across the options.

Chelsea, a resident of Arcata, appeared before the Council and said she wanted to insure the Council followed through with removal of the statue and that it would no longer be on the Plaza.

Tia Oros-Peters appeared before the Council and applauded it for its courage to vote to remove the statue.

Ruby Reed, a resident of Arcata, appeared before the Council and said she would love to have something else in place of the statue, and would rather vote for what could be put in its place.

Chris Peters, a resident of Arcata and President and CEO of the Seventh Generation Fund, appeared before the Council and expressed his appreciation for its vote to remove the statue. He said the City needed to vet the options as true options before a vote could be taken.

Ankita Mylatore appeared before the Council, thanked it for voting to take down the statue and said she hoped it did not go to a vote.

Jeff Rich, a resident of Arcata, appeared before the Council and applauded it for voting to remove the statue.

Diane Ryerson appeared before the Council and thanked it for voting to remove the statue. She said she was totally opposed to any advisory vote. She said if the Council wanted to revisit its original vote, it would have to set aside its parliamentary procedure rules, vote to reconsider, and then vote on the issue again.

Meg Stofsky, a resident of Eureka, appeared before the Council and said she hoped the Council would honor its vote to remove the statue.

Walt Paniak, a resident of Arcata, appeared before the Council and said he supported the vote the Council took on February 21 to remove the statue. He stated that he thought an advisory vote on where to relocate the statue would violate that original vote.

Richard Kossow appeared before the Council and expressed his concern that CEQA would be an impediment to removal of the statue. He requested staff address the idea of a Negative Declaration in the CEQA process.

Lisa Pelletier, a resident of Arcata, appeared before the Council and said that when she heard peoples of color being described as lynch mob, vigilantes, extremists, she heard a large level of disrespect. She said that students had the power to vote this Council out.

An unidentified member of the audience who was a resident of and business owner in Arcata, appeared before the Council and said she wanted to be proud of what was in the center of town, and felt the statue represented racism, violence, and patriarchal domination.

Eric Lund, a resident of Arcata, appeared before the Council and said he supported a democratic process and would like to be able to vote on the statue. He said he supported a process that would include a vote for whether the statue stayed or went.

Sage, a resident of Eureka, appeared before the Council to echo, add strength, and support what people had already said. He said that if Arcata was a progressive community, it needed to move away from imperialism and racism.

John Schafer, a resident of Arcata, appeared before the Council and said he was proud of it for making its choice. He recommended not complicating the issue and said he felt scoping meetings might be a waste of time and money. He further recommended that if there was a vote, it be done as rank choice voting.

Victor Green appeared before the Council and noted that his grandfather had attended the dedication of the statue in 1906 over which there had been a lot of excitement. He said that William McKinley served in the Union army against slavery, so he wasn't totally a bad guy. He told the Council to not be afraid of democracy and having a vote.



Lorna Bryant appeared before the Council and asked if the City of Arcata had voted in 1906 on where to place the statue. She surmised that there were no Wiyot citizens who stood on the Plaza on July 4, 1906, when the statue was dedicated.

Susan Abbott, a public arts consultant, appeared before the Council and said that in Europe, they don't take down their sculptures, and in Germany, they chose to represent the holocaust by placing signs so people wouldn't forget what happened. She wondered if there wasn't some middle path where we were not tearing down our history, but rather educating people on the history. She suggested that out of this might come some recognition of the Wiyot history here.

Alyson Edrington appeared before the Council and recommended the Council appoint a committee to find the statue a new home and find a new focus for the center of the Plaza. She noted that people of color felt unsafe existing in the community and the statue was a symbol of that. She thanked the Council for being open to listening, and thanked everyone who came to speak.

Dillon Ferrari, a resident of Eureka, appeared before the Council and said he agreed with putting the fate of the statue on a ballot.

Luke Sortis appeared before the Council and said that taking down the statue was a step in the right direction. He said he cared about the symbols around us and was not proud of the statue.

Thomas Joseph appeared before the Council and thanked it for making the correct decision to remove the statue of President McKinley. He said that when tribal members went to the Plaza, they ended up being brutalized most of the time, and he felt the statue was telling people that white supremacy reigned and people of color did not have a choice.

