



**CITY OF EUREKA City Manager**  
531 K Street Eureka, California 95501-1165  
(707) 441-4144 • FAX (707) 441-4138

PRESS RELEASE – May 10, 2016

RE: Palco Marsh Clean-up Update

The City of Eureka continues to make emergency shelter available for the 11 plaintiffs as ordered by Federal Judge Jeffrey White. Six of the eleven plaintiffs are currently living in the container shelter operated by Betty Chinn. The remaining plaintiffs have refused the City's offer of shelter, found shelter elsewhere, or have not responded to offers. The City continues to work with plaintiffs' counsel and comply with the Court order.

Concerns regarding increased illegal camping in other greenbelts in the City continue to be addressed. Eureka Police Department has issued 18 EMC citations and arrested one person for illegal camping in the City. EPD received 248 transient related calls for service since May 2<sup>nd</sup>. Many of these calls were officer initiated contacts during foot patrols or field interviews. The illegal camping citations have been issued near Washington/Koster, Bayshore Way, foot of W. Del Norte Street, 3400 block of W Street 2400 block of 2<sup>nd</sup> Street and along Broadway. Residents are urged to report illegal camping on their property or on City property.

The City has also received several Public Records Act (PRA) requests seeking documents and Council and upper management communications regarding the broad catch-phrase "homeless" or "houseless" from the ACLU and the media. The City is evaluating each request but, is concerned that the entities involved are using the PRA to bypass the federal discovery rules which would apply in the federal lawsuit that is currently pending against the City. This process would allow these individuals and entities to provide whatever records are disclosed by the City directly to the 11 plaintiffs in the federal lawsuit thus, bypassing legal requirements. Further, many of the records sought are exempt from disclosure per several exemptions such as Pending Litigation and Deliberative Process Privilege. The Pending Litigation exemption provides that records relating to pending or anticipated litigation are exempt from disclosure. The Deliberative Process Privilege protects records which would expose the City's decision-making process with regard to the May 2 move-out.

The City has received one threat of litigation from the North Coast Journal. Thaddeus Greenon of the North Coast Journal has requested City Council and upper management communications since February 1, 2015 from a broad category of records related to "homeless." This request includes records related to the pending federal lawsuit and the City's decision-making process with regard to the May 2 move-out. The City has and continues to expend a significant amount of time and resources to respond to these PRAs. The City is taking steps to respond to this threat of litigation and will vigorously defend any lawsuit that is filed.

For information contact: Greg Sparks, City Manager [gsparks@ci.eureka.ca.gov](mailto:gsparks@ci.eureka.ca.gov)  
Pam Powell, City Clerk/CIO [ppowell@ci.eureka.ca.gov](mailto:ppowell@ci.eureka.ca.gov)  
Cyndy Day-Wilson, City Attorney [cday-wilson@ci.eureka.ca.gov](mailto:cday-wilson@ci.eureka.ca.gov)