

City of Carpinteria City Council Meeting Agenda Monday, January 25, 2021

Virtual Meeting

5:30 p.m. Regular Meeting

THE CITY OF CARPINTERIA HAS DETERMINED THIS MEETING TO BE AN ESSENTIAL PUBLIC MEETING THAT WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS N-29-20 AND N-33-20 AND SANTA BARBARA COUNTY HEALTH OFFICER ORDERS

In response to the spread of the COVID-19 virus, Governor Newsom has temporarily suspended the requirement for local agencies to provide a physical location from which members of the public can observe and offer public comment, and has ordered all Californians to stay home except as needed to maintain continuity of operations of certain critical infrastructure.

In compliance with these orders, and to minimize the potential spread of the COVID-19 virus, the City of Carpinteria is limiting public access to the City Council Chambers for this meeting. With this in mind, you are strongly encouraged to participate in the alternative methods explained below.

Virtual Viewing of Public Meetings

This meeting is available to view live on the City of Carpinteria's website at <https://carpinteria.ca.us/city-hall/agendas-meetings>, on Zoom Webinar by [CLICKING HERE!](#) Alternatively, you can join in by following one of these methods: (1) log on to www.zoom.us, download the application, select "Join Meeting", and enter Webinar ID 889 0390 2262; OR (2) call +1 (669) 900-9128 and enter Webinar ID 889 0390 2262 or on Government Access Television Channel 21 (broadcast live and rebroadcast on Wednesday after the meeting at 8:00 p.m. and on Saturday at 5:00 p.m.).

Public Comments

If you wish to make a general public comment or to make a comment on a specific agenda item, the following methods are available:

- Distribution to Board Members. If you wish to submit a hard copy of written comments to be distributed to board members (as either general public comment or on a specific agenda item), please submit your comment via email to PublicComment@ci.carpinteria.ca.us by **12:00 P.M. on the day of the meeting**. Please note that these comments will not be read into the record during the meeting unless you include this request with your comments.

- Read Into the Record During Meeting. If you would like your comment read into the record during the meeting (as either general public comment or on a specific agenda item), please include this request with your comments and provide your comments (of no more than 250 words) in one of the following ways:
 - Via email to PublicComment@ci.carpinteria.ca.us by **12:00 P.M. on the day of the meeting**. In your email, please specify (1) the meeting date and agenda item (number and title) on which you are providing a comment and (2) that you would like your comment read into the record during the meeting.
 - Via the **eComment** link on the City's agenda website (<https://carpinteria.ca.us/city-hall/agendas-meetings>) by **12:00 P.M. on the day of the meeting**. Please note that this link does not become active until an agenda is posted. If you would like your comment read into the record during the meeting, please specify this in your comment.

Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. Please also note that if you submit a written comment and do not specify that you would like this comment read into the record during the meeting, consistent with the City's practice when it receives written public comments on agenda items, your comment will be forwarded to board members for their consideration.

- Public Comment by Phone. If you wish to make a verbal public comment as a specific item is being heard (as either *general* public comment or on a specific agenda item), please send an email to PublicComment@ci.carpinteria.ca.us by **12:00 P.M. on the day of the meeting** and include the following information in your email: (1) the meeting date and agenda item (number and title) on which you wish to speak, (2) your full name, (3) your call back number and area code. During public comment on the agenda item specified in your email, City staff will make every effort to contact you via your provided telephone number so that you can provide public comment electronically. Please note the City has the discretion to limit the speaker's time for any meeting or agenda matter. Typically, the practice has been 3 minutes per speaker on each item.
- Real-Time Public Comment Through Zoom Webinar. Members of the public attending the public meeting through the City's Zoom Webinar platform (through the link provided by the City) have the option of providing real-time public comments on agenda matters. To make public comments through this platform please use the "raise your hand" feature to notify staff that you would like to make a public comment during designated public comment times. Once it is your turn to provide a public comment, staff will unmute your microphone and you will be given a designated amount of time to provide your comment (typically, the practice has been up to 3 minutes per speaker on each item). At the end of your comment, staff will once again mute your microphone.

The situation with COVID-19 is constantly evolving and the City will provide updates to any changes to this policy as soon as possible. The public is referred to the City's website at www.carpinteria.ca.us for the latest COVID-19 policies and information. The City of Carpinteria thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

CALL TO ORDER

ROLL CALL

CLOSED SESSION REPORT

PLEDGE OF ALLEGIANCE

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS

This may include updates on law enforcement activity within the City from a Sheriff's Office representative.

CITY MANAGER'S REPORT

The City Manager will report to the City Council regarding various City and/or community events and/or matters of interest. There will be no City Council discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

PRESENTATIONS BY CITIZENS / PUBLIC COMMENT

This is a time for public comments on matters not otherwise on the agenda but within the subject matter jurisdiction of the City Council. The Public Comment period is limited to 15 minutes and divided among those persons desiring to speak. No person shall speak longer than three minutes; however, the Mayor may establish shorter periods based on the time available and/or the number of persons waiting to speak. Persons wishing to speak on a specific item will be recognized at the time the agenda item is considered. Please be aware that items on the consent calendar are considered to be routine and are normally enacted by one unanimous vote of the Council. If you wish to speak on a consent calendar item, or on a matter scheduled for consideration in a closed session at the end of the agenda, please do so during the Presentations by Citizens/Public Comment portion of the meeting.

The City and the City Council are not responsible for the content of statements made during the public comment period, or the factual accuracy of any such statements.

AGENDA MODIFICATIONS: The City Council may modify the regular agenda by tabling items, adding urgency items to the agenda, or changing the order in which items are considered. Changes to the Consent Calendar are considered at the time the Consent Calendar is considered.

CONSENT CALENDAR: Individual items may be removed and considered separately at the request of a Councilmember. Any item, which is removed from the Consent Calendar, will be added to the end of the agenda under Other Business.

1. Receive and file the Report of Contracts Executed by the City Manager on behalf of the City for the Period of December 14, 2020, through January 16, 2021.

ADMINISTRATIVE MATTER:

2. Adoption of Resolution No. 6017, authorizing submittal of an application to secure a Local Early Action Planning (LEAP) grant. The grant is to be used for legal assistance in the preparation and adoption of planning documents, and preparation of required environmental documentation to implement the Accessory Dwelling Unit Program and accelerate housing production in support of the sixth cycle of the Regional Housing Needs Assessment (RHNA).

Recommendation: That the City Council adopt Resolution No. 6017, authorizing the submittal of an application to secure a LEAP grant. *(Motion requires a roll call vote.)*

Staff Presenter: Steve Goggia, Community Development Director

- a. Staff Report
- b. Public Comment
- c. City Council Determination

PUBLIC HEARING: None.

OTHER BUSINESS:

3. Consideration of making Appointments to the Planning Commission, Architectural Review Board, Mobile Home Rent Stabilization Board, Carpinteria Open Space Management Advisory Board, Tree Advisory Board, Downtown "T" Business Advisory Board, Integrated Pest Management Committee, Environmental Review Committee and Community Development Block Grant Committee.

Recommendation: Approve Resolution Nos. 6018 through 6026, approving appointments to all City Commissions, Boards and Committees as discussed.

Staff Presenter: Dave Durflinger, City Manager

- a. Staff Report
- b. Public Comment
- c. City Council Determination

4. A Public/Private partnership project, referred to as the Surfliner Inn project, located at 499 Linden Avenue at the southwest corner of Linden and 5th Street, and, in particular, authorization for Staff to initiate negotiations on behalf of the City Council with 499 Linden Managers' LLC on Development and Disposition Agreement (DDA) pertaining to the Surfliner Inn Project.

Recommendation: Staff recommends that the City Council take action, as determined appropriate, to provide direction to Staff on whether to initiate negotiations between the City Council and 499 Linden Managers' LLC on a DDA pertaining to the Surfliner Inn Project.

Staff Presenter: Matt Roberts, Parks, Recreation and Public Facilities Director

- a. Staff Report
- b. Public Comment
- c. City Council Determination

5. Closeout of Project No. 15093, City Hall Remediation & Renovation Project.

Recommendation: Authorize the Mayor to sign the Closeout Agreement and Release of Claims for Project No. 15903, City Hall Remediation & Renovation Project with Quincon, Inc. (*Motion requires a roll call vote.*)

Staff Presenter: John Ilasin, Public Works Director

- a. Staff Report
- b. Public Comment
- c. City Council Determination

6. Closeout of Construction Contract for Installation of Demountable Partitions for the City Hall Remediation & Renovation Project, City Project No. 15093.

Recommendation: Authorize the Mayor to sign the Closeout Agreement and Release of Claims with Designcorp Build Better for the installation of demountable

partitions for the City Hall Remediation & Renovation Project, City Project No. 15093. *(Motion requires a roll call vote.)*

Staff Presenter: John Ilasin, Public Works Director

- a. Staff Report
- b. Public Comment
- c. City Council Determination

7. Authorize the Notice Inviting Bids for Project No. 15116, Pedestrian Crossing Safety Improvements Project.

Recommendation: Authorize the Public Works Director to advertise the Notice Inviting Bids for Project No. 15116, Pedestrian Crossing Safety Improvements Project.

Staff Presenter: John Ilasin, Public Works Director

- a. Staff Report
- b. Public Comment
- c. City Council Determination

8. Update on Interpreter Services for City Council Meetings Pilot Program.

Recommendation: 1. Receive update on the use of interpreter services for City Council meetings; 2. Determine if the City should at this time continue using interpreter services for City Council meetings and/or other public meetings; and 3. Direct staff as determined appropriate.

Staff Presenter: Dave Durflinger, City Manager

- a. Staff Report
- b. Public Comment
- c. City Council Determination

LEGISLATIVE UPDATE: The City Council will discuss local, state and/or federal legislation under consideration and decide whether to direct staff to place a matter(s) on a future City Council agenda for consideration.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Informational reports from Councilmember representatives on the committees, commissions and organizations listed below. This is also an opportunity for

Councilmembers to request information from staff or seek support from fellow Councilmembers for future agenda items.

1. Representatives to Regional Agencies and Committees

- a. Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) (Clark/Alt. Carty)
- b. California Joint Powers Insurance Authority (CJPIA) (Clark/Alt. Carty)
- c. Channel Counties Division, League of California Cities (Nomura/Alt. Lee)
- d. Santa Barbara County Association of Governments (SBCAG)(Clark/Alt. Nomura)
- e. Santa Barbara County Air Pollution Control District (APCD)(Clark/Alt. Nomura)
- f. Santa Barbara Joint Affordable Housing Task Group (Carty & Alarcon)
- g. Santa Barbara County Elected Leaders Forum to Address Homelessness (Clark/Alt. Alarcon)
- h. Home for Good of Santa Barbara County (Clark/Alt. Alarcon)
- i. South Coast Youth Safety Partnership (Lee & Alarcon)
- j. Central Coast Community Energy (3CE) (Nomura/Alt. Goleta)

2. Joint and Standing Committees

- a. City Council/Economic Vitality Committee (Carty & Lee)
- b. City Council/Public Safety Committee (Clark & Nomura)
- c. City Council/School Board Committee (Lee & Alarcon)
- d. City Council/Utilities Committee (Lee & Nomura)
- e. City Council/First District Supervisor Committee (Lee & Carty)
- f. City Council Finance/Budget Committee (Carty & Clark)
- g. Transportation Committee (Lee & Clark)
- h. Development Review Committee (Joint Committee membership from City Council, Planning Commission and Architectural Review Board) (CC: Clark & Nomura/Alt. Carty) (PC: Benefield and Callender) (ARB: Reginato and Stein)
- i. General Plan and Coastal Plan Update Committee (Joint Committee membership from City Council and Planning Commission) (Clark & Lee) (PC: Allen/Callender)
- j. Public Facility Site Acquisition/Development Committee (Carty & Nomura)

3. Ad Hoc Committees

- a. Library Committee (Lee & Alarcon/Alt. Carty)
- b. District Elections Committee (Alarcon & Clark)
- c. COVID-19 Communications Committee (Clark & Nomura)
- d. COVID-19 Recovery Committee (Carty & Lee)

- e. Racial Equity and Social Justice Program Planning Committee (Nomura & Alarcon)
- 4. City Representatives on other Committees
 - a. Community Media Access Center (Gary Dobbins)
 - b. Santa Barbara Coastal Vector Control District (Tim Buffalo)
 - c. Santa Barbara Metropolitan Transit District (Chuck McQuary)
 - d. County Library Advisory Committee (Gaby Edwards)

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

ADJOURNMENT

The next regular (virtual) meeting of the City Council will be held January 25, 2021 at 5:30 p.m.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at 755-4403 or the California Relay Service at (866) 735-2929. Notification two business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

Materials related to an agenda item submitted to the City Council after distribution of the agenda packet are available for public review at the City Clerk's Office.

This agenda was posted on Wednesday January 6, 2021, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 25, 2021

ITEM FOR COUNCIL CONSIDERATION

Contracts Executed by the City Manager on behalf of the City for the Period of December 14, 2020, through January 16, 2021.

STAFF RECOMMENDATION

Action Item ____; Non-Action Item X

Receive and file Report of Contracts Executed by the City Manager for the Period of December 14, 2020, through January 16, 2021.

DISCUSSION

The City Manager is delegated authority by the Carpinteria Municipal Code (CMC), §2.08.150B, to execute contracts on behalf of the City in the amount of \$30,000 or less. Pursuant to CMC §2.08.150C, a list of all contracts executed by the City Manager is provided for City Council information and appended to this Staff Report as Attachment A. Attachment A lists all contracts entered into on behalf of the City for goods, construction and services for the Period of December 14, 2020, through January 16, 2021.

FINANCIAL CONSIDERATIONS

All contracts entered into are within the appropriated budgeted amounts.

ATTACHMENTS

- A. Report of Contracts Executed by the City Manager

Staff contact: Fidela Garcia, City Clerk
(805) 755-4403, fidelag@ci.carpinteria.ca.us

Reviewed by: Dave Durflinger, City Manager


Signature
Signature

ATTACHMENT A

Report of Contracts Executed by the City Manager Period of December 14, 2020, through January 16, 2021

VENDOR	PURPOSE	AMOUNT
ZWORLD GIS	MAPPING/GIS SERVICES	\$30,000.00
INTERWEST CONSULTING GROUP, INC.	DESIGN OF CARPINTERIA'S HIGH SCHOOL CROSSWALK SAFETY IMPROVEMENTS PROJECT.	\$27,280.00
FILIPPIN ENGINEERING, INC.	CONSTRUCTIBILITY REVIEW OF RINCON TRAIL. CONTRACT NOT TO EXCEED \$10,080.00.	\$10,080.00



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 25, 2021

ITEM FOR COUNCIL CONSIDERATION

Adoption of Resolution No. 6017, authorizing submittal of an application to secure a Local Early Action Planning (LEAP) grant. The grant is to be used for legal assistance in the preparation and adoption of planning documents, and preparation of required environmental documentation to implement the Accessory Dwelling Unit Program and accelerate housing production in support of the sixth cycle of the Regional Housing Needs Assessment (RHNA).

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

That the City Council adopt Resolution No. 6017, authorizing the submittal of an application to secure a LEAP grant.

Sample Motion: I move to adopt Resolution No. 6017, authorizing the submittal of an application to secure a Local Early Action Planning (LEAP) grant.

The motion requires a roll call vote.

BACKGROUND

The LEAP Grant Program is part of the broader Program formerly known as the Local Government Planning Support Grants Program, which was established as part of the State of California's 2019-20 Budget Act and is administered by the State Department of Housing and Community Development (HCD). The 2019-20 Budget Act provides a spectrum of support, incentives, resources and accountability to meet California's housing goals. LEAP provides one-time, non-competitive grant funding to regions and jurisdictions for technical assistance, preparation and adoption of planning documents, and process improvements. The over-arching goals of the Program are to accelerate housing production and facilitate compliance to implement the sixth cycle of RHNA.

DISCUSSION

Adoption of Resolution No. 6017 (Attachment A) will authorize the submittal of an application to secure the City's LEAP grant in the amount of \$65,000. LEAP grants are non-competitive. The grant value is based on population estimates posted on the State of California Department of Finance internet website as of January 1, 2019. For very small jurisdictions, defined as having a population of less than 20,000, the assigned grant value is \$65,000.

The grant application proposes that the funding would be used for legal and technical assistance in the preparation and adoption of the City's Accessory Dwelling Unit (ADU) Zoning Code update; a measure that would accelerate housing production in support of producing housing units consistent with the RHNA. The funding would supplement City's recently awarded REAP grant, to ensure that the City would have sufficient funds to comply with the complex legal requirements of both state housing laws and the Coastal Act.

The grant application deadline is January 31, 2021.

Though the scope of work is subject to some change prior to application submittal, a draft grant application (Exhibit 1 to Resolution No. 6017) is attached for City Council review.

All tasks and spending under the grant must be completed by December 31, 2023.

FINANCIAL CONSIDERATIONS

Legal and technical consultant assistance will be required for the identified work and the grant funding will help to offset those City expenses. The LEAP grant does not require a local match of funds from the City.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

No legal issues have been identified at this time.