Pam Brown, a resident of Arcata, appeared before the Council and said this issue was about what captured the heart and unique nature of Arcata. She said the Council needed to listen to the Wiyot Tribe.

Gail Hovey, a resident of Arcata, appeared before the Council and commended it for the vote it took. She said she hoped there was some education to come out of this.

Kelsey Reedy, a resident of McKlanleyville, appeared before the Council and said it was its obligation to do this and that it had made the right decision. She said it was not appropriate to put this decision on a ballot initiative.

Eric Ryberg, a Pomo Indian, appeared before the Council and said that George Zehndner, a 49er and Indian killer, put the statue there. He asked the Council to please not backtrack.

Emily Villez, a resident of Arcata, appeared before the Council and thanked it for making its decision in February.

Dave Carter, a resident of Humboldt County, appeared before the Council and urged it to stand behind its vote to remove the statue from the Plaza.

Madison appeared before the Council and thanked it for making the decision to take down the statue. She said she did not respect the democratic process.

Beth Ann Wiley, a resident of Humboldt County, appeared before the Council and said its decision in February was a pivotal move toward healing. She urged the Council to stand by its decision.

Stephanie McCaleb appeared before the Council and said she hoped the Council would choose to ignore the clamor and not be bullied into making a decision that would not result in the best use of City funds, energy, or resources. She said the money should be spent on additional police, better lighting, safer streets, or community services. She urged the Council to allow the citizens of Arcata to vote democratically on what happened in Arcata.

Susan Hanson, a resident of Arcata, appeared before the Council and urged it to move forward with a voting process to assess community preference for relocation of the statue because she felt the Council had not yet heard from the citizens of Arcata.

Jeffrey DelGaudio appeared before the Council and told it to make its decision based on what it heard from citizens and not personal opinion. He thanked those who voted to remove the statue.

Patrice Emenaker, a resident of Arcata, appeared before the Council and applauded its decision to remove the statue of President William McKinley. She implored the Council to stand by that decision.

Sage Smukler appeared before the Council and said he was worried that people were misinformed on who President McKinley was. He gave a history of President McKinley's life up to and including the Spanish-American War.

Gordon Nickolaus, a resident of Bayside, appeared before the Council and asked for an estimate of how much it would cost and how Arcata would be paying for removal of the statue. He said the community needed to ask what it could do with that money, citing that there were citizens without enough to eat and living outdoors.

Renee Saucedo, representing Centro del Pueblo, appeared before the Council and said the Latinx community deferred to the Wiyot Tribe and supported it in bringing down the statue. She said they would hold elected officials accountable as the Wiyot instructed them to.

Rosemary Greedy appeared before the Council and said that to backpedal and allow the community to vote was absurd. She said the power should be in the Wiyot people, and that it was urgent to remove the McKinley statue.

An unidentified member of the audience appeared before the Council and said the process was not rooted in any fact or actuality, and that she did not think CEQA or an EIR were necessary.

Kathleen Ann, a Licensed Clinical Social Worker and resident of Humboldt County, appeared before the Council and said that people could pay reparations at [honortax.org](http://honortax.org). She thanked the Council for voting to remove the plaque and statue.

Dawn appeared before the Council and said she hoped people would not get discouraged during the CEQA process. She said she knew the statue was causing pain to people. She stated she would like to see more plaques around Arcata relating the local history.

**RECESS:** The Council recessed from 8:56 to 9:10 p.m.

Jene McCovey, from the World of New Religion, appeared before the Council and spoke of ceremonies they perform. She relayed that Tony Hernandez had said she could speak for the Wiyot people. She said she called the Wiyot Tribe and asked when they would be having the Wiyot vigil on Indian Island and was told they were not holding the vigil anymore; they were holding the ceremony. She stated that with that in mind, amidst all the carnage that happened and the symbol of this statue, was the beauty of our families, the beauty of the ceremony and the formulas they bring to this world.

Nathanial McGuigan, Chair of Humboldt M.E.Ch.A, appeared before the Council and thanked it for voting to remove the statue. He said there was a community fundraising effort to pay for the removal.

