

The Freeman's Charter for the City of Eureka – January 8, 1895

The Assessor, Treasurer, Tax Collector, City Attorney, City Clerk, City Engineer, Mayor and City Council must be elected – 2 year terms.

The ENACTING CLAUSE of all Ordinances shall be in these words: “Be it ordained by the Council of the City of Eureka as follows.” (Eureka does, the County does Not).

No Ordinance shall be amended by reference only to title.

Every Ordinance shall embrace but one subject. (the million-a-month extortion via Meas. Z ballot, unlawfully added ‘and Essential Necessities’ =majority vote to pass). Not to mention that Meas. Z can only be applied to the unincorporated areas of the County. The City Councils of the seven incorporated cities in Humboldt sold their own people down the river.

Sec. 44. The Mayor shall be the chief of the executive office of the city. (See *California Supreme Court, Bellus v City of Eureka*, September 13, 1968). He shall be at least twenty-six years of age, and have been a **citizen of the State** (Not U.S. citizen 14th Amend. slave) and a resident and a qualified elector of the city (owns land in Eureka and lives here), for the five years preceding the day of his election.

Sec. 50. The Mayor shall have the general supervision of all city officers, elected or appointed.

Sec. 53. The Mayor shall not hold any other office or be a member of any board or commission connected with the Federal, State, or City government, except ex officio Harbor Commission of the port of Eureka. No greater compensation than salary allowed him as Mayor. (Ryan Sundberg misses County public meetings to be on the CA. Coastal Commission, while Virginia Bass is absent at public meetings -making trips to D.C. -the District of Criminals).

The Assessor, Treasurer, Tax Collector, and City Engineer (or Superintendent of Streets) shall have been a **citizen of the State**, and a resident and qualified elector of the city, at least five years next before election. City Attorney shall have been an elector of the city at least two years next before his election. (U.S. citizen).

Sec. 63. Every officer of the city, the amount of whose Bond is named in this section, and every other officer required to do so by the Council, shall before entering upon the duties of his office, and within ten days after notice of his election or appointment, or before the expiration of fifteen days from the commencement of his term of office when no such notice has been given, **file his official Bond and Oath of office**. (Neither the City or County-13,746 employees!! have a Bond to cover their lie-ability). Literally, in fact, **all of the offices are vacant**.

Sec.108. There shall be a Chief of Police, who shall be a qualified elector of the city not less than twenty-five years of age, and who shall be appointed by the Mayor, by and with the consent of the Council, and shall hold office during the pleasure of the appointing power.

Sec. 112 There shall be a Captain of Police selected from among the police force by the Mayor, by and with the consent of the Council, and who, in the absence of the Chief of Police, shall have command and control of the police force.

Sec. 113. In addition to the Chief of Police, there shall be a permanent police force, which shall consist of such number of policemen, not less than three and not exceeding one for every one thousand inhabitants, as the Council shall, from time to time, by Ordinance, authorize to be appointed. (2016-2017 population 29, 935 = 31 total Policemen. Eureka has at least 55 “as per Budget”). The Chief of Police may appoint from the police force a Sergeants of Police. Every appointee shall not be less than twenty-five years or more than forty-five years of age, **a citizen of the United States**, and a resident and elector of the city for at least one year next preceding his appointment.

Sec. 115. No member of the Police Dept., [or elected and appointed officials] shall take any part whatever in any political caucus or convention or be a member of any political club or committee, or take any part in any general or primary election, except to vote, and any officer, member, or employee in said department violating any of these provisions of this section shall forfeit his position.

1914 Amendment to Cal. Const. Art.XI Sec. 6, 8 – was to *free* cities which availed themselves of “home rule” . . .

1917 Eureka amended Sec. 22 of their Charter to come in line with the State’s Constitution amendment.

In 1959 the City “adopted” a new charter.

In 1965 section 912 of the 1959 “adopted” charter was amended to read: “Procedures. The City shall have the power to and *may* act pursuant to any procedure established by any law of the State, unless a different procedure is required by this Charter.” Thus, by the 1965 change of the word “shall” to the word “may,” in section 912, the former limitations imposed by the charter itself upon the City’s power with respect to matters of municipal concern were removed. The statement to the contrary in the majority opinion demonstrates a basic misunderstanding of the charter provisions. (See *California Supreme Court, Bellus v City of Eureka*, September 13, 1968). October 31, 1964 the EPD and Fireman’s pension fund had an unfunded liability of \$2,742,899.

I, Linda Cassara, have Secretary of State certified copies of the 1849 Constitution for the State of California, AND the 1997 Los Angeles Superior Court litigation that lists all of the alleged amendments to the 1879 quasi-constitution of the STATE of CALIFORNIA -that was never put to the people of California for a vote, thus the 1879 constitution is void for lack of jurisdiction.

IF WE WANT something we’ve never had before, we must be willing to do something we’ve never done before. **REPEAL** by vote of the Eureka electorate and let’s get Eureka back to her roots --the duties demanded by the founders 1895 Freeman’s Charter for the City of Eureka. OR disband and dissolve the Corporate Charter –dividing the City’s multi-millions evenly between the people in Eureka.