OPTIONS

1. Approve the LEAP grant application submittal (Staff Recommendation)
2. The Council could direct staff to not submit the application for grant funds to HCD.

PRINCIPAL PARTIES EXPECTED AT MEETING

None

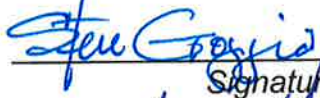
ATTACHMENTS

Attachment A: Resolution No. 6017 with Draft LEAP Grant Application as Exhibit 1

Prepared by: Rita Bright, Principal Planner, Community Development Department
ritab@ci.carpinteria.ca.us


Signature

Staff contact: Steve Goggia, Community Development Director
(805) 755-4414, steveg@ci.carpinteria.ca.us


Signature

Reviewed by: Dave Durflinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us


Signature

Attachment A

Resolution No. 6017

LEAP Grant Application
January 25, 2021

RESOLUTION NO. 6017

A RESOLUTION OF THE CITY OF CARPINTERIA CITY COUNCIL AUTHORIZING SUBMITTAL OF AN APPLICATION TO SECURE A LOCAL EARLY ACTION PLANNING (LEAP) GRANT

RECITALS:

WHEREAS, Governor Gavin Newsom signed Assembly Bill 101 in September 2019, which established the Local Government Planning Support Grants Program, which allocates \$125 million in housing planning funds to regions, counties, and cities throughout the state; and

WHEREAS, the California Department of Housing and Community Development (HCD) has been assigned as the state agency overseeing this program; and

WHEREAS, the City of Carpinteria is eligible to submit a non-competitive application to request funds through the Local Early Action Planning (LEAP) Grants Program; and

WHEREAS, grant funds are based upon a jurisdiction's population estimates as listed on the Department of Finance's internet website, as of January 1, 2019; and

WHEREAS, the state's grant allocation for the City of Carpinteria is based upon a maximum grant of \$65,000 for very small jurisdictions, defined as cities with a population of 20,000 or fewer people; and

WHEREAS, the City intends to request a LEAP grant, to be used for legal and technical assistance in the preparation and adoption of the City's Accessory Dwelling Unit (ADU) Zoning Code update; and

WHEREAS, the City intends to implement the ADU Program to promote housing production in support of the sixth cycle of the Regional Housing Needs Assessment; and

WHEREAS, the City intends to fulfill its grant funded scope of work, subject to the terms and conditions of eligibility, guidelines, Notices of Funding Availability, and program requirements.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct.

SECTION 2. The City Council hereby authorizes and directs submittal of the LEAP grant application package with the grant application included as Exhibit 1 the amount of \$65,000 to fund the project more particularly described in the grant application package.

SECTION 3. The City Council hereby authorizes the Community Development Director to execute, in the name of the City of Carpinteria, all necessary applications, contracts and agreements and amendments thereto to implement and carry out the grant application package attached hereto and any project approved through approval of the grant application.

PASSED, APPROVED AND ADOPTED on January 25, 2021 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBER(S):
ABSENT: COUNCILMEMBER(S):
ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on January 25, 2021.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter Brown, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

Resolution No. 6017

Exhibit 1

Draft LEAP Grant Application

LEAP Grant Application
January 25, 2021

Local Early Action Planning Grant Application



**State of California
Governor Gavin Newsom**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Doug McCauley, Acting Director
Department of Housing and Community Development**

**Zachary Olmsted, Deputy Director
Department of Housing and Community Development
Housing Policy Development**

2020 West El Camino, Suite 500
Sacramento, CA 95833

Website: <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>

Email: EarlyActionPlanning@hcd.ca.gov

January 27, 2020

LEAP Application Packaging Instructions

The applicant is applying to the Department of Housing and Community Development (Department) for a grant authorized underneath the Local Early Action Planning Grants (LEAP) provisions pursuant to Health and Safety Code Sections 50515 through 50515.05. LEAP provides funding to jurisdictions for the preparation and adoption of planning documents, process improvements that accelerate housing production and facilitate compliance in implementing the sixth cycle of the regional housing need assessment. If you have questions regarding this application or LEAP, email earlyactionplanning@hcd.ca.gov.

If approved for funding, the LEAP application is incorporated as part of your Standard Agreement with the Department. In order to be considered for funding, all sections of this application, including attachments and exhibits if required, must be complete and accurate.

All applicants must submit a complete, signed, original application package and digital copy on CD or USB flash drive to the Department and postmarked by the specified due date in the NOFA. Applicants will demonstrate consistency with LEAP requirements by utilizing the following forms and manner prescribed in this application.

- Pages 3 through 14 constitute the full application (save paper, print only what is needed)
- Attachment 1: Project Timeline and Budget: Including high-level tasks, sub-tasks, begin and end dates, budgeted amounts, deliverables, and adoption and implementation dates.
- Attachment 2: Nexus to Accelerating Housing Production
- Attachment 3: State and Other Planning Priorities
- Attachment 4: Required Resolution Template
- Government Agency Taxpayer ID Form (available as a download from the LEAP webpage located at <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>)
- If the applicant is partnering with another local government or other entity, include a copy of the legally binding agreement; and
- Supporting documentation (e.g., letters of support, scope of work, project timelines, etc.)

Pursuant to Section XII of the LEAP 2020 Notice of Funding Availability (NOFA), the application package must be postmarked on or before July 1, 2020, and received by the Department at the following address:

**Department of Housing and Community Development
Division of Housing Policy Development
2020 West El Camino Ave, Suite 500
Sacramento, CA 95833**

A. Applicant Information and Certification

Applicant (Jurisdiction)	City of Carpinteria
Applicant's Agency Type	Community Development
Applicant's Mailing Address	5775 Carpinteria Avenue
City	Carpinteria
State	California
Zip Code	93013
County	Santa Barbara
Website	https://carpinteriaca.gov
Authorized Representative Name	Steve Goggia
Authorized Representative Title	Community Development Director
Phone	805.755.4414
Fax	805.684.5304
Email	steveg@ci.carpinteria.ca.us
Contact Person Name	Rita Bright
Contact Person Title	Principal Planner
Phone	805.708.1140
Fax	(as above)
Email	ritab@ci.carpinteria.ca.us
Proposed Grant Amount	\$ 65000

Pursuant to Health and Safety Code Section 50515.03 through (d) of the Guidelines, all applicants must meet the following two requirements to be eligible for an award:

1. Does the application demonstrate a nexus to accelerating housing production as shown in Attachment 2?	Yes	☒	No	☐
2. Does the application demonstrate that the applicant is consistent with State Planning or Other Priorities shown in Attachment 3?	Yes	☒	No	☐
Is a fully executed resolution included with the application package?	Yes	☐	No	☒
Does the address on the Government Agency Taxpayer ID Form exactly match the address listed above?	Yes	☒	No	☐
Is the applicant partnering with another eligible local government entity? If Yes, provide a fully executed copy of the legally binding agreement.	Yes	☐	No	☒

As the official designated by the governing body, I hereby certify that if approved by HCD for funding through the Local Early Action Planning Program (LEAP), the City of Carpinteria assumes the responsibilities specified in the Notice of Funding Availability and certifies that the information, statements and other contents contained in this application are true and correct.

Signature: _____ Name: Steve Goggia

Date: Jan 25, 2021 Title: Community Development Director

B. Proposed Activities Checklist

Check all activities the locality is undertaking. Activities must match the project description.

- | | | |
|----|-------------------------------------|--|
| 1 | ☒ | Rezoning and encouraging development by updating planning documents and zoning ordinances, such as general plans, community plans, specific plans, implementation of sustainable communities' strategies, and local coastal programs |
| 2 | ☒ | Completing environmental clearance to eliminate the need for project-specific review |
| 3 | ☐ | Establishing housing incentive zones or other area based housing incentives beyond State Density Bonus Law such as a workforce housing opportunity zone pursuant to Article 10.10 (commencing with Section 65620) of Chapter 3 of Division 1 of Title 7 of the Government Code or a housing sustainability district pursuant to Chapter 11 (commencing with Section 66200) of Division 1 of Title 7 of the Government Code |
| 4 | ☐ | Performing infrastructure planning, including for sewers, water systems, transit, roads, or other public facilities necessary to support new housing and new residents |
| 5 | ☐ | Planning documents to promote development of publicly owned land such as partnering with other local entities to identify and prepare excess or surplus property for residential development |
| 6 | ☒ | Revamping local planning processes to speed up housing production |
| 7 | ☒ | Developing or improving an accessory dwelling unit ordinance in compliance with Section 65852.2 of the Government Code |
| 8 | ☒ | Planning documents for a smaller geography (less than jurisdiction-wide) with a significant impact on housing production including an overlay district, project level specific plan, or development standards modifications proposed for significant areas of a locality, such as corridors, downtown or priority growth areas |
| 9 | ☐ | Rezoning to meet requirements pursuant to Government Code Section 65583(c)(1) and other rezoning efforts to comply with housing element requirements, including Government Code Section 65583.2(c) (AB 1397, Statutes of 2018) |
| 10 | ☒ | Upzoning or other implementation measures to intensify land use patterns in strategic locations such as close proximity to transit, jobs or other amenities |
| 11 | ☐ | Rezoning for multifamily housing in high resource areas (according to Tax Credit Allocation Committee/Housing Community Development Opportunity Area Maps);
Establishing Pre-approved architectural and site plans |
| 12 | ☒ | Preparing and adopting housing elements of the general plan that include an implementation component to facilitate compliance with the sixth cycle RHNA |
| 13 | ☒ | Adopting planning documents to coordinate with suballocations under Regional Early Action Planning Grants (REAP) that accommodate the development of housing and infrastructure and accelerate housing production in a way that aligns with state planning priorities, housing, transportation equity and climate goals, including hazard mitigation or climate adaptation |
| 14 | ☐ | Zoning for by-right supportive housing, pursuant to Government Code section 65651 (Chapter 753, Statutes of 2018) |
| 15 | ☐ | Zoning incentives for housing for persons with special needs, including persons with developmental disabilities |
| 16 | ☐ | Planning documents related to carrying out a local or regional housing trust fund |
| 17 | ☐ | Environmental hazard assessments; data collection on permit tracking; feasibility studies, site analysis, or other background studies that are ancillary (e.g., less than 15% of the total grant amount) and part of a proposed activity with a nexus to accelerating housing production |
| 18 | ☒ | Other planning documents or process improvements that demonstrate an increase in housing related planning activities and facilitate accelerating housing production |
| 19 | ☐ | Establishing Prohousing Policies |

C. Project Description

*Provide a description of the project and each activity using the method outlined below, and ensure the narrative speaks to **Attachment 1: Project Timeline and Budget**.*

- a. Summary of the Project and its impact on accelerating production*
- b. Description of the tasks and major sub-tasks*
- c. Summary of the plans for adoption or implementation*

Please be succinct and use Appendix A or B if more room is needed.

a. Summary of the Project and its impact on accelerating production of housing:

The City of Carpinteria has embarked upon a comprehensive update to its Coastal Land Use Plan and General Plan, including many implementation programs related to address increasing housing demand while identifying necessary availability of services and facilities. The City is also preparing supporting data for the upcoming Housing Element update. The City is located entirely within the coastal zone as certified by the California Coastal Commission, and subject to the California Coastal Act (CCA).

As part of this effort the City is updating its Accessory Dwelling Unit and Density Bonus programs, preparing to rezone identified sites to permit higher densities for residential use, and implementing a Downtown Overlay District program. The City intends to increase housing stock to comply with State RHNA allocations and Quantified Objectives, downshift or otherwise facilitate permit issuance, and accelerate permit timelines in compliance with the most recent updates to state housing laws.

Our grant request is for preparation of our ADU - JADU ordinance and focuses on the need to ensure that our program is compliant with both state housing laws and the (CCA). We are currently preparing the draft ordinance, partially funded by our REAP grant, but see a need for supplemental funding for our contracted legal counsel, to ensure that our proposed streamlined permit process, which will remove discretionary requirements and replace them with objective standards, maintains compliance with the Coastal Act. We will also undertake necessary CEQA review.

b. Task and Major Sub-tasks:

Major Tasks and Sub-Tasks:

- 1. Preparation of an administrative draft ADU - JADU Ordinance; Counsel review
 - 1a. Public Outreach: Involving key stakeholders (e.g., special districts, regional agencies, property owners, renters, etc.)
- 2. Preparation of a Public Draft ADU - JADU Ordinance; Counsel review
 - 2a. Public Outreach: Public review and workshops, City committees
- 3. Preparation of a Final Draft ADU - JADU Ordinance and CEQA review; Counsel review
 - 3a. Adoption hearings: Planning Commission as Recommending Body; City Council Adoption

c. Summary for the plans for adoption or implementation:

The ADU program will be taken to the City Council for adoption and necessary coordination with both HCD and CCC will occur as part of this process. Project staff and the City's contracted counsel will provide training to permitting staff. Public information, flyers, brochures will also be provided.

D. Legislative Information

District	#	Legislator Name
Federal Congressional District		Rep. Salud Carbajal
State Assembly District		Assemblymember Steve Bennett
State Senate District		State Senator Monique Limon

Applicants can find their respective State Senate representatives at <https://www.senate.ca.gov/>, and their respective State Assembly representatives at <https://www.assembly.ca.gov/>.

Attachment 1: Project Timeline and Budget: (if more room is needed, duplicate Attachment 1 or add attachment labeled Attachment 1A)

Task	Est. Cost	Begin	End	Deliverable	Notes
1	\$ 15,000	3/1/21	6/1/21	Admin Draft ADU/JADU Ord	
1a	\$ 5,000	3/1/21	6/1/21	Counsel pre-meeting coordination	
2	\$ 25,000	6/1/21	3/1/22	Public Draft ADU/JADU Ord	Task may be completed in advance of end date.
2a	\$ 5,000	6/1/21	3/1/22	Counsel participation at workshop	Task may be completed in advance of end date.
3	\$ 10,000	3/1/22	12/1/22	Final Adopted ADU/JADU Ord	Task may be completed in advance of end date.
3a	\$ 5,000	3/1/22	12/1/22	Counsel participation at hearings	Task may be completed in advance of end date.

Total Projected Cost \$ 65000

Include high-level tasks, major sub-tasks (Drafting, Outreach, Public Hearings and Adoption), budget amounts, begin and end dates and deliverables. If other funding is used, please note the source and amount in the Notes section.

Attachment 2: Application Nexus to Accelerating Housing Production

Applicants shall demonstrate how the application includes a nexus to accelerating housing production by providing data regarding current baseline conditions and projected outcomes such as a reduction in timing, lower development costs, increased approval certainty, increases in number of entitlements, more feasibility, or increases in capacity. An expected outcome should be provided for each proposed deliverable. If necessary, use Appendix B to explain the activity and its nexus to accelerating housing production.

Select at least one	*Baseline	**Projected	***Difference	Notes
Timing (e.g., reduced number of processing days)	120 days	60 days	Reduced by 60 days	Consistent with State Law
Development cost (e.g., land, fees, financing, construction costs per unit)	\$1,700 depo	\$1,200 fee	\$500 or greater	Downshift from discretionary to administrative fee type
Approval certainty and reduction in discretionary review (e.g., prior versus proposed standard and level of discretion)	Discretionary	Director	Increased certainty	Objective development standards allowing administrative-level CDP review and approval
Entitlement streamlining (e.g., number of approvals)	1	1	no change	
Feasibility of development	Discretionary	certainty, fewer conditions	Increased feasibility	
Infrastructure capacity (e.g., number of units)	available service	later demand (T)	increase in service	service districts to ensure
Impact on housing supply and affordability (e.g., number of units)	1 ADU unit	2 ADU units / Res lot ADU units	Increased # of new units	Expected affordability given JADU units permitted with ADU

*** Baseline – Current conditions in the jurisdiction (e.g. 6-month development application review, or existing number of units in a planning area)**

****Projected – Expected conditions in the jurisdiction because of the planning grant actions (e.g. 2-month development application review)**

*****Difference – Potential change resulting from the planning grant actions (e.g., 4-month acceleration in permitting, creating a more expedient development process)**

Attachment 3: State and Other Planning Priorities Certification (Page 1 of 3)

Applicants must demonstrate that the locality is consistent with State Planning or Other Planning Priorities by selecting from the list below activities that are proposed as part of this application or were completed within the last five years. Briefly summarize the activity and insert a date of completion.