Eileen Vasquez, a resident of Arcata, appeared before the Council and said she hoped it would listen to indigenous voices. She said the democratic process had repeatedly failed minorities, and that people of color did not feel safe in Arcata. She said the statue represented oppression and white supremacy.

Eva, a resident of Arcata, appeared before the Council and said that transformative justice was being offered by the Wiyot Tribe and that was an incredible gift to which people needed to pay attention. She said she was grateful the Council made the decision to remove the statue.

Uri Driscoll appeared before the Council and said the process was backward. He said the community should be deciding what would be on the Plaza before deciding to remove the statue.

An unidentified resident of Arcata appeared before the Council and said the Council was given the power to take down the statue.

Joseph Amoral appeared before the Council and said a compromise could be to re-contextualize the statue by adding a plaque to it with a more complete description of history.

An unidentified member of the audience appeared before the Council and thanked it for making the vote to remove the statue stating it was important to choose people over things. He said the McKinley statue represented lives taken and lands seized for imperialist gain.

Mr. Segura appeared before the Council and said the statue was hateful and a constant reminder of historical trauma. He noted there was nothing on the Plaza to honor the Wiyot people. He said that if the Council put the removal to a vote, all the white people would vote to keep the statue.

Matthew St. Gaugiano appeared before the Council and said he believed the majority of Arcata's residents were socially progressive and he would like to see a more universal message at the center of the Plaza. He said this decision should not go to a vote.

Carpani Burns appeared before the Council and said she was ecstatic when she saw the courage of the Council to vote to remove the statue. She said that if it reversed its vote, people would never again believe or trust the Council.

An unidentified member of the audience appeared before the Council and said it already voted to remove the statue, and it should be left at that.

Brian Whitehead, a resident of Arcata, appeared before the Council and said the main issue at hand was that removal of the statue would cost a significant amount of money. He said that if the statue was removed, it should not be relocated. He urged the Council to honor its constituency and not use funds to relocate the statue.

An unidentified member of the audience appeared before the Council and said that removal of the McKinley statue would cause a favorable change to the Plaza environment.

Christina Accomando, a resident of Arcata, appeared before the Council and commended it on its courage to vote to remove the statue. She urged the Council to honor the integrity of that decision.

Jeremy appeared before the Council and expressed his concern about the cost of removal. He said there were more pressing issues in Arcata and that people were suffering. He asked, if the Council didn't put this to a vote, wouldn't that be taxation without representation?

Jason Martinez appeared before the Council and said that in his hometown, people fought the issues of homelessness, drugs, police brutality and racism without public funding. He asked what the people of Arcata were doing.

An unidentified member of the audience appeared before the Council and congratulated it for its four-to-one vote on February 21, noting that in 2005 the Council's vote was three-to-two to keep the statue. He reminded people that Arcata had a representative democracy.

Olive appeared before the Council and said she did not agree that the decision should be made by a community-wide vote at this point. She said the people who experienced the most harm needed to have their feelings prioritized.

Jacob appeared before the Council and said that the history of William McKinley was complex, but racist, similar to the history of this area. He said that the decision to take down the statue was a decision against racism.

Andrea All Love appeared before the Council and told the story of her family's experience in Arcata. She said she did not feel safe walking through the streets of Arcata.

An unidentified member of the audience appeared before the Council and reported that he had called the McKinley Library in Ohio and the Director was very receptive to taking the statue and to helping fund the removal.

Thomas, a resident of Arcata, appeared before the Council and said that democracy was a racist system of oppression, and that this proposed vote was a maneuver by a racist group to get the statue to stay.

An unidentified member of the audience appeared before the Council and said the fact that the Council voted to remove the statue from the Plaza meant it could not put it to another vote to remove it from the Plaza without going through the proper protocol to redact its original vote. He urged the Council to be straightforward.

Barbara Singleton, Black Student Union President at HSU and resident of Arcata, appeared before the Council and said that if the Council wanted students of color to remain in Arcata and remain calm, it needed to uphold the decision it made on February 21 and it needed to ensure the Arcata Police Department solved the murder of David Josiah Lawson.

Louis Gordon appeared before the Council and strongly encouraged it to seriously vet the options put forward for relocation of the McKinley statue.