State Planning Priorities

Date of Completion	Brief Description of the Action Taken
Promote Infill and Equity <i>Rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas.</i>	
	ADU and JADU Ordinance will be located in areas of infill given the built nature of the City's eligible zones, which have available capacity of services and infrastructure.
	<i>Seek or utilize funding or support strategies to facilitate opportunities for infill development.</i>
Ongoing	Obtained 2 housing grants (REAP and SB 2) and 2 coastal commisison grants (Rounds 4 and 6) for a Coastal Plan and General Plan update, including a Land Use Element update to target infill, higher density residential and mixed use development, and ensure adequacy of required services.
	<i>Other (describe how this meets subarea objective)</i>
11/17/2020	Formation of an Ad Hoc Racial Equity and Social Justice Planning Committee and selection of consultants to develop the City's Racial Equity and Social Justice Program. The program will evaluate the adequacy of existing, and need for additional essential services and infrastructure in underserved areas.
Promote Resource Protection <i>Protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands; natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands; recreation lands such as parks, trails, greenbelts, and other open space; and landscapes with locally unique features and areas identified by the state as deserving special protection.</i>	
12/31/19	The Coastal Plan and General Plan update includes a Sea Level Rise Vulnerability Assessment and Adaptation Plan that identified vulnerable sectors and methods to protect resources. The study included recommendations to preserve natural resources, environmentally sensitive habitats, and recreational resources.
	<i>Actively seek a variety of funding opportunities to promote resource protection in underserved communities.</i>
12/31/19	Completion of a Sea Level Rise Vulnerability Assessment and Adaptation Plan, partially funded by the CCC and Caltrans, to identify vulnerabilities to disadvantaged communities associated with Climate Change. The study recommended methods to protect and preserve recreational and local resources enjoyed by the City's underserved communities.
	<i>Other (describe how this meets subarea objective)</i>
Encourage Efficient Development Patterns <i>Ensuring that any infrastructure associated with development, other than infill development, supports new development that does the following:</i>	
	<i>(1) Uses land efficiently.</i>
12/31/19	(Please see the Sea Level Rise Vulnerability Assessment and Adaptation Plan descriptions above. Public facility and service were evaluated as part of this study.)

Attachment 3: State and Other Planning Priorities Certification (Page 2 of 3)

(2) Is built adjacent to existing developed areas to the extent consistent with environmental protection.

12/31/19 (Please see the Sea Level Rise Vulnerability Assessment and Adaptation Plan descriptions above.)

(3) Is located in an area appropriately planned for growth.

12/31/19 (Please see the Sea Level Rise Vulnerability Assessment and Adaptation Plan descriptions above.)

(4) Is served by adequate transportation and other essential utilities and services.

12/31/19 (Please see the Sea Level Rise Vulnerability Assessment and Adaptation Plan descriptions above.)

(5) Minimizes ongoing costs to taxpayers.

Other (describe how this meets subarea objective)

Other Planning Priorities**Affordability and Housing Choices**

Incentives and other mechanisms beyond State Density Bonus Law to encourage housing with affordability terms.

Efforts beyond state law to promote accessory dwelling units or other strategies to intensify single-family neighborhoods with more housing choices and affordability.

Upzoning or other zoning modifications to promote a variety of housing choices and densities.

Utilizing surplus lands to promote affordable housing choices.

Efforts to address infrastructure deficiencies in disadvantaged communities pursuant to Government Code Section 65302.10.

12/31/19 (Please see the Sea Level Rise Vulnerability Assessment and Adaptation Plan descriptions above.)

Other (describe how this meets subarea objective)

Attachment 3: State and Other Planning Priorities Certification (Page 3 of 3)

Conservation of Existing Affordable Housing Stock

Policies, programs or ordinances to conserve stock such as an at-risk preservation ordinance, mobilehome park overlay zone, condominium conversion ordinance and acquisition and rehabilitation of market rate housing programs.

Policies, programs and ordinances to protect and support tenants such as rent stabilization, anti-displacement strategies, first right of refusal policies, resources to assist tenant organization and education and "just cause" eviction policies.

Other (describe how this meets subarea objective)

Climate Adaptation

Building standards, zoning and site planning requirements that address flood and fire safety, climate adaptation and hazard mitigation.

Long-term planning that addresses wildfire, land use for disadvantaged communities, and flood and local hazard mitigation.

12/31/19 (Please see Sea Level Rise Vulnerability Assessment and Adaptation Plan description above.) The study evaluated coastal hazard related vulnerabilities to disadvantaged communities.

Community engagement that provides information and consultation through a variety of methods such as meetings, workshops, and surveys and that focuses on vulnerable populations (e.g., seniors, people with disabilities, homeless, etc.).

12/31/19 (Please see Sea Level Rise Vulnerability Assessment and Adaptation Plan description above.) The study included extensive public engagement population within disadvantaged communities.

Other (describe how this meets subarea objective)

11/17/20 Formation of an Ad Hoc Racial Equity and Social Justice Planning Committee and selection of consultants to develop a City Racial Equity and Social Justice Program. The program would evaluate potential disparities in life among the City's disadvantaged population and identify public actions to address such outcomes.

Certification: I certify under penalty of perjury that all information contained in this LEAP State Planning and Other Planning Priorities certification form (Attachment 2) is true and correct.

Certifying Officials Name: Steve Goggia

Certifying Official's Title: Community Development Director

Certifying Official's Signature: _____ Date: 1/25/21

Attachment 4: Required Resolution Template

RESOLUTION NO. [insert resolution number]

A RESOLUTION OF THE [INSERT EITHER "CITY COUNCIL" OR "COUNTY BOARD OF SUPERVISORS"] OF [INSERT THE NAME OF THE CITY OR COUNTY] AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS

WHEREAS, pursuant to Health and Safety Code 50515 et. Seq, the Department of Housing and Community Development (Department) is authorized to issue a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or LEAP); and

WHEREAS, the [insert either "City Council" or "County Board of Supervisors"] of [insert the name of the City or County] desires to submit a LEAP grant application package ("Application"), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment; and

WHEREAS, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions;

Now, therefore, the [insert either "City Council" or "County Board of Supervisors"] of [insert the name of the city or county] ("Applicant") resolves as follows:

SECTION 1. The [insert the authorized designee's TITLE ONLY] is hereby authorized and directed to apply for and submit to the Department the Application package;

SECTION 2. In connection with the LEAP grant, if the Application is approved by the Department, the [insert the authorized designee's TITLE ONLY] of the [insert the name of the City or County] is authorized to submit the Application, enter into, execute, and deliver on behalf of the Applicant, a State of California Agreement (Standard Agreement) for the amount of [\$ enter the dollar amount of the Applicant's request], and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the Applicant's obligations related thereto, and all amendments thereto; and

SECTION 3. The Applicant shall be subject to the terms and conditions as specified in the NOFA, and the Standard Agreement provided by the Department after approval. The Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the Applicant hereby agrees to use the funds for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

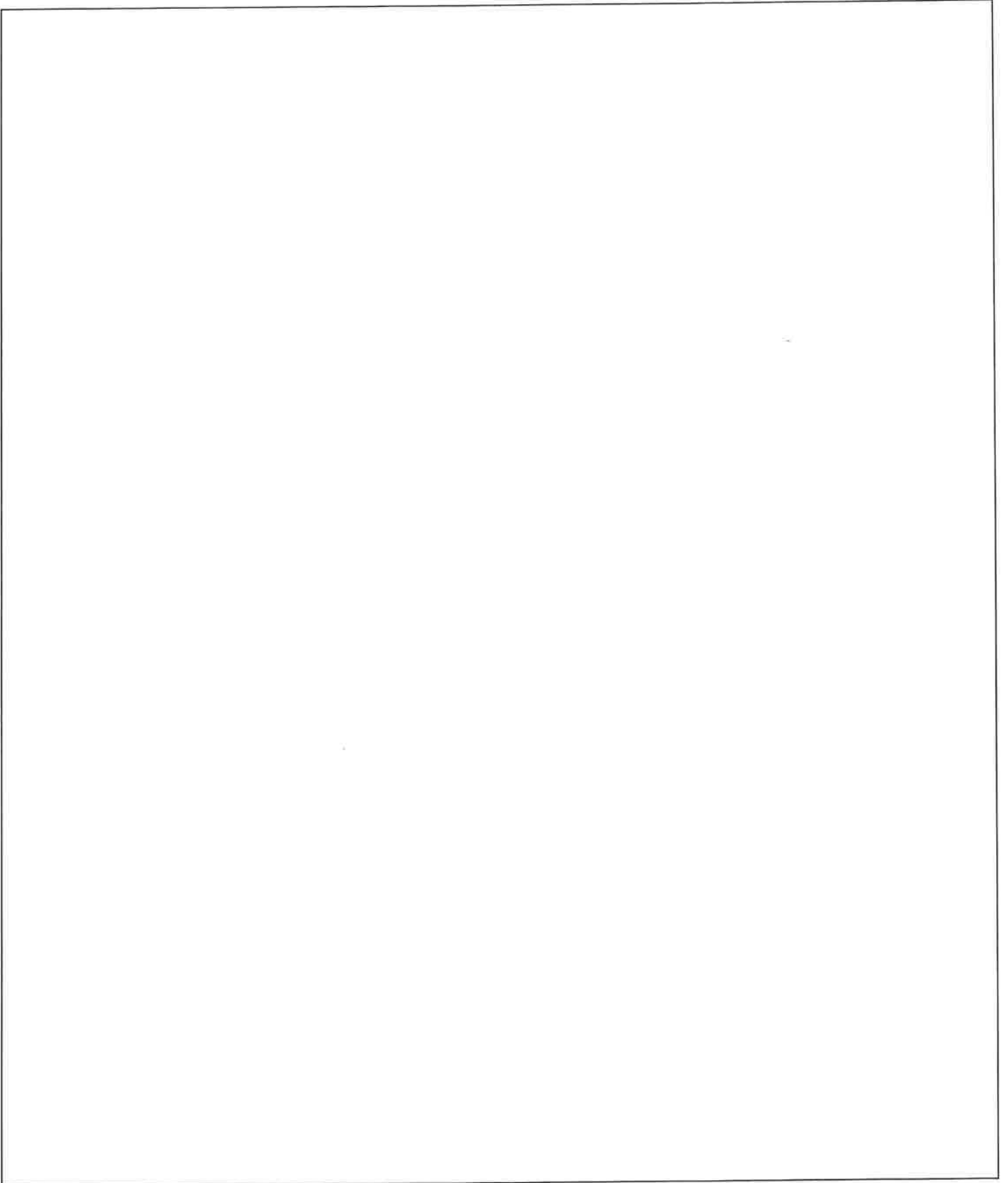
ADOPTED ON [insert the date of adoption], by the [insert either "City Council" or "County Board of Supervisors"] of [insert the name of the City or County] by the following vote count:

AYES: NOES: ABSENT: ABSTAIN:

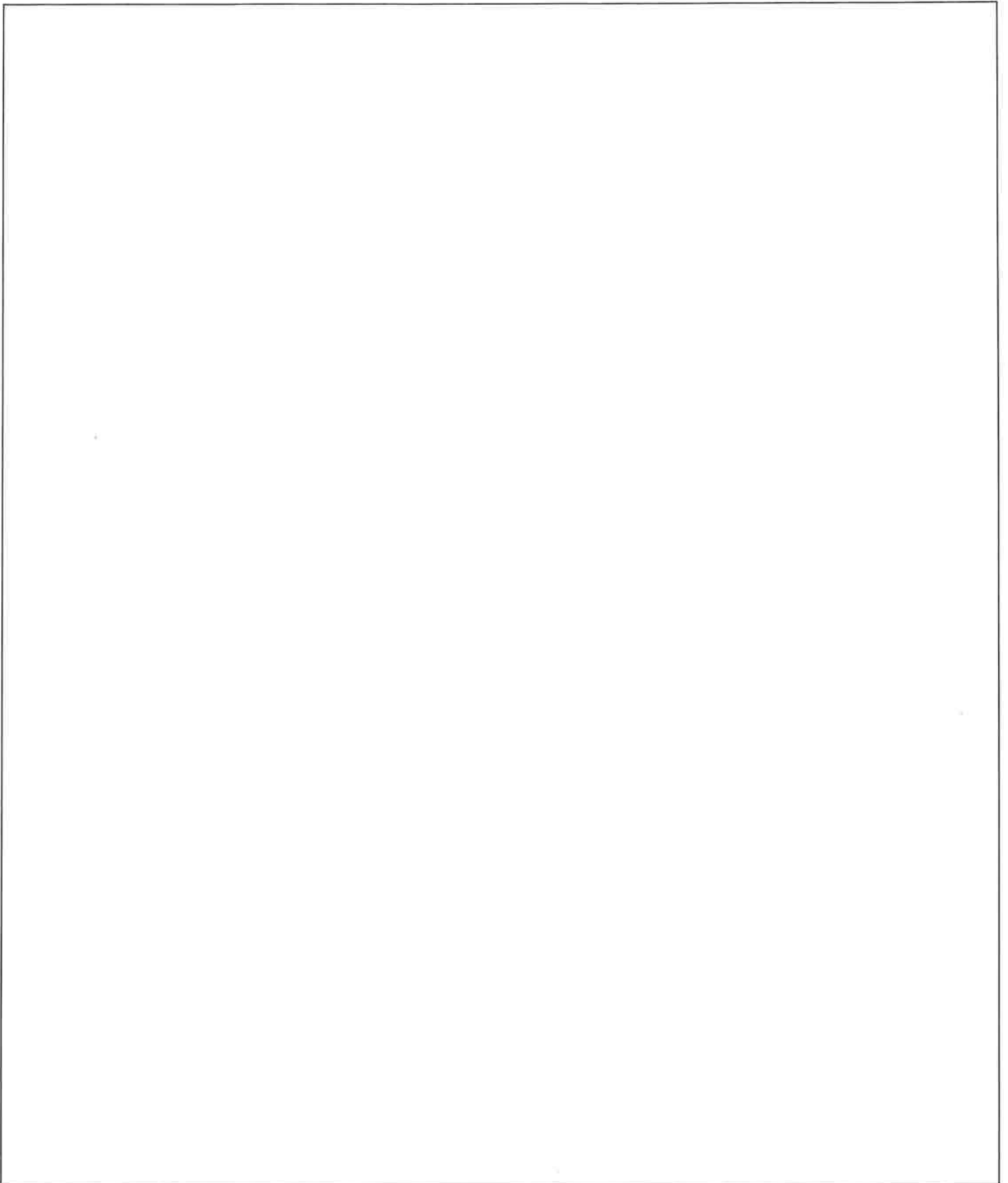
[Signature of Attesting Officer] ATTEST: APPROVED AS TO FORM:

[Signature of approval] APPROVED

Appendix A



Appendix B





The principal purpose of the information provided is to establish the unique identification of the government entity.

Instructions: You may submit one form for the principal government agency and all subsidiaries sharing the same TIN. Subsidiaries with a different TIN must submit a separate form. Fields bordered in red are required. Hover over fields to view help information. Please print the form to sign prior to submittal. You may email the form to: vendors@fiscal.ca.gov, or fax it to (916) 576-5200, or mail it to the address above.

Principal
Government
Agency Name

City of Carpinteria

Remit-To
Address (Street
or PO Box)

5775 Carpinteria Avenue

City

Carpinteria

State CA

Zip Code+4 93013

Government Type:

☒ City

☐ County

☐ Special District

☐ Federal

☐ Other (Specify)

Federal
Employer
Identification
Number
(FEIN)

95-2414438

List other subsidiary Departments, Divisions or Units under your principal agency's jurisdiction who share the same FEIN and receives payment from the State of California.

Dept/Division/Unit
Name

Complete
Address

Dept/Division/Unit
Name

Complete
Address

Dept/Division/Unit
Name

Complete
Address

Dept/Division/Unit
Name

Complete
Address

Contact Person

Licette Maldonado

Title Admin Services Director

Phone number

805-755-4448

E-mail address

Licettem@ci.carpinteria.ca.us

Signature

Date

1/14/21



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 25, 2021

ITEM FOR COUNCIL CONSIDERATION

Consideration of making Appointments to the Planning Commission, Architectural Review Board, Mobile Home Rent Stabilization Board, Carpinteria Open Space Management Advisory Board, Tree Advisory Board, Downtown "T" Business Advisory Board, Integrated Pest Management Committee, Environmental Review Committee and Community Development Block Grant Committee.

STAFF RECOMMENDATION

Action Item **X**; Non-Action Item

Approve Resolution Nos. 6018 through 6026, approving appointments to all City Commissions, Boards and Committees as discussed.

Motion: I move to adopt Resolution Nos. 6018 through 6026, approving appointments to all City Commissions, Boards and Committees as discussed.

BACKGROUND

In accordance with the Carpinteria Municipal Code, appointments to the City Commissions, Boards and Committees expire every two years on January 31st following the municipal election. Each Commission, Board and Committee member serves at the pleasure of the City Council and shall be appointed by the mayor with the advice and consent of the City Council.¹ Each term is automatically extended until a successor is appointed.

The City Clerk sent an email to each of the current members thanking them for their service to the City and requesting that they advise the City as to whether they wished to retire from service at this time or be considered for reappointment. Simultaneously, a display ad inviting interested persons to apply was published in the local newspaper.

¹ CMC 2.32, 2.36 & 12.28.080 concerning the Planning Commission, Architectural Review Board, and Tree Advisory Board, respectively. By practice, the City Council follows the same procedures for Commission, Boards and Committees pursuant to CMC 2.24.

The ad ran on two separate occasions (November 26, and December 17). Also, a recruitment notice was placed on the City's Scroll and at the public library and at City Hall.