Jeff Ziegler, a resident of Arcata, appeared before the Council and said Arcata needed to get past all the racist talk, and that whatever happened to the statue would happen to the statue. He said it was amazing to him that one of our most honorable Presidents was being vilified. He gave a brief history of McKinley's life and said McKinley was a man of passivism.

Nancy Kuypur appeared before the Council and said she was happy to see that this had been mostly a peaceable, civilized meeting. She told the Council to stand by its decision because if it didn't, it would be degrading the integrity of this process.

Eric appeared before the Council and said the statue was paid for by gold rush money that came out of Placer and Butte County, and the Yahi Tribe there was extinct because of the gold rush. He told the Council to send the McKinley statue to Ohio.

An unidentified member of the audience appeared before the Council and extended gratitude and commended the Wiyot people for not giving up against the Council. He said that until the statue was down, the Council deserved no thanks.

Willow appeared before the Council and said that if the statue stood anywhere in town after this, the City should go back to its slogan of 1910, "The White City."

Mayor Pereira closed the public comment period.

Councilmember Ornelas reiterated that she wasn't trying to rescind her vote and did not want the Council to revisit its vote. She said she had come to learn that it was probably too complex to try to do this through a vote. She rescinded her suggestion.

Councilmember Winkler commended Mayor Pereira for handling the meeting extremely well and that the audience cooperated. He thanked the audience for being respectful.

Councilmember Ornelas requested historical trauma be included in the EIR.

On inquiry by Councilmember Pitino, City Attorney Diamond said a Negative Declaration on an issue that had so much public controversy would be examined only after doing an Initial Study, which was a mini-EIR. She explained that because of the way the General Plan read, it said very specifically that the McKinley statue was a feature that is what made the Plaza historic and it had to be "preserved." Because it said that in the General Plan, to move the statue was a significant impact. In answer to the question as to whether it could be mitigated to the point of no longer being significant through, for example, photographs and documentation, she said that was theoretically possible but was subject to triggering an EIR if someone came forward with "fair argument" that said the statue was historic and its historicity could not be documented through a photograph or record. Moreover, the moment someone came forward and said that, the City would be in the EIR process anyway. She explained that the project was to amend the General Plan.

Councilmember Watson complimented Mayor Pereira on running the meeting. He asked if the EIR process would be affected by a choice of putting the statue in storage or relocating it.

Director Loya responded that the objective of the EIR would be to conduct an alternative analysis to allow the City to select an alternative site, and either have that decision be tiered or have the decision concurrent with the proposed project that at this point was to remove the statue. The Council could decide to select one of the alternative actions to the proposed action. The Council could then go directly to that action because it would have been analyzed in the EIR.

City Attorney Diamond confirmed that the Council's process on this issue is legislative, and not quasi-judicial.

Mayor Pereira reaffirmed that the Council's action that evening was to continue as was laid out in its vote of February 21 and to move forward with the EIR process.

**NEW BUSINESS**

**A. Appoint One Member to the Transportation Safety Committee for a Term Expiring Either October 31, 2018, or October 31, 2020.**

**PITINO MOVE AND WATSON SECONDED TO APPOINT MARY ELLA ANDERSON TO THE TRANSPORTATION SAFETY COMMITTEE FOR A TERM EXPIRING OCTOBER 31, 2020.**

Mayor Pereira invited public comment. No one came forward to speak. Mayor Pereira closed the public comment period.

**THE MOTION PASSED ON A UNANIMOUS VOICE VOTE. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

**B. Adopt Resolution No. 178-18 Establishing a Western Greenbelt Outside the City's Western Limits.**

**Clerk's Note:** At this point, the remainder of the agenda was put over to the next regular meeting of April 4, 2018, and the meeting was adjourned.

**ORAL AND WRITTEN COMMUNICATIONS**

**COUNCIL AND STAFF REPORTS**

**DATES OF FUTURE MEETINGS**

**A. Study Session on Zero Waste, Thursday, March 29, 2018, at 6:00 p.m., in the Council Chamber.**

**ADJOURNMENT**

The meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Bridget Dory  
City Clerk