DISCUSSION

Planning Commission (PC)

The Planning Commission consists of five members with the qualifications for membership being residency within the city at the time of their appointment and during their tenure in office. All five positions are currently filled and all members have stated a desire to continue their service and be considered for reappointment. The following members are requesting reappointment: David Allen, Glenn LaFevers, Jane Benefield, John Callender and John Moyer. No vacant positions exist on the Commission.

The City has received one new application from Russell Ruiz. The application is attached for Council's consideration.

Architectural Review Board (ARB)

The Architectural Review Board consists of five members with the qualifications for membership being residency within the city at the time of appointment and during tenure in office and that membership consist of a mix of lay and professional citizens skilled in the interpretation of architectural and landscape drawings and ability to evaluate the effects of proposed development upon surrounding areas. All five positions are currently filled. The following members are requesting reappointment: Jim Reginato, Richard Johnson, Jason Rodriquez, Amy Blakemore and Brad Stein. No vacant positions exist on the Board.

The City has not received any new applications for this board.

Mobile Home Park Rent Stabilization Board

The Mobile Home Park Rent Stabilization Board consists of five members, all of which shall be appointed on an at-large basis. The following members have stated a desire to continue with their service and be considered for reappointment: Brian Klinge, Danel Trevor, John J. Nicoli and Bob Franco. One vacant position exists on the board.

The City has not received any new applications for this board.

Carpinteria Open Space Management Advisory Board

The Carpinteria Open Space Management Advisory Board is comprised of seven residents from the community at-large. The following six current members have stated a desire to continue their service and be considered for reappointment: David Allen, Andrea Adams-Morden, Ted Rhodes, Patrick Crooks, James McElvain, and Arturo Tello. One vacant position exists on the board.

The City has received one new application from Jonathan Lewis. The application is attached for Council's consideration.

Tree Advisory Board (TAB)

The Tree Advisory Board consists of five members with the qualifications for membership being residency within the Carpinteria Valley and a composition of a mix of lay citizens and professionals from a pertinent discipline. Municipal Code 12.28.080A provides examples of some of the characteristics or attributes to be used in creating a composition of board members. The following current members have stated a desire to continue their service and be considered for reappointment: Carol Terry, Julie Broughton, Dale Olivas, Susan Mailheu and Diane Ledbetter. Two vacant positions exist on the board.

The City has not received any new applications for this board.

Downtown "T" Business Advisory Board (DTBAB)

The Downtown "T" Business Advisory Board is comprised of seven members with at least four of those regular members paying assessments within Parking and Business Improvement District No. 4, three members from the general public and three assessment paying alternates. The following current members have stated a desire to continue their service and be considered for reappointment: District No. 4 paying member Roxanne Barbieri, at large member Monica Solorzano, and alternate member Mary Beth Radley. Ms. Radley has expressed a desire to be made an assessment paying regular member. Don Hathaway and Rachel Nunez have stated a desire to retire from service at this time. No response was received from Laura Petit as to her desire to continue or retire. Two at-large vacant positions exist, three vacant assessment paying positions and two alternate assessment paying positions exist.

The City has not received any new applications for this board.

Integrated Pest Management Advisory (IPM) Committee

The Integrated Pest Management Advisory Committee is comprised of no fewer than five and no more than nine members that include representation from the Parks and Recreation Department, the Public Works Department, the Bluffs Advisory Committee, and at least two at-large community members. The following current members have stated a desire to continue their service and be considered for reappointment: William Carleton, Russell Ruiz, and Patrick Crooks (also on the Carpinteria Open Space Management Advisory Board). Sherrie Fisher has stated her desire to retire from service at this time. Two vacant positions exist on the committee.

The City has not received any new applications for this committee.

Environmental Review Committee (ERC)

The Environmental Review Committee is a five-member committee made up of the City Manager or his designee, the City Engineer, the Community Development Director or his designee, the City Biological Resource Specialist, and a member of the general public. Current public member Steve Nicolaides has stated a desire to retire from service at this time. Natasha Lohmus, who has been on this committee for many years and last appointment cycle moved into the City Manager designee position when Mr. Nicolaides was appointed to the public member position, is interested in moving back into the public member position with the departure of Mr. Nicolaides.

Should the Council appoint Natasha to the public member position, the City Manager would then designate a city staff member of choice, if so desired. One vacant position reserved for a member of the public exists on this committee.

The City has not received any new applications for this committee.

Community Development Block Grant (CDBG) Committee

The responsibility of this committee is to review grant applications for CDBG funds and to make recommendations to the City Council on which applications to fund. This committee meets once annually approximately in February. In years past, committee appointments to this group have been made by the City Council as a standalone matter and approved by minute order. In order to streamline the process, staff has included the appointment to this committee with the biannual appointments. The Community Development Block Grant Committee is comprised of one member of the Planning Commission and two at-large community members. The following current members have stated a desire to continue their service and be considered for reappointment: Phylene Wiggins and Brian Klinge. Planning Commission Jane Benefield has graciously stated her desire to retire from service at this time.

The City has received one new application from Clyde Freeman. The application is attached for Council's consideration. Glen LaFevers has agreed to be the PC Representative.

LEGAL ISSUES

As per the Carpinteria Municipal Code, Commission, Board, and Committee members serve at the pleasure of the City Council and shall be appointed by the Mayor with the advice and consent of the City Council.

PERSONS EXPECTED

Applicants have been advised of the meeting date and invited to attend.

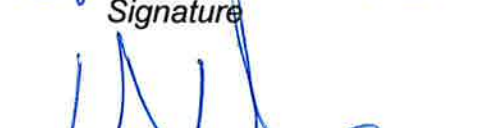
ATTACHMENTS

- A. Resolution Nos. 6018 through 6026
- B. Applications
- C. List of current members requesting reconsideration and new applicants

Staff contact: Fidela Garcia, City Clerk
(805) 755-4403, fidelag@ci.carpinteria.ca.us

Reviewed by: Dave Durlinger, City Manager


Signature


Signature

ATTACHMENT A

RESOLUTION NO. 6018

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPOINTING MEMBERS TO THE CARPINTERIA
PLANNING COMMISSION FOR
THE TERM ENDING JANUARY 31, 2023

WHEREAS, under the provisions of Carpinteria Municipal Code Chapter 2.32 a Planning Commission, composed of five members, exists to serve as the City's planning body and to advise the City Council on land use, planning and related matters; and

WHEREAS, pursuant to Municipal Code Section 2.24.010, the terms of all appointed commissions and boards expire on January 31, 2021, and therefore all such positions are vacant subject to certain exceptions; and

WHEREAS, pursuant to California Government Code Section 54970 et seq., all vacancies on appointed boards and commissions have been duly advertised and all interested persons have been invited to indicate their interest in serving; and

WHEREAS, the City Council has reviewed and considered all persons who have indicated an interest in serving and the Mayor has recommended that certain persons be appointed to the Commission.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the following appointments are approved and confirmed effective January 31, 2021, and that such appointments are to continue in effect at the pleasure of the City Council for the two-year term ending January 31, 2023.

APPOINTED TO THE PLANNING COMMISSION:

1. _____
2. _____
3. _____
4. _____
5. _____

RESOLVED FURTHER THAT any appointed Commission member who fails to attend two consecutive regular meetings of the Commission without excuse acceptable to the City Council shall be deemed to have resigned from said Commission and the position declared vacant.

PASSED, APPROVED AND ADOPTED this 25th day of January 2023, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of January, 2019.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

RESOLUTION NO. 6019

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPOINTING MEMBERS TO THE CARPINTERIA
ARCHITECTURAL REVIEW BOARD FOR
THE TERM ENDING JANUARY 31, 2023

WHEREAS, under the provisions of Carpinteria Municipal Code Chapter 2.36 an Architectural Review Board, composed of five members, exists to advise City staff, the Planning Commission and City Council on architectural design and landscape matters; and

WHEREAS, pursuant to Municipal Code Section 2.24.010, the terms of all appointed commissions and boards expire on January 31, 2021, and therefore all such positions are vacant subject to certain exceptions; and

WHEREAS, pursuant to California Government Code Section 54970 et seq., all vacancies on appointed boards and commissions have been duly advertised and all interested persons have been invited to indicate their interest in serving; and

WHEREAS, the City Council has reviewed and considered all persons who have indicated an interest in serving and the Mayor has recommended that certain persons be appointed to the Board.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the following appointments are approved and confirmed effective January 31, 2021, and that such appointments are to continue in effect at the pleasure of the City Council for the two-year term ending January 31, 2023.

APPOINTED TO THE ARCHITECTURAL REVIEW BOARD:

1. _____
2. _____
3. _____
4. _____
5. _____

RESOLVED FURTHER THAT any appointed Board member who fails to attend two consecutive regular meetings of the Board without excuse acceptable to the City Council shall be deemed to have resigned from said Board and the position declared vacant.

PASSED, APPROVED AND ADOPTED this 25th day of January 2021, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of January 2021.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

RESOLUTION NO. 6020

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPOINTING MEMBERS TO THE CARPINTERIA
MOBILE HOME PARK RENT STABILIZATION BOARD FOR
THE TERM ENDING JANUARY 31, 2023

WHEREAS, under the provisions of Carpinteria Municipal Code Chapter 5.69 a Mobile Home Park Rent Stabilization Board, composed of five members, exists to approve, set and adjust the rent schedule and maximum rents for mobile home tenancies in the City in accordance with Chapter 5.69; and

WHEREAS, pursuant to Municipal Code Section 2.24.010, the terms of all appointed commissions and boards expire on January 31, 2019, and therefore all such positions are vacant subject to certain exceptions; and

WHEREAS, pursuant to California Government Code Section 54970 et seq., all vacancies on appointed boards and commissions have been duly advertised and all interested persons have been invited to indicate their interest in serving; and

WHEREAS, the City Council has reviewed and considered all persons who have indicated an interest in serving and the Mayor has recommended that certain persons be appointed to the Board.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the following appointments are approved and confirmed effective January 31, 2021, and that such appointments are to continue in effect at the pleasure of the City Council for the two-year term ending January 31, 2023.

APPOINTED TO THE MOBILE HOME PARK RENT STABILIZATION BOARD:

1. _____
2. _____
3. _____
4. _____
5. _____

RESOLVED FURTHER THAT any appointed Board member who fails to attend two consecutive regular meetings of the Board without excuse acceptable to the City Council shall be deemed to have resigned from said Board and the position declared vacant.

Resolution No. 6020

Page two

PASSED, APPROVED AND ADOPTED this 25th day of January, 2021, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of January, 2021.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

RESOLUTION NO. 6021

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPOINTING MEMBERS TO THE CARPINTERIA
CARPINTERIA OPEN SPACE MANAGEMENT ADVISORY BOARD FOR
THE TERM ENDING JANUARY 31, 2023

WHEREAS, under the provisions of Carpinteria City Council Resolution No. 6002 Carpinteria Open Space Management Advisory Board was created and is composed of seven members; and

WHEREAS, the Carpinteria Open Space Management Advisory Board is needed to assist the City in its compliance with the applicable terms of relevant Conservation and Trail Easements; and

WHEREAS, pursuant to Carpinteria Municipal Code Section 2.24.010, the terms of all appointed commissions and boards expire on January 31, 2021, and therefore all such positions are vacant subject to certain exceptions; and

WHEREAS, pursuant to California Government Code Section 54970 et seq., all vacancies on appointed boards and commissions have been duly advertised and all interested persons have been invited to indicate their interest in serving; and

WHEREAS, the City Council has reviewed and considered all persons who have indicated an interest in serving and the Mayor has recommended that certain persons be appointed to the board.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the following appointments are approved and confirmed effective January 31, 2021, and that such appointments are to continue in effect, at the pleasure of the City Council, for the two-year term ending January 31, 2021.

APPOINTED TO THE CARPINTERIA OPEN SPACE MANAGEMENT ADVISORY
BOARD:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

RESOLVED FURTHER THAT any appointed Board member who fails to attend two consecutive regular meetings of the Board without excuse acceptable to the City Council shall be deemed to have resigned from said Board and the position declared vacant.

PASSED, APPROVED AND ADOPTED this 25th day of January, 2021, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of January, 2021.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

RESOLUTION NO. 6022

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPOINTING MEMBERS TO THE CARPINTERIA
TREE ADVISORY BOARD FOR
THE TERM ENDING JANUARY 31, 2021

WHEREAS, under the provisions of Carpinteria Municipal Code Chapter 12.28, a Tree Advisory Board, composed of five members, exists to advise the City Council on street tree and other tree and planting matters; and

WHEREAS, pursuant to Municipal Code Section 2.24.010, the terms of all appointed commissions and boards expire on January 31, 2019, and therefore all such positions are vacant subject to certain exceptions; and

WHEREAS, pursuant to California Government Code Section 54970 et seq., all vacancies on appointed boards and commissions have been duly advertised and all interested persons have been invited to indicate their interest in serving; and

WHEREAS, the City Council has reviewed and considered all persons who have indicated an interest in serving and the Mayor has recommended that certain persons be appointed to the Board.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the following appointments are approved and confirmed effective January 31, 2021, and that such appointments are to continue in effect at the pleasure of the City Council for the two-year term ending January 31, 2023.

APPOINTED TO THE TREE ADVISORY BOARD:

1. _____
2. _____
3. _____
4. _____
5. _____

RESOLVED FURTHER THAT any appointed Board member who fails to attend two consecutive regular meetings of the Board without excuse acceptable to the City Council shall be deemed to have resigned from said Board and the position declared vacant.

PASSED, APPROVED AND ADOPTED this 25th day of January, 2021, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of January, 2021.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

RESOLUTION NO. 6023

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPOINTING MEMBERS TO THE CARPINTERIA
DOWNTOWN "T" BUSINESS ADVISORY BOARD FOR
THE TERM ENDING JANUARY 31, 2021

WHEREAS, under the provisions of Carpinteria City Council Resolution No. 1882, a Parking and Business Improvement Area Advisory Board also known as the Downtown "T" Business Advisory Board (DTBAB), exists to advise the City Council on parking and business improvement matters within a designated retail business area of the City; and

WHEREAS, under the provisions of Carpinteria City Council Resolution No.5902, restructured and established as a seven-member board consisting of four individuals paying assessments under the parking and Business Improvement District No. 4 and three at-large members, as determined by the City Council as well as three alternate assessment paying members to serve on the DTBAB.

WHEREAS, pursuant to Municipal Code Section 2.24.010, the terms of all appointed commissions and boards expire on January 31, 2021, and therefore all such positions are vacant subject to certain exceptions; and

WHEREAS, pursuant to California Government Code Section 54970 et seq., all vacancies on appointed boards and commissions have been duly advertised and all interested persons have been invited to indicate their interest in serving; and

WHEREAS, the City Council has reviewed and considered all persons who have indicated an interest in serving and the Mayor has recommended that certain persons be appointed to the Board.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the following appointments are approved and confirmed effective January 31, 2021, and that such appointments are to continue in effect at the pleasure of the City Council for the two-year term ending January 31, 2023.

APPOINTED TO THE DOWNTOWN "T" BUSINESS ADVISORY BOARD:

- | | |
|----------|-----------|
| 1. _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

RESOLVED FURTHER THAT any appointed Board member who fails to attend two consecutive regular meetings of the Board without excuse acceptable to the City Council shall be deemed to have resigned from said Board and the position declared vacant.

PASSED, APPROVED AND ADOPTED this 25th day of January, 2021, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of January, 2021.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

RESOLUTION NO. 6024

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPOINTING MEMBERS TO THE
INTEGRATED PEST MANAGEMENT ADVISORY COMMITTEE
FOR THE TERM ENDING JANUARY 31, 2023

WHEREAS, the Carpinteria City Council on January 9, 2012, approved by Council action the Integrated Pest Management Advisory Committee is composed of no more than seven members of the general public; and

WHEREAS, the Integrated Pest Management Advisory Committee is needed to assist the City in implementing and amending the City's IPM Policy; and

WHEREAS, pursuant to Carpinteria Municipal Code Section 2.24.010, the terms of all appointed commissions, boards and committees expire on January 31, 2019, and therefore all such positions are vacant subject to certain exceptions; and

WHEREAS, pursuant to California Government Code Section 54970 et seq., all vacancies on appointed boards and commissions have been duly advertised and all interested persons have been invited to indicate their interest in serving; and

WHEREAS, the City Council has reviewed and considered all persons who have indicated an interest in serving and the Mayor has recommended that certain persons be appointed to the Committee.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the following appointments are approved and confirmed effective January 31, 2021, and that such appointments are to continue in effect, at the pleasure of the City Council, for the two-year term ending January 31, 2023.

APPOINTED TO INTEGRATED PEST MANAGEMENT ADVISORY
COMMITTEE:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

RESOLVED FURTHER THAT any appointed Committee member who fails to attend two consecutive regular meetings of the Committee without excuse acceptable to the City Council shall be deemed to have resigned from said Board and the position declared vacant.

PASSED, APPROVED AND ADOPTED this 25th day of January, 2023, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of January, 2023.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

RESOLUTION NO. 6025

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPOINTING MEMBERS TO THE CARPINTERIA
ENVIRONMENTAL REVIEW COMMITTEE FOR
THE TERM ENDING JANUARY 31, 2023

WHEREAS, Carpinteria City Council Resolution No. 4082, adopted updated and revised environmental review regulations pursuant to the California Environmental Quality Act of 1970 and Carpinteria Municipal Chapter 8.48, as amended; and

WHEREAS, Carpinteria City Council Resolution No. 4418, provides for an increase in the Environmental Review Committee membership from three to five members, composed of the City Manager or his/her designee, the City Engineer, the Community Development Director or his/her designee, the City Biological Resource Specialist, and a member of the general public, and exists to provide direct input to the City's environmental review process; and

WHEREAS, pursuant to Municipal Code Section 2.24.010, the terms of all appointed commissions, boards and committees expire on January 31, 2021, and therefore all such positions are vacant subject to certain exceptions; and

WHEREAS, pursuant to California Government Code Section 54970 et seq., all vacancies on appointed commissions, boards and committees have been duly advertised and all interested persons have been invited to indicate their interest in serving; and

WHEREAS, the City Council has reviewed and considered all person(s) who have indicated an interest in serving and the Mayor has recommended that a certain person be appointed to the Board.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the following appointment is approved and confirmed effective January 31, 2021, and that such appointment is to continue in effect at the pleasure of the City Council for the two-year term ending January 31, 2023.

APPOINTED TO THE ENVIRONMENTAL REVIEW COMMITTEE:

1. _____

RESOLVED FURTHER THAT any appointed Committee member who fails to attend two consecutive regular meetings of the Committee without excuse acceptable to the City Council shall be deemed to have resigned from said Committee and the position declared vacant.

PASSED, APPROVED AND ADOPTED this 25th day of January 2021, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of January, 2021.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

RESOLUTION NO. 6026

A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPOINTING MEMBERS TO THE
COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE
FOR THE TERM ENDING JANUARY 31, 2023

WHEREAS, the Carpinteria City Council on December 11, 2006, approved by Council action the Community Development Block Grant Committee is composed of one member of the Planning Commission and two members from the general public at large; and

WHEREAS, the Community Development Block Grant Committee is needed to assist the City to review funding applications and make recommendations to the City Council on which applications to fund; and

WHEREAS, pursuant to Carpinteria Municipal Code Section 2.24.010, the terms of all appointed commissions, boards and committees expire on January 31, 2021, and therefore all such positions are vacant subject to certain exceptions; and

WHEREAS, pursuant to California Government Code Section 54970 et seq., all vacancies on appointed boards and commissions have been duly advertised and all interested persons have been invited to indicate their interest in serving; and

WHEREAS, the City Council has reviewed and considered all persons who have indicated an interest in serving and the Mayor has recommended that certain persons be appointed to the Committee.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the following appointments are approved and confirmed effective January 31, 2021, and that such appointments are to continue in effect, at the pleasure of the City Council, for the two-year term ending January 31, 2023.

APPOINTED TO COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE:

1. _____
2. _____
3. _____

RESOLVED FURTHER THAT any appointed Committee member who fails to attend two consecutive regular meetings of the Committee without excuse acceptable to the City Council shall be deemed to have resigned from said Board and the position declared vacant.

PASSED, APPROVED AND ADOPTED this 25th day of January, 2023, by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of January, 2023.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

ATTACHMENT B

List of current members requesting reconsideration and new applicants

Current Members 2/1/2019 – 1/31/2021 And New applications	Wish to be considered for reappointment Yes/No	Appointments 2/1/2021-1/31/23
Planning Commission		Planning Commission
David Allen	Yes	
Glenn LaFevers	Yes	
Jane Benefield	Yes	
John Callender	Yes	
John W. Moyer	Yes	
Application received from Russell Ruiz		
Architecture Review Board		Architecture Review Board
Jim Reginato	Yes	
Richard Johnson	Yes	
Jason Rodriquez	Yes	
Amy Blakemore	Yes	
Brad Stein	Yes	
Mobile Home Park Rent Stabilization Board		Mobile Home Park Rent Stabilization Board
Daniel Trevor	Yes	
John Nicoli	Yes	
Brian Klinge	Yes	
Bob Franco	Yes	
Carpinteria Open Space Management Advisory Board		Carpinteria Open Space Management Advisory Board
David Allen	Yes	
Andrea Adams-Morden	Yes	
Ted Rhodes	Yes	
Patrick Crooks	Yes	
James McElvain	Yes	
Arturo Tello	Yes	
Application received Jonathan Lewis		
Tree Advisory Board		Tree Advisory Board
Carol Terry	Yes	
Diane Ledbetter	Yes	
Susan Mailheu	Yes	
Dale Olivas	Yes	
Julie Broughton	Yes	
Downtown "T" Business Advisory Board		Downtown "T" Business Advisory Board
Don Hathaway	No	
Monica Solorzano	Yes	
Rachel Nunez (assessment paying)	No	
Roxanne Barbieri (assessment paying)	Yes	
Laura Petit	? No response	
Mary Beth Radley, Alt	Yes, and would like to be elevated to assessment paying.	

List of current members requesting reconsideration and new applicants (cont.)

Integrated Pest Management Advisory Committee		Integrated Pest Management Advisory Committee
William Carleton	Yes	
Russel Ruiz	Yes	
Patrick Crooks	Yes	
James McElvain	Yes	
Sherrie Fisher	No	
Environmental Review Committee		Environmental Review Committee
Steve Nicolaides, Public member	No	
Natasha Lohmus has expressed interest in filling public member position	Yes	
Community Development Block Grant Committee		Community Development Block Grant Committee
Phylene Wiggins	Yes	
Brian Kling	Yes	
Planning Commissioner Jane Benefield	No	
Application received from Clyde Freeman		

ATTACHMENT C



**CITY OF CARPINTERIA
APPLICATION FOR APPOINTMENT
TO THE PLANNING COMMISSION**

Return to: City Clerk's Office
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93010

RECEIVED

JAN 04 2021

APPLICANT: Russell Ruiz

CITY OF CARPINTERIA

Name

[REDACTED]

[REDACTED]

Address

Email

[REDACTED]

Business Address

Phone Number

Are you a legal resident of the City of Carpinteria? Yes

EXPERIENCE/ BACKGROUND:

Please see attached

Education

UCSB; SBCollege of Law

Present Occupation

(Please describe any relevant past work experience)

Retired

Memberships in Organizations

Reasons why you believe you should be appointed to Planning Commission (attach additional sheets if necessary):

Please see attached

Please list City Commission/Committee/Board (including dates) you are currently serving on or have served on:

IPM

I, the undersigned, hereby certify that all the statements contained herein above, are true and correct to the best of my knowledge and belief. I understand that false statements in my application will disqualify me from service on any Commission/Committee/Board of the City of Carpinteria. If appointed, I understand I will be responsible for filing an annual Statement of Economic Interests and fulfilling ethics training, and failure to do so in a timely manner may be cause for termination of position. This application and supplemental questionnaire are public documents and are available for review.

THIS APPLICATION MUST BE SIGNED IN INK AND DATED

Signature

Date

[Signature] 12/28/20

Honorable Mayor Nomura and Members of the City Council

This is my third Application for the Planning Commission. At this point in my Life my resume is not changing so I am using a past Application for this purpose. As I stated last time, I support the protocol of re-appointing incumbents who wish to continue to serve and I am not asking you to replace any current Commissioner. I do want to state my continuing interest in serving should a vacancy occur.

I understand the protocol will likely be the same for the Bluffs Management Advisory Board. Should there be a vacancy there I would be happy to serve. I would like to continue to serve on the IPM Committee.

If any Councilperson wishes to communicate with me I would be happy to do so. Send me an email and I can be readily available.

Thank you and thank you for your service.

A handwritten signature in black ink, appearing to read 'R. Ruiz', with a long, sweeping horizontal line extending from the end of the signature.

Russell Ruiz



**CITY OF CARPINTERIA
APPLICATION FOR APPOINTMENT
TO THE PLANNING COMMISSION**

Return to: City Clerk's Office
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93010

RECEIVED

JAN 04 2019

CITY OF CARPINTERIA

APPLICANT: Russell Ruiz

Name

Address

Email

Business Address

Phone Number

Are you a legal resident of the City of Carpinteria? ☒ Yes

EXPERIENCE/ BACKGROUND:

UCSB; Santa Barbara College of Law

Education

Retired

Present Occupation (Please describe any relevant past work experience)

Please see attached

Memberships in Organizations

Reasons why you believe you should be appointed to Planning Commission (attach additional sheets if necessary):

Please see attached

Please list City Commission/Committee/Board (including dates) you are currently serving on or have served on:

IPM Committee, I would like to remain on IPM even if I am appointed to Planning Commission

I, the undersigned, hereby certify that all the statements contained herein above, are true and correct to the best of my knowledge and belief. I understand that false statements in my application will disqualify me from service on any Commission/Committee/Board of the City of Carpinteria. If appointed, I understand I will be responsible for filing an annual Statement of Economic Interests and fulfilling ethics training, and failure to do so in a timely manner may be cause for termination of position. This application and supplemental questionnaire are public documents and are available for review.

THIS APPLICATION MUST BE SIGNED IN INK AND DATED

Signature

Date

Planning Commission Application
(Attachment)

Honorable Mayor (Wade) and Members of the City Council:

I am applying for the Planning Commission. I currently serve on the IPM Committee and I have informed our Clerk that I wish to continue serving on IPM. I enjoy it, I like my colleagues and I appreciate that we have access to senior staff who are great. If I am appointed to the Planning Commission I would like to continue on IPM but I support spreading the opportunities to serve around if there are other applicants. I applied for the Planning Commission in the last cycle two years ago. I want to make it absolutely clear that I am not asking you to replace any sitting Commissioner. I watch Commission meetings on video and read the Agendas. I have no complaints regarding the current Commission. I understand from our Clerk that if I am not appointed my Application will remain on file and if there is an Interim vacancy the Mayor and Council may consider my Application at that time. I want to continue to let you know that I am qualified, remain interested in serving and am readily available. My approach is and will be to submit basically the same Application each time I apply. At this point in my life my resume is not changing and other than some minor updates my Application is the same as last time. That is my "theme," I am still here and ready to serve.

I am retired after a career focused on local water and land use. I will introduce myself here and then address my professional background and experience. Our daughter Stella is a student at Carpinteria Middle School. She is a 9th generation South Coast local. I was recently elected to the Middle School Site Council. I previously served on the Canalino School Site Council; the Measure U Facilities Bond Implementation Committee; the Superintendent's Parent Advisory Committee; and I currently serve on the School District's Citizens Advisory Committee on the Disposition of Surplus Properties. Our Committee is responsible for the mandatory review and Recommendations regarding the sale of the District's Ballard and Summerland Surplus Properties. Our family has also been active volunteers with the schools' Parents' groups.

Throughout my life I have had friends and family in Carpinteria. My father Ernie Ruiz was good friends with Ernie Wullbrandt, of course as you know an original Member of the City Council, and I am good friends with his son Chip. I have been using Carpinteria beaches since I was a child. I lived at Sunset Shores for about four years while attending UCSB. The commute back then was not so bad and I often took the bus and did my homework on the commute.

Related to local land use experience pertinent to my qualifications for the Planning Commission my father and my grandfather were successful, self-employed South Coast building contractors. I grew up with local land use issues and my father taught me how to read plans when I was a teenager. When they were employed at the County I worked with Steve Goggia and Jackie Campbell and I know how fortunate we are to have Mr. Goggia and to have had Ms. Campbell here. Throughout my career I have worked with Peter Brown and I consider him to be the finest City Attorney in Santa Barbara County, and we have been fortunate to have him here as well. I have also worked closely with Members of Mr. Brown's firm throughout my career.

As I stated my career was focused on local water. I was General Counsel for the Goleta Water District for about 20 years. I was Counsel for Summerland Water District until it was merged with Montecito. Prior to State Water I represented private mutual water companies from Carpinteria to the Hollister Ranch. In addition to my local and regional water related work, throughout my career I worked on local land use projects for private clients before local agencies. I served on the City of Santa Barbara Water Commission for about 8 years, several of those years as Chair. I left the Water Commission when our family moved to Carpinteria.

A major reason I moved our family to Carpinteria is the stable and conservative land use approach here, and particularly recently, as compared to other communities on the South Coast. I intend to live here for the rest of my life and we are committed to our daughter Stella graduating from Carpinteria High. I highly value our current quality of life and I will do whatever I can to help preserve it with you.

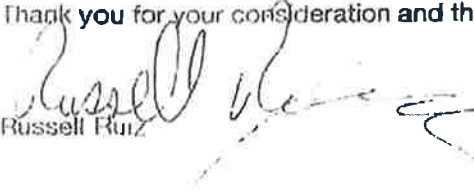
One of the reasons I am interested in serving on the Planning Commission is the General Plan Update. I have substantial professional experience with local land use planning. I was fully engaged working on the following described projects: the Goleta Community Plan; the Isla Vista Master Plan; the first City of Goleta General Plan; the 1990 and 2010 UCSB Long Range Development Plans. While I was serving on the City Water Commission, the City went through its General Plan Update. As a Water Commissioner, Chair at the end of the process, I was very involved. That was a multi-year, multi-million dollar process with all the issues and politics to be expected. The Water Commission was fully engaged in the General Plan EIR, and I believe we were instrumental in limiting the amount of growth that staff was advocating, by stressing the uncertainties and limitations on our local long term water supplies.

I believe it is fair for me to say today, on the issues related to the intersection of land use planning and local and regional long term water supply planning, I am one of the most experienced local experts. The issues of land use planning in light of our reasonably foreseeable long term water supplies will play a significant role in our General Plan Update. Today, finding ourselves still in this historic drought, we face many uncertainties in our long term supplies. It is an interesting and important coincidence that our General Plan Update and the Cachuma Contract Renewal are scheduled to occur the same year, 2020. I am an expert on Cachuma. I served during the last (and first) Contract Renewal in 1995 on the Member Units' Steering Committee, responsible for negotiating the Contract on our behalf, helping to write the Contracts, and manage the environmental documents. This drought has demonstrated that we have been taking more water from Cachuma than is sustainable. We almost drained the reservoir for the first time in its history. That was not supposed to happen. That together with the new Santa Ynez River Steelhead Biological Opinion that is supposed to be unveiled soon, will see a substantial changes in the way we manage Cachuma in the future. I am very supportive of our Water District's current approach. As long as we have Matt Roberts on the Water Board we are in good hands.

I am an expert on the California Environmental Quality Act (CEQA). We will of course prepare an EIR for our General Plan Update. I have substantial experience with some of the most complex EIRs that have been prepared for South Coast Projects, including General Plans.

I am applying for the Planning Commission because I am committed to Public service and I am uniquely qualified for the position. I am not here to try to fix something that I believe is broken. I support our land use approach and I want to help continue that legacy. If any Council Member is interested in discussing my Application, I would be happy to do so. I am retired and readily available, just send me an email and I would be happy to meet for coffee or otherwise at your convenience.

Thank you for your consideration and thank you for your service.


Russell Ruiz

SUPPLEMENTAL QUESTIONNAIRE

What is your understanding of the role of a Planning Commissioner?

I will begin this response by stating that I have worked with local Planning Commissioners on the South Coast for 30 years. I have appeared on behalf of clients before local Planning Commissions throughout that time. I served as a City of Santa Barbara Water Commissioner for over 8 years and we worked closely and had annual joint meetings with the Planning Commission.

Fundamentally the role of a Planning Commissioner is to be thoroughly informed, work with staff, fellow Commissioners and the Public to consider matters before the Commission and support adherence to the General Plan.

What do you believe are the most important land use issues facing the City of Carpinteria?

The General Plan Update will be an historic and vitally important milestone for our City. I am raising our now 11 almost 12 year old daughter Stella who, God willing, will live in Carpinteria for the rest of her life. If she goes away to college, anytime she wants to visit her parents, she will be coming back to Carpinteria. I want to do what I can to preserve the wonderful quality of life she is now enjoying.

As always long term planning for the Bluffs will be important. The abandoning and what is next for the Veneco property may be our most significant immediate issue.

Do what we can to promote implementation of the 101 Projects in the best interests of Carpinteria.

Preserve and protect our existing mobilehome parks.

Complete the Rincon Trail.

Implement our Recycled Water Project.

Make sure we have our STVR and ADU policies right.

What would be your recommended approach(es) to resolving the most important planning issues?

Most important in my view is to have accurate and thorough information on matters before the Commission. Make sure the Community is informed, engaged and listened to. I know the City has a long legacy of Public engagement and that will of course be crucial to the success of the General Plan Update.

Russell H. King



**CITY OF CARPINTERIA
APPLICATION FOR APPOINTMENT
TO A CITY BOARD, COMMISSION OR
COMMITTEE**

Please return to: City Clerk's Office
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

BOARD, COMMISSION OR COMMITTEE APPLIED FOR:

Architectural Review Board

APPLICANT:

Russell Ruiz

Name

Address

Business Address

Email

Phone Number(s)

Are you a resident of the City of Carpinteria?

yes

EXPERIENCE/ BACKGROUND:

Please see attached

Education

Retired

(see attached)

Present Occupation

(Please describe any relevant past work experience)

see attached

Memberships in Organizations

Reasons why you believe you should be appointed (attach additional sheets if necessary):

see attached

Please list City Commission/Committee/Board (including dates) you are currently serving on or have served on:

IPM

JAN 31 2020

I, the undersigned, hereby certify that all the statements contained herein above, are true and correct to the best of my knowledge and belief. I understand that false statements in my application will disqualify me from service on any Commission/Committee/Board of the City of Carpinteria. If appointed, I understand I will be responsible for filing an annual Statement of Economic Interests and fulfilling ethics training, and failure to do so in a timely manner may be cause for termination of position. This application is a public document and is available for review.

THIS APPLICATION MUST BE SIGNED IN INK AND DATED

Rev. 12/7/12

Signature

Date

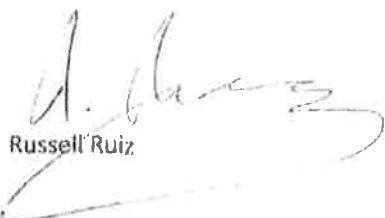
1.28.20

Honorable Members of the City Council:

I am using my pending Application for the Planning Commission, for this purpose. I believe that is appropriate. Jim Reginatto who is a current Member of the ARB asked me to Apply for the vacancy. He has been my friend for decades and knows my qualifications. One thing I say in my Application that I will focus on here for purposes of ARB is that my Dad and grandfather were self-employed South Coast building contractors and I spent a lot of my Summers growing up on local job sites. I was an only child and my Dad showed me how he did his work including reading plans and bidding jobs. He taught me to read plans and help him on bids when I was still a teenager. I have literally been around local construction, all my life. In my professional career I regularly worked with local architects.

If anyone would like to communicate, please send me an email: [REDACTED]

Thank you for your consideration and thank you for your service,


Russell Ruiz



**CITY OF CARPINTERIA
APPLICATION FOR APPOINTMENT
TO A CITY BOARD, COMMISSION OR
COMMITTEE**

Please return to: City Clerk's Office
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

RECEIVED

BOARD, COMMISSION OR COMMITTEE APPLIED FOR:

JAN 05 2021

CARP OPEN SPACE MGT Advisory Board

CITY OF CARPINTERIA

APPLICANT: JONATHAN LEWIS

Name

[Redacted]

Address

N/A

Business Address

[Redacted]

Email

[Redacted]

Phone Number(s)

Are you a resident of the City of Carpinteria? Yes

EXPERIENCE/ BACKGROUND:

B.A. - COMMUNICATIONS, UC SAN DIEGO

Education

RETIRED AS of 12/2016. (OVER)

Present Occupation (Please describe any relevant past work experience)

(OVER)

Memberships in Organizations

Reasons why you believe you should be appointed (attach additional sheets if necessary):

ENVIRONMENTALLY-CONSCIOUS EX-PUBLIC SERVANT, FREQUENT
"USER" OF CARP bluffs & benches as walker, runner, cyclist, nature
observer, CARP VALLEY RESIDENT (OVER)

Please list City Commission/Committee/Board (including dates) you are currently serving on or have served on:

N/A

I, the undersigned, hereby certify that all the statements contained herein above, are true and correct to the best of my knowledge and belief. I understand that false statements in my application will disqualify me from service on any Commission/Committee/Board of the City of Carpinteria. If appointed, I understand I will be responsible for filing an annual Statement of Economic Interests and fulfilling ethics training, and failure to do so in a timely manner may be cause for termination of position. This application is a public document and is available for review.

THIS APPLICATION MUST BE SIGNED IN INK AND DATED

Jonathan Lewis
Signature

1/5/21
Date

OCCUPATION (CONT.): LAST JOB WAS Chief, Project Services Div,
NISC, Office of the CIO, US NATIONAL Park Service. As Chief IT
Project Mgr for USNPS, led team of IT project mgrs for
SERVICEWIDE IT Projects, Chaired servicewide Technology
Officers Committee, etc. TOTAL 37 years with USNPS from
first summer job on Trail crew to Ranger to Admin/IT
positions, ending career as HQ Div Chief.

Member (NOT serving as officer or volunteer):

Assoc of Natl Park Rangers (Budget Advisory Committee)

Coalition to Protect America's Nat'l Parks

Montezito Trails Foundation

S.B. MARITIME MUSEUM

GAUDIOTA COAST CONSERVANCY

LOS PADRES FOREST WATCH

SB BICYCLE COALITION

CAMP VALLEY HISTORICAL SOCIETY

CAMP ARTS CENTER

U.S. SAILING ASSOCIATION

WHY APPOINT (CONT.)

... CAMP VALLEY RESIDENT

1970-73 CATE School Student

1993 → Present

1993-2004 Sheppard Mesa

2005 → Present Camp City resident

ORGANIZED, ON TIME, NO B.S. PERSON,





**CITY OF CARPINTERIA
APPLICATION FOR APPOINTMENT
TO A CITY BOARD, COMMISSION OR
COMMITTEE**

Please return to: City Clerk's Office
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

BOARD, COMMISSION OR COMMITTEE APPLIED FOR:

COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE

APPLICANT: CLYDE FREEMAN

Name

Address

Email

Business Address

Phone Number(s)

Are you a resident of the City of Carpinteria? HAVE BEEN IN THE PAST - NOW COUNTY

EXPERIENCE/ BACKGROUND:

BS IN ACCOUNTING AND MASTERS IN FINANCE
Education

MONTECITO BANK & TRUST, SVP, MANAGER OF CONSTRUCTION & COMMUNITY LENDING
Present Occupation (Please describe any relevant past work experience)

CARP LIONS CLUB (5-29-09 → PRES) & LIONS BOARD - TREASURER
Memberships in Organizations LIONS BUILDING ASSOC BOARD - U.P.

Reasons why you believe you should be appointed (attach additional sheets if necessary):

PART OF MY LENDING IS FOR AFFORDABLE HOUSING DEVELOPMENTS.
ALSO I AM A VOTING MEMBER OF THE CAPITAL LOAN COMMITTEE FOR
COMMUNITY SERVICES, COUNTY OF S.B. - WE REVIEW FOR APPROVAL CDBG AND HOME FUNDS.
→ (8-2-14 → PRES)

Please list City Commission/Committee/Board (including dates) you are currently serving on or have served on:

CITIZENS' OVERSIGHT COMMITTEE (3-10-15 → PRES), GIRLS INC OF CARP - BOARD (5-09-6-17) & PRESIDENT
GIRLS INC OF CARP - FINANCE COMMITTEE (7-1-15 → PRES), CARP VALLEY MUSEUM BOARD (2016 → PRES)
I, the undersigned, hereby certify that all the statements contained herein above, are true and correct to the best of my knowledge and belief. I understand that false statements in my application will disqualify me from service on any Commission/Committee/Board of the City of Carpinteria. If appointed, I understand I will be responsible for filing an annual Statement of Economic Interests and fulfilling ethics training, and failure to do so in a timely manner may be cause for termination of position. This application is a public document and is available for review.
CARP BEAUTIFUL TREASURER (2007-PRES)

THIS APPLICATION MUST BE SIGNED IN INK AND DATED

Rev. 12/7/12

DEC 07 2020

Signature

Date

CITY OF CARPINTERIA

CARP CHAMBER BOARD (1-19 → PRES) NOW S.B.S.C. CHAMBER

MEMORANDUM



Date: January 20, 2021

To: City Council

From: Fidela Garcia, City Clerk

Subject: City Council Agenda for January 25.
Staff Report regarding Appointments to Boards Commission and
Committees, Agenda Item #3

On January 20 after the agenda was prepared, I received the attached late application from Cynthia Macias. The recruitment period closed on January 4. Cynthia is requesting consideration for appointment to the Downtown "T" Business Advisory Board. Attached is her application for your review and consideration.



**CITY OF CARPINTERIA
APPLICATION FOR APPOINTMENT
TO A CITY BOARD, COMMISSION OR
COMMITTEE**

Please return to: City Clerk's Office
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

BOARD, COMMISSION OR COMMITTEE APPLIED FOR:

Downtown "T" Business Advisory Board

APPLICANT:

Cynthia Macres
Name

Address

Business Address

Email

Phone Number(s)

Are you a resident of the City of Carpinteria? NO

EXPERIENCE/ BACKGROUND:

CH.S. SBCC
Education

Owner of The Gym Next Door
Present Occupation (Please describe any relevant past work experience)

Memberships in Organizations

Reasons why you believe you should be appointed (attach additional sheets if necessary):

I am 6 generation Carpinterian, as well as I
have owned business in Carpinteria since 1987

Please list City Commission/Committee/Board (including dates) you are currently serving on or have served on:

None so far am excited to begin this experience

I, the undersigned, hereby certify that all the statements contained herein above, are true and correct to the best of my knowledge and belief. I understand that false statements in my application will disqualify me from service on any Commission/Committee/Board of the City of Carpinteria. If appointed, I understand I will be responsible for filing an annual Statement of Economic Interests and fulfilling ethics training, and failure to do so in a timely manner may be cause for termination of position. This application is a public document and is available for review.

THIS APPLICATION MUST BE SIGNED IN INK AND DATED

RECEIVED

JAN 20 2021

CITY OF CARPINTERIA



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 25, 2021

ITEM FOR COUNCIL CONSIDERATION

A Public/Private partnership project, referred to as the Surfliner Inn project, located at 499 Linden Avenue at the southwest corner of Linden and 5th Street, and, in particular, authorization for Staff to initiate negotiations on behalf of the City Council with 499 Linden Managers' LLC on a Development and Disposition Agreement (DDA) pertaining to the Surfliner Inn Project.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Staff recommends that the City Council take action, as determined appropriate, to provide direction to Staff on whether to initiate negotiations between the City Council and 499 Linden Managers' LLC on a DDA pertaining to the Surfliner Inn Project.

Sample Motions:

1. I move to authorize Staff to initiate negotiations between the City Council and 499 Linden Managers' LLC on a DDA pertaining to the Surfliner Inn Project.

- OR -

2. I move to not authorize Staff to initiate negotiations between the City Council and 499 Linden Managers' LLC on a DDA pertaining to the Surfliner Inn Project. (Should this motion be approved by the City Council, the City Council may also provide further direction to staff or take further action with regard to how to proceed.)

BACKGROUND

The City's On Track 20/20 plan, authored in the late 1990's, recommended that the City of Carpinteria (City) pursue replacement of the historic Southern Pacific Railroad building once located at 499 Linden Avenue (Site) to allow for retail and tourist serving businesses to locate there.

The City Council and City Staff work plan meeting held in January 2015 included a presentation of a proposal to further analyze area improvements including tourist accommodations, pedestrian amenities and public parking at the Site. The City Council approved the proposal for the City's 2015 Work Plan and included further work on the Concept Project in the City's 2016 Work Plan when the concept was defined as including an inn with a restaurant, a new parking lot, a trail from Linden Avenue to Holly Avenue, a railroad undercrossing, and a community garden. This item has been carried forward in each subsequent Annual Work Plan.

On March 14, 2016 the City Council authorized the City Manager to engage a consultant, Keyser Marston Associates (KMA), to prepare a study to measure the market feasibility and the economic viability of the Concept Project in Carpinteria as well as assist in other aspects of the Concept Project.

In September 2016, the City received a market analysis presentation by KMA that evaluated the local and regional market's opportunity for the Concept Project that included potential gross development costs and annual revenues to the City. The study¹ concluded that favorable economic conditions existed to financially support hospitality project such as the Concept Project.

In 2017, the City prepared a concept design for an inn and restaurant (Concept Project) with illustrations for property owned by the City located at the Site. This Site is currently improved as City public Parking Lot No. 3. The Concept Project incorporated a hotel, a restaurant and replacement public parking.

On August 14, 2017, the City Council authorized Staff to publish a Request for Proposals (RFP) to further explore leasing a portion of the Site (Parcel APN 004-105-011), for the commercial development of the Concept Project.

On July 9th 2018, the City Council closed the period for acceptance of responses to the City's RFP for the Concept Project and authorized the Public Facility Site Acquisition/Development Committee (Committee) to evaluate inquiries received by the City and to return to the City Council with a recommendation for proceeding.

After review of the inquiries, the Committee selected the Theimer Group's (now known as 499 Linden Managers, LLC) proposal for a forty room inn with a roof top bar and a ground level café within a similar footprint as the City's concept design, also known as the "Inn Project" or "Surfliner Inn Project", to recommend to the City Council for further consideration.

On November 13, 2018, the City Council accepted the Committee's recommendation to select the Theimer Group to further explore the Inn Project and authorized the City

¹ The Study and other Surfliner Inn project information is available on the City's website linked from the homepage under Hot Topics. <https://carpinteriaca.gov/>

Manager to prepare an Exclusive Negotiation Agreement (ENA) with the Theimer Group for future City Council consideration.

On June 24, 2018, the City Council authorized the City to enter into an Exclusive Negotiation Agreement between the City and the Theimer Group with an initial negotiation period of 180 days. The ENA also authorized the City Manager to extend the Initial Negotiation Period by 90 days for a total of 270 days.

On December 4, 2019, the Theimer Group submitted a notice to the City to change their name to 499 Linden Managers, LLC and stated that the ownership of this new group would remain identical to the ownership of the Theimer Group, LLC. After review by the City Attorney's office, the City accepted the assignment.

At its March 9, 2020 meeting, the City Council authorized the City Manager to execute an ENA extension until September 20, 2020.

In March 2020, the 499 Linden Managers, LLC submitted concept drawings for the City's review of the proposed Inn Project including related improvements to Parking Lot No. 3 and a contemplated public parking lot on the parcel located on the south side of the Union Pacific railroad tracks. These drawings were prepared by AB Design Studio located in Santa Barbara. Concept submittals include a plan set showing floor plans, building elevations, parking and trail improvements, landscaping and building perspective illustrations.

A conceptual hearing was tentatively scheduled for April 27, 2020. Due to public health considerations and in compliance with public health orders associated with the COVID-19 pandemic, however, the City postponed this conceptual hearing until such time when the conceptual hearing could be conducted to minimize virus exposure.

On September 14, 2020, the City Council authorized the extension of the ENA Agreement until September 20, 2021, in consideration of the delay in conducting public meetings during the COVID-19 pandemic.

On November 30, 2020, a conceptual hearing was conducted with participation from the Architectural Review Board, the Planning Commission, the City Council and members of the public. A staff report was presented by Planning Department Staff that characterized the project submitted by the 499 Linden Managers, LLC back in March, 2020. Planning Staff's analysis found that the proposed Surfliner Inn project was potentially consistent with the City's general plan and associated land use policies. At the conceptual hearing, City decision-makers and the public provided feedback to 499 Linden Managers, LLC on the conceptual Inn Project to facilitate further refinement for possible application submittal.

On January 12, 2021, Mayor Nomura received a letter from 499 Linden Managers, LLC acknowledging participation in the November 30 meeting, reaffirming their interest in

development of the Inn Project, and requesting that the City Council authorize Staff to commence the review and negotiations required to finalize a DDA. In addition, the letter expressed interest in adjusting the Inn Project to incorporate comments made at the conceptual hearing, within physical or economic limits. A copy of this letter is included as Attachment A.

DISCUSSION

The purpose of this agenda matter is to provide the City Council the opportunity to authorize Staff to negotiate a Development and Disposition Agreement (DDA) on behalf of the City with 499 Linden Managers, LLC pertaining to the Surfliner Inn Project. The DDA would, in part, outline general parameters for the proposed Inn Project to be submitted for development review, and define the terms and conditions of the DDA and ground lease whereby the Site could be leased to 499 Linden Managers, LLC. The City's negotiation team would be the City Manager, Parks, Recreation and Public Facilities Director and representative of the City Attorney's Office. After execution of the DDA, 499 Linden Managers, LLC would submit an application for the City's traditional discretionary development review process.

A disposition and development agreement is a common type of contract between a public agency and a private developer that defines the contractual obligations of the parties with respect to a real property transaction. For example, as is the case in the situation here, disposition and development agreements have been used to lease agency-owned property for commercial development by a private party (e.g., agency-owned property near a harbor/waterfront or an airport). Here, the City owns the Site and 499 Linden Managers, LLC would enter into a long-term ground lease in order to construct and operate the Inn Project, if it is approved through the City's discretionary review process. The City is considering entering into the DDA in its proprietary capacity as a property owner of the Site. The City will retain its full regulatory powers under applicable law, including the California Environmental Quality Act (CEQA), and City ordinances to approve, condition, or deny the Inn Project during the development review process (which is the process that other development applications go through).

In order to receive development entitlements, 499 Linden Managers, LLC will have to apply for and obtain all applicable development approvals and comply with all applicable laws and ordinances pertaining to new development in the City. The ground lease for the proposed Project would be contingent on 499 Linden Managers, LLC being able to obtain these development approvals.

The DDA and associated ground lease will not constitute an agreement, promise or assurance by the City to amend its land use regulations, or to grant a variance, conditional use permit, building permit, or other land use and/or development entitlements. The DDA does not grant any land use entitlement to 499 Linden Managers, LLC or supersede, nullify or amend any condition which may be imposed by the City's development review process in connection with consideration of an approval

of the proposed Inn Project. The City, through its development review bodies, will retain full discretion to approve, condition, or deny the proposed Inn Project consistent with applicable law and City Ordinances.

In addition to the terms and conditions described above, other terms associated with the development of the Project and lease of the City property would also be negotiated. These include, for example, a general description of the Inn Project that would be submitted for development review, project financing, timing, and other parameters. The DDA also would describe the terms and conditions of the ground lease, including duration, rent, and other terms.

As with all negotiations, it is possible to either agree or fail to agree on the terms and conditions. If terms and conditions cannot be agreed upon, the DDA would not be executed and Staff would seek direction on how to proceed from the City Council. If the parties agree to draft DDA terms and conditions, Staff will bring back a draft DDA for the City Council to consider for approval. Should the City Council decide to enter into the DDA, 499 Linden Managers, LLC would prepare and submit, at its expense and risk, a formal application for the Inn Project for the City's discretionary development review.

The Inn Project will then proceed through the City's standard development and environmental review process, including review by the Architectural Review Board and Planning Commission at public meetings. A summary of the overall process associated with the Inn Project is included as [Attachment B](#). It is possible that the Project could be significantly altered from the original application based upon the direction of the Planning Commission. Should this occur, it is possible that 499 Linden Managers, LLC could withdraw the Project, or the Planning Commission or City Council, on appeal, could condition or deny the proposed Inn Project.

In the event that 499 Linden Managers, LLC is able to obtain all requisite development approvals from the City, including CEQA compliance, the City would execute a ground lease with 499 Linden Managers, LLC for the Site. If 499 Linden Managers, LLC decides not to abandon the Inn Project or the City chooses not to approve the Inn Project during development review, the City will not be obligated to take any further action with respect to the proposed Inn Project at the Site.

POLICY CONSISTENCY

At the November 30, 2020 Joint Meeting Concept Hearing, the Staff report presented by the City's Planning Staff provided a preliminary analysis of the proposed Inn Project and its potential consistency to the General and Local Coastal Plan as well as the City's Sustainability Policy. In general, the analysis found that the Project is potentially consistent with City Planning and Policies. A copy of the staff report for the concept hearing is included in the list of Links to See Additional information provided below.

The idea to rebuild a railroad station modeled after the historic Southern Pacific Railroad train station that occupied the same Linden Avenue site is believed to have begun in the community soon after the building was demolished by the railroad in the 1970's. Rebuilding a replica train station at this location was addressed in the City's 1996/97 Visioning Process and the resulting document "City of Carpinteria, On Track to the Future, A Community Vision." One of the recommendations in the document states:

"The city encourages the development of a full service railroad station modeled after the old Carpinteria station, which would encourage retail, tourist serving businesses to locate there."

City Council discussion about such a project occurred on and off over the past two decades including in 2006 in response to a private developer's concept for building housing on the site that now includes the Community Garden. The City's acquisition of parcels from the railroad in this area in 2012 and 2013 was also the basis for creation of a concept master plan of future uses and development at the subject site and adjacent city owned parcels. Exploring a public/private development of a hotel project concept at the subject site has been a part of the City Council approved Annual Work Plan since 2016.

FINANCIAL CONSIDERATIONS

The Inn Project has the potential to be a significant economic vitality project. Economic vitality is essential to Carpinteria in order to provide a range of employment, retailing, public services, and recreational opportunities for its residents. Further, economic vitality provides for a successful and sustainable community and helps achieve the overall goals of the General and Local Coastal Plan.

The City would likely benefit from a completed project in terms of municipal revenues. These include transient occupancy taxes, sales taxes, and property taxes as well as ground lease revenues.

Additional economic benefits include an increase in the number of public parking spaces in the beach area, avoidance of parking lot maintenance costs, new and safer bicycle and pedestrian amenities in the beach neighborhood, improved downtown visitorship of downtown retail areas, and new employment opportunities.

Exact benefits are not able to be quantified until a project is fully defined and permitted.

Under the terms of the ENA, 499 Linden Managers, LLC is to reimburse the City for up twenty thousand dollars (\$20,000) in consultant costs to study the Inn Project.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The City Attorney has reviewed this Staff Report and is available to answer questions.

OPTIONS

1. Approve the Staff recommendation to authorize the initiation of negotiations for a DDA.
2. The City Council could decide not to proceed with initiation of negotiations for a DDA and provide Staff with additional direction.

PRINCIPAL PARTIES EXPECTED AT MEETING

Whitt Hollis
499 Linden Manager's LLC
Interested members of the public

ATTACHMENTS

Attachment A: January 12, 2021 Letter from 499 Managers, LLC
Attachment B: Outline of Process

LINKS TO SEE ADDITIONAL INFORMATION

For Project Information; <https://carpinteriaca.gov>

Staff contact: Matthew Roberts, Parks, Recreation and Public Facilities Director
(805) 755-4449

Reviewed by: Dave Durflinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us



Signature



Signature

Attachment A

January 12, 2021 Letter from 499 Managers, LLC



January 12, 2021

Mayor Wade Nomura
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93103

Re: Request to commence negotiation of Disposition and Development Agreement
Exclusive Negotiating Agreement, dated June 24, 2019

Dear Mayor Nomura,

Considering the positive support expressed for conceptual review during the November 30, 2020, Special Joint City Council, Planning Commission and Architectural Review Board (the "Conceptual Review"), we respectfully request the Council authorize Staff to commence review and negotiations of the draft Disposition and Development Agreement (the "DDA") submitted on February 6, 2020.

Section 2.2.2 of the Exclusive Negotiation Agreement (the "ENA"), by and between 499 Linden Managers, LLC, and the City of Carpinteria, dated June 24, 2019, states it **"...is for the sole purpose of stating the intentions of the Parties to exclusively negotiate a DDA."** (*emphasis added*).

Once the DDA has been entered into we will commence reviewing our plans and incorporate the comments expressed by the various members during the Conceptual Review to the best extent physically and economically possible. Special attention will be paid to the parking and scale.

We are excited to move forward on the project and are available to answer any questions and assist in any way towards this request.

499 Linden Managers, LLC, a California limited liability company,
DBA, The Surfliner Inn

By: 

Richard W. ("Whitt") Hollis, Jr.

Its: Member

CC: Dave Durlinger, City Manager
Fidela Garcia, City Clerk
Matt Roberts, Parks and Recreation Director

Attachment B

Outline of the Process

- A. City Council consideration of item for staff to negotiate a DDA and Ground Lease with Developer (Today's Item)
- B. City Council consideration of proposed DDA and Ground Lease
 - a. DDA and Ground Lease are conditioned on successful completion of City's Development Review (including CEQA)
- C. Developer Submits Application for Development Review
- D. City Development Review
 - 1. City Staff determines application completeness
 - 2. Environmental Review Committee (if applicable)
 - 3. Architectural Review Board Meeting – Board reviews Project Design Elements
 - 4. Planning Commission Meeting – Commission consideration of Permit Application and CEQA Materials (Planning Commission retains full discretion to approve, condition or deny the Project)
 - 5. City Council Meeting (if necessary) – Council consideration of Permit Application and CEQA Materials (City Council, on appeal, retains full discretion to approve, condition or deny the Project)
- E. City Executes Ground Lease and any subsequent documents (if approved)
- F. Project Construction



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 25, 2021

ITEM FOR COUNCIL CONSIDERATION

Closeout of Project No. 15093 – City Hall Remediation & Renovation Project.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Authorize the Mayor to sign the Closeout Agreement and Release of Claims for Project No. 15093 – City Hall Remediation & Renovation Project with Quincon, Inc.

Sample Motion: I move to authorize the Mayor to sign the Closeout Agreement and Release of Claims for Project No. 15093 – City Hall Remediation & Renovation Project with Quincon, Inc.

(This motion requires a roll call vote)

BACKGROUND

At its regular meeting of February 25, 2019, the City Council awarded the construction contract of the City Hall Remediation & Renovation Project to Quincon, Inc. in the base bid amount of \$2,579,844 and approved a project budget of the same amount. The general scope of work consisted of remediation work including asbestos abatement and interior building renovation work including code updates (building and fire) and/or upgrades to rooms, heating, ventilation, air conditioning, lighting and electrical, communication and data, security, and accessibility to comply with Americans with Disabilities Act (ADA) for both City Hall and the Santa Barbara County Sheriff's Department Substation. Over the course of the project, the City Council approved 25 contract change orders totaling \$1,358,605. Other associated project costs included architectural services, project management services, purchase and installation of demountable walls, landscape construction management services, installation of fire line, and various project fees summing up to \$1,171,847. The breakdown of project costs is shown in the table under the Financial Considerations section. The total project cost came to be \$5,110,296.

The purpose of this agenda matter is for the City Council to authorize the Mayor to sign the Closeout Agreement and Release of Claims for the City Hall Remediation & Renovation Project.

DISCUSSION

The Notice to Proceed with construction was issued on April 10, 2019. It was anticipated that the project would be completed by the end of Fiscal Year 2019-20; however, work was extended into Fiscal Year 2020-21 due to long lead schedule material deliveries and punch list items. Staff inspected the work and verified that it is in conformance with the contract documents. The Public Works Director determined that the work is now complete and the construction contract may be closed out.

POLICY CONSISTENCY

The recommendation is consistent with the Public Facilities & Services Element of the General Plan and Local Coastal Plan.

FINANCIAL CONSIDERATIONS

The total project cost is about \$5,110,296. The City's portion is \$1,009,049 or approximate 20% of the total project cost. The insurance portion is \$4,101,247 or approximately 80% of the total project cost. The following table breaks down the project costs:

Contractor/Consultant	Description	Insurance Amount	City Amount	Total
QUINCON (Contractor)	Original Contract	\$2,579,844.00	\$0.00	\$2,579,844.00
	Change Order Nos. 1 - 25	\$510,188.22	\$848,417.00	\$1,358,605.22
AB DESIGN (Architect)	Contract Executed 04/10/17	\$72,500.00	\$79,500.00	\$152,000.00
	Amendment No. 1 Executed 05/14/18	\$33,250.00	\$19,000.00	\$52,250.00
	Amendment No. 2 Executed 08/27/18	\$16,800.00	\$12,000.00	\$28,800.00
	Amendment No. 3 Executed 11/26/18	\$83,275.52	\$0.00	\$83,275.52
	Amendment No. 4 Executed 01/13/20	\$30,000.00	\$21,000.00	\$51,000.00
	Amendment No. 5 Executed 5/26/20	\$7,520.00	\$0.00	\$7,520.00
DESIGNCORP (Purchase & Installation of Demountable Walls)	Contract	\$429,188.00	\$0.00	\$429,188.00
	Change Orders 1 - 4	\$4,714.72	\$0.00	\$4,714.72
GWMC (Project Management)	Contract Amount:	\$158,295.50	\$0.00	\$158,295.50
	Amendment #1	\$69,885.00	\$0.00	\$69,885.00
	Amendment #2	\$10,920.00	\$0.00	\$10,920.00
RMLA (Landscaping Construction)	Contract	\$0.00	\$8,228.00	\$8,228.00
	Amendment 1	\$0.00	\$5,020.00	\$5,020.00
SHAW CONTRACTING	Install Fire Service Lateral & Fire Hydrant	\$48,218.52	\$0.00	\$48,218.52
	Replace 6" Backflow with 4"	\$4,710.00	\$0.00	\$4,710.00
COASTAL VIEW NEWS	Advertising Demountable Wall Project	\$64.00	\$0.00	\$64.00
BHFS	Legal Services	\$189.00	\$0.00	\$189.00
FCG ENVIRO.	Hazardous Materials Mitigation	\$12,445.00	\$0.00	\$12,445.00
PACIFIC MATERIALS	Compaction Testing	\$0.00	\$1,390.00	\$1,390.00
GRAYBAR	Parking Lot Light Fixtures	\$0.00	\$2,629.04	\$2,629.04
BEGA	Landscape Lighting	\$0.00	\$10,194.22	\$10,194.22
AQUA FLO	Landscape Lighting	\$0.00	\$1,671.12	\$1,671.12
CARP FIRE DIST.	Fees	\$414.00	\$0.00	\$414.00
CARP WATER DIST.	Fees	\$28,825.11	\$0.00	\$28,825.11

TOTAL PROJECT

\$4,101,246.59 \$1,009,049.38 \$5,110,295.97

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

By improving the City's ability to provide the essential public services including the accessibility thereof, the City is carrying out good risk management practices. Investing in civic buildings, such as City Hall ensures that it will be in good condition to serve public needs well into the future.

OPTIONS

1. Approve the project closeout (staff recommendation)
2. Decline approval of the project closeout.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Closeout Agreement and Release of Claims

Staff contact:

Brian C. Barrett

Assistant to the Public Works Director

(805) 755-4446; brianb@ci.carpinteria.ca.us

Reviewed by:

John L. Ilasin, Public Works Director

(805) 880-3402; johni@ci.carpinteria.ca.us

Reviewed by:

Dave Durlinger, City Manager

(805) 755-4400, daved@ci.carpinteria.ca.us


Signature


Signature


Signature

ATTACHMENT A

Closeout Agreement and Release of Claims

CLOSEOUT AGREEMENT AND RELEASE OF CLAIMS

THIS AGREEMENT AND RELEASE OF CLAIMS (Agreement) is made in Carpinteria, California, this 25th day of January, 2021, by and between the City of Carpinteria, (Owner), and Quincon, Inc. (Contractor).

KNOW ALL PERSONS BY THESE PRESENTS:

1. That the undersigned, as the authorized representative of Contractor, and for each of its successors, assigns and partners, for and in consideration of Two Million Five Hundred Seventy Nine Thousand Eight Hundred Forty Four Dollars (\$2,579,844.00), for the original Contract amount, and the sum of One Million Three Hundred Fifty Eight Thousand Six Hundred Five and 22/100 Dollars (\$1,358,605.22) for Contract Change Orders Nos.(1) through twenty five (25), receipt of which is acknowledged, does release and forever discharge Owner, and each of its successors, assigns, council members, officers, agents, servants, volunteers and employees, from any and all rights, claims, causes of action, demands, debts, obligations, liabilities, actions, damages, costs and expenses (including but not limited to attorneys', paralegal and experts' fees, costs and expenses) and other claims, which may be asserted against Owner by reason of any matter or thing which was the subject matter of or basis for:
 - A. The performance of all terms and conditions of that certain agreement dated February 25, 2019, for Owner, project described as **CARPINTERIA CITY HALL RENOVATION.**
 - B. Change Orders Nos. one (1) through twenty five (25), as approved by the parties, pertaining to Purchase Order No. _____ and shown in Payment Request No. _____ (), dated _____.
2. Nothing contained in this Agreement shall waive or alter the rights, privileges, and powers of Owner or the duties, liabilities and obligations of Contractor and its surety(ies) in respect to any portion of the Contract.
3. Owner has received the following claims from Contractor None. Except as expressly provided in this section, Owner has received no other claims from Contractor.
4. Upon execution of this Agreement, Owner agrees to promptly record a Notice of Completion with the Santa Barbara County Recorder.
5. Contractor and Owner agree that the total adjusted Contract Price and time of performance after the execution of change orders, is as follows:

Original Contract Price	\$ 2,579,844.00
Original Working Days	<u>228</u> days
Adjusted Contract Price	\$ 3,938,449.22
Adjusted Working Days	<u>444</u> days
6. The current amount owing to Contractor is:

Adjusted Contract Price:	\$ 3,938,449.22
Less: Amount Previously Paid (Request Nos. 1 through <u>14</u>)	\$(3,745,367.22)

Retention	\$ (196,904.30)
BALANCE:	\$ (3,822.30)

The retention will be released to Contractor at the expiration of thirty-five (35) calendar days after the date of recording a Notice of Completion with the Santa Barbara County Recorder or when all stop notices have been released, whichever last occurs. The release provided pursuant to this Agreement shall not apply to Contractor's right to the retention amount until and to the extent such amounts are received by Contractor.

7. It is understood and agreed by Contractor that the facts with respect to which the release provided pursuant to this Agreement is given may turn out to be other than or different from the facts as now known or believed to be, and Contractor expressly assumes the risk of the facts turning out to be different than they now appear, and agrees that the release provided pursuant to this Agreement shall be, in all respects, effective and not subject to termination or rescission by any such difference in facts and Contractor expressly waives any and all rights it has or may have under California Civil Code Section 1542, which provides as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in its favor at the time of executing the Release which if known by it must have materially affected its settlement with the debtor."

8. The release made by Contractor is not to be construed as an admission or admissions of liability and Contractor denies any such liability. Contractor agrees that it will forever refrain and forbear from commencing, instituting or prosecuting any lawsuit, action or other proceeding against Owner based on, arising out of, or in any way connected with the subject matter of this release.
9. Except as specifically provided in this Agreement, the Contractor releases Owner from all claims, including but not limited to those of its Subcontractors for all delay and impact costs, if any.
10. The Contractor represents and warrants to Owner that Contractor has not assigned or transferred or purported to assign or transfer to any person, firm, corporation, association or entity any of the rights, claims, warranties, demands, debts, obligations, liabilities, actions, causes of action, damages, costs, expenses and other claims and Contractor agrees to indemnify and hold harmless Owner, its successors, assigns, council members, officers, agents, servants, volunteers and employees, from and against, without limitation, any and all rights, claims, warranties, demands, debts, obligations, liabilities, actions, causes of action, damages, costs, expenses and other claims, including but not limited to attorneys', paralegal and experts' fees, costs and expenses arising out of or connected with any such assignment or transfer or purported assignment or transfer.
11. The parties acknowledge that they have been represented by counsel of their own choice in connection with the preparation and execution of this Agreement. The parties acknowledge and represent that they understand and voluntarily consent and agree to each and every provision contained in this Agreement.
12. The persons executing this Agreement represent and warrant to the other party that the execution and performance of the terms of this Agreement have been duly authorized by all individual, corporate, partnership, or other entity requirements and that such persons have the right, power, legal capacity and authority to execute and enter into this Agreement.

13. The parties further acknowledge and represent that no promise, inducement or agreement, not expressed in this Agreement, have been made and that, with respect to the matters considered, this Agreement contains the entire agreement among the parties and that the terms of the Agreement are contractual and not a mere recital.

APPROVED AS TO FORM:

CITY OF CARPINTERIA
a Municipal Corporation

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

By _____
Mayor

APPROVED AS TO CONTENT:

CONTRACTOR

City Engineer

By _____

Title

ATTEST:

City Clerk



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 25, 2021

ITEM FOR COUNCIL CONSIDERATION

Closeout of Construction Contract for Installation of Demountable Partitions for the City Hall Remediation & Renovation Project, City Project No. 15093.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Authorize the Mayor to sign the Closeout Agreement and Release of Claims with Designcorp Build Better for the installation of demountable partitions for the City Hall Remediation & Renovation Project, City Project No. 15093.

Sample Motion: I move to authorize the Mayor to sign the Closeout Agreement and Release of Claims with Designcorp Build Better for the installation of demountable partitions for the City Hall Remediation & Renovation Project, City Project No. 15093.

(This motion requires a roll call vote)

BACKGROUND

At its regular meeting of August 12, 2019, the City Council awarded the construction contract for the installation of demountable partitions for the City Hall Remediation & Renovation Project to Designcorp Build Better in the base bid amount of \$429,188, and approved a project budget of the same amount. The general scope of work consisted of the installation of demountable partitions in City Hall. The City Council approved contract change orders totaling \$4,714.72. The total cost is \$433,902.72.

The purpose of this agenda matter is for the City Council to authorize the Mayor to sign the Closeout Agreement and Release of Claims for the installation of demountable partitions for the City Hall Remediation & Renovation Project.

DISCUSSION

The Notice to Proceed with construction was issued on September 3, 2019. Staff inspected the work and verified that it is in conformance with the contract documents.

The Public Works Director determined that the work is now complete and the construction contract may be closed out.

POLICY CONSISTENCY

The recommendation is consistent with various policies and implementation measures of the Public Facilities & Services Element of the General Plan and Local Coastal Plan.

FINANCIAL CONSIDERATIONS

The total contract cost of \$433,902.72, is covered by insurance. The following table breaks down the costs:

Description	Insurance Amount	City Amount	Total
Original Contract	\$429,188.00	\$0.00	\$429,188.00
Change Order # 1	\$725.23	\$0.00	\$725.23
Change Order # 2	\$1,592.93	\$0.00	\$1,592.93
Change Order # 3	\$206.11	\$0.00	\$206.11
Change Order # 4	\$2,190.45	\$0.00	\$2,190.45
Total	\$433,902.72	\$0.00	\$433,902.72

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

By improving the City's ability to provide the essential public services including the accessibility thereof, the City is carrying out good risk management practices. Investing in civic buildings, such as City Hall ensures that it will be in good condition to serve public needs well into the future.

OPTIONS

1. Approve the contract closeout (staff recommendation)
2. Decline approval of the contract closeout and direct staff as determined appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Closeout Agreement and Release of Claims

Staff contact:

Brian C. Barrett

Assistant to the Public Works Director

(805) 755-4446; brianb@ci.carpinteria.ca.us



Signature

Reviewed by:

John L. Ilasin, Public Works Director

(805) 880-3402; johni@ci.carpinteria.ca.us



Signature

Reviewed by:

Dave Durlinger, City Manager

(805) 755-4400; daved@ci.carpinteria.ca.us



Signature

ATTACHMENT A

Closeout Agreement and Release of Claims

CLOSEOUT AGREEMENT AND RELEASE OF CLAIMS

THIS AGREEMENT AND RELEASE OF CLAIMS (Agreement) is made in Carpinteria, California, this 25th day of January, 2021, by and between the City of Carpinteria, (Owner), and Designcorp Build Better (Contractor).

KNOW ALL PERSONS BY THESE PRESENTS:

- I. That the undersigned, as the authorized representative of Contractor, and for each of its successors, assigns and partners, for and in consideration of Four Hundred Twenty Nine Thousand One Hundred Eight Eight Dollars (\$ 429,188.00), for the original Contract amount, and the sum of Four Thousand Seven Hundred Fourteen and 72/100 Dollars (\$ 4,714.72) for Contract Change Orders Nos.(1) through Four (4), receipt of which is acknowledged, does release and forever discharge Owner, and each of its successors, assigns, council members, officers, agents, servants, volunteers and employees, from any and all rights, claims, causes of action, demands, debts, obligations, liabilities, actions, damages, costs and expenses (including but not limited to attorneys', paralegal and experts' fees, costs and expenses) and other claims, which may be asserted against Owner by reason of any matter or thing which was the subject matter of or basis for:
 - A. The performance of all terms and conditions of that certain agreement dated 08/12/2019, for Owner, project described as **CARPINTERIA CITY HALL RENOVATION**.
 - B. Change Orders Nos. one (1) through four (4), as approved by the parties, pertaining to Purchase Order No. _____ and shown in Payment Request No. _____ (), dated _____.
2. Nothing contained in this Agreement shall waive or alter the rights, privileges, and powers of Owner or the duties, liabilities and obligations of Contractor and its surety(ies) in respect to any portion of the Contract.
3. Owner has received the following claims from Contractor None. Except as expressly provided in this section, Owner has received no other claims from Contractor.
4. Upon execution of this Agreement, Owner agrees to promptly record a Notice of Completion with the Santa Barbara County Recorder.
5. Contractor and Owner agree that the total adjusted Contract Price and time of performance after the execution of change orders, is as follows:

Original Contract Price	\$ <u>429,188.00</u>
Original Calendar Days	<u>141</u> days
Adjusted Contract Price	\$ <u>433,902.72</u>
Adjusted Calendar Days	<u>197</u> days
6. The current amount owing to Contractor is:

Adjusted Contract Price:	\$ <u>433,902.72</u>
Less: Amount Previously Paid (Request Nos. 1 through <u>5</u>)	\$ (<u>412,986.07</u>)

Retention	\$(20,916.65)
BALANCE:	\$ 0.00

The retention will be released to Contractor at the expiration of thirty-five (35) calendar days after the date of recording a Notice of Completion with the Santa Barbara County Recorder or when all stop notices have been released, whichever last occurs. The release provided pursuant to this Agreement shall not apply to Contractor's right to the retention amount until and to the extent such amounts are received by Contractor.

7. It is understood and agreed by Contractor that the facts with respect to which the release provided pursuant to this Agreement is given may turn out to be other than or different from the facts as now known or believed to be, and Contractor expressly assumes the risk of the facts turning out to be different than they now appear, and agrees that the release provided pursuant to this Agreement shall be, in all respects, effective and not subject to termination or rescission by any such difference in facts and Contractor expressly waives any and all rights it has or may have under California Civil Code Section 1542, which provides as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the Release which if known by him must have materially affected his settlement with the debtor."

8. The release made by Contractor is not to be construed as an admission or admissions of liability and Contractor denies any such liability. Contractor agrees that it will forever refrain and forbear from commencing, instituting or prosecuting any lawsuit, action or other proceeding against Owner based on, arising out of, or in any way connected with the subject matter of this release.
9. Except as specifically provided in this Agreement, the Contractor releases Owner from all claims, including but not limited to those of its Subcontractors for all delay and impact costs, if any.
10. The Contractor represents and warrants to Owner that Contractor has not assigned or transferred or purported to assign or transfer to any person, firm, corporation, association or entity any of the rights, claims, warranties, demands, debts, obligations, liabilities, actions, causes of action, damages, costs, expenses and other claims and Contractor agrees to indemnify and hold harmless Owner, its successors, assigns, council members, officers, agents, servants, volunteers and employees, from and against, without limitation, any and all rights, claims, warranties, demands, debts, obligations, liabilities, actions, causes of action, damages, costs, expenses and other claims, including but not limited to attorneys', paralegal and experts' fees, costs and expenses arising out of or connected with any such assignment or transfer or purported assignment or transfer.
11. The parties acknowledge that they have been represented by counsel of their own choice in connection with the preparation and execution of this Agreement. The parties acknowledge and represent that they understand and voluntarily consent and agree to each and every provision contained in this Agreement.
12. The persons executing this Agreement represent and warrant to the other party that the execution and performance of the terms of this Agreement have been duly authorized by all individual, corporate, partnership, or other entity requirements and that such persons have the right, power, legal capacity and authority to execute and enter into this Agreement.

13. The parties further acknowledge and represent that no promise, inducement or agreement, not expressed in this Agreement, have been made and that, with respect to the matters considered, this Agreement contains the entire agreement among the parties and that the terms of the Agreement are contractual and not a mere recital.

APPROVED AS TO FORM:

CITY OF CARPINTERIA
a Municipal Corporation

Peter N. Brown, on behalf of Brownstein Hyatt Farber Schreck, LLP,
Acting as City Attorney of the City of Carpinteria

By _____
Mayor

APPROVED AS TO CONTENT:

CONTRACTOR

City Engineer

By _____

Title

ATTEST:

City Clerk



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 25, 2021

ITEM FOR COUNCIL CONSIDERATION

Authorize the Notice Inviting Bids for Project No. 15116- Pedestrian Crossing Safety Improvements Project.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Authorize the Public Works Director to advertise the Notice Inviting Bids for Project No. 15116- Pedestrian Crossing Safety Improvements Project.

Sample Motion: I move to authorize the Public Works Director to advertise the Notice Inviting Bids for Project No. 15116- Pedestrian Crossing Safety Improvements Project.

BACKGROUND

The general scope of work of the Pedestrian Crossing Safety Improvements Project consists of pedestrian crossing safety improvements (e.g., curb extensions, curb ramps, sidewalk infill, curbs, gutters, and/or crosswalk striping) including upgrades to Americans with Disabilities Act (ADA) standards at two locations. The first location is along Bailard Avenue at its intersections with Carpinteria Avenue and Via Real, respectively. Bailard Avenue is a collector road that connects Via Real and Carpinteria Avenue, adjacent to the U.S. Highway 101 Highway On- and Off-ramps. Carpinteria Avenue is the primary east/west arterial road providing access to an existing bus stop near City Hall, future Carpinteria Skate Park, and business districts. Carpinteria Avenue is also a part of the Coastal Access Routes to the City, and county and state beach parks including the Bluffs Nature Preserve. Via Real is adjacent to residential neighborhoods, and is an access route to Carpinteria Creek Park and the Carpinteria Creek bike path into Downtown Carpinteria. Via Real is also a part of the regionally significant U.S. Highway 101/Linden and Casitas Interchange Project.

The second location is at the intersection of Linden Avenue and Dorrance Way. Linden Avenue is an arterial road that is the only Union Pacific Railroad crossing connecting the beach neighborhood and the Downtown area.

The improvements are intended to provide continuous and accessible pedestrian travel, a physical separation between vehicular traffic and pedestrians, a reduction in vehicle speeds, and encourage an increase in pedestrian and bicycle travel.

On October 14, 2019, the City Council authorized the City Manager to execute an agreement with Encompass Consultant Group, Inc. to provide consulting design services.

The purpose of the agenda matter is for the City Council to authorize the Public Works Director to advertise the Notice Inviting Bids for Project No. 15116- Pedestrian Crossing Safety Improvements Project.

DISCUSSION

Due to the current COVID-19 pandemic since discovered in late 2019, business operations of both the City and Encompass Consultant Group, Inc. were drastically affected, which included delay of the design schedule. The design was finally completed in October 2020, but staff determined the earliest time for advertising the Notice Inviting Bids to be after the 2020 winter holidays.

The estimated construction schedule is as follows:

Open Bids	March 2021
Award Contract	April 2021
Construction	May 2021 through July 2021

The estimated construction cost is as follows:

Construction	\$156,595
Contingency (10%)	\$15,660
Construction Management (Administration, Inspection, and Testing)	\$25,838
Estimated Total	\$198,093

POLICY CONSISTENCY

The Pedestrian Crossing Safety Improvements Project addresses many of the goals and policy statements in the City's General Plan Circulation Element. In particular:

- Objective C-4; Improve the Carpinteria Avenue corridor to ensure adequate traffic flow, safe bicycle use and improved aesthetic qualities,
- C-7b; Develop safe and direct pedestrian accessibility between residential areas, schools, parks, and shopping areas in both new and existing urban areas,
- C-7c; Provide safe mobility for the physically handicapped through the design of street improvements and public facilities,

- and C-7e; Provide continuous sidewalks, where appropriate, for safe pedestrian circulation and consider creative alternatives for such issues,

Circulation needs are typically granted high priority in municipal capital budgets, (Policy C-3J). The improvements will comply with current Americans with Disabilities Act standards.

FINANCIAL CONSIDERATIONS

In 2019, the City received a total of \$85,938 in Measure A Cycle 4 Bicycle and Pedestrian grant funds for the design and construction phases. The grant requires the City to contribute a local match towards the project cost. The City's local share of Measure A funds will be used as the local match. Once bids are received and evaluated, staff will return with an appropriate funding recommendation. Depending on the bid evaluation results, typical recommendations are either to award a construction contract to the lowest responsive and responsible bidder or to reject all bids.

The estimated project budget before receiving bids is shown in the following table:

Funding Summary	
Measure A Cycle 4 Bicycle and Pedestrian Grant Funds	
Bailard Avenue Crossings	\$50,028
Linden Avenue and Dorrance Way Crossings	\$35,910
Measure A Funds (Local Match)	\$161,755
Total	\$247,693

Cost Summary	
Design (Encompass Consultant Group, Inc.)	\$49,600
Construction	\$156,595
Contingency	\$15,660
Construction Management	\$25,838
Total	\$247,693

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The recommendation is consistent with the formal bidding procedures of the Uniform Construction Cost Accounting Act (Public Contract Code Section 22030 et al.).

OPTIONS

The City Council could choose to not approve the recommendation and direct staff as determined appropriate. However, the project would be delayed.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

None.

Staff contact:

John L. Ilasin, Public Works Director

Johnl@ci.carpinteria.ca.us; (805) 880-3402

Reviewed by:

Dave Durflinger, City Manager

daved@ci.carpinteria.ca.us; (805) 755-4400



Signature



Signature



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 25, 2021

ITEM FOR COUNCIL CONSIDERATION

Update on Interpreter Services for City Council Meetings Pilot Program

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

1. Receive update on the use of interpreter services for City Council meetings.
2. Determine if the City should at this time continue using interpreter services for City Council meetings and/or other public meetings.
3. Direct staff as determined appropriate.

Sample Motion: City Council will determine as appropriate.

BACKGROUND

Mayor Nomura originally suggested that City Council meetings be interpreted simultaneously into Spanish so more members of the community would have the opportunity to participate in meetings and hopefully be inspired to contribute their perspectives to the City's various deliberations. Staff recently began a pilot program, using interpreter services for a few Council meetings. The pilot program allowed staff to evaluate and bring forward to the City Council to determine if the City should continue with interpreter services for City Council meetings and/or other public meetings.

The purpose of this agenda item is for the City Council to receive an update on the use of interpreter services for City Council meetings, determine if the City wishes to continue with interpreter services for City Council meetings at this time, and/or other public meetings, and direct staff as it determines appropriate.

DISCUSSION

The City piloted English/Spanish interpreter services for the City Council meetings of November 9, November 23, November 30, and December 14, 2020. Staff selected the services of All Languages Interpreting and Translating, Inc., a Ventura based

English/Spanish interpreting firm. Staff determined this firm to have exceptional qualifications and experience in providing simultaneous English/Spanish interpreter services. The firm has also provided interpreter services for other local cities.

Staff launched a soft opening of the interpreter services at the November 9, 2020 Council meeting followed by formal advertising in English/Spanish of the interpreter services in the Coastal View News, the City Newsletter, emails to individuals connected with the Spanish speaking community, and social media for the November 23, 2020 Council meeting. Since last year, the City has been holding virtual City Council meetings via the Zoom platform. Zoom has the capability of providing multiple audio channels for interpreter services. During the pilot program, there were no public comments received in Spanish that required translation into English for the City Council meetings.

The table below illustrates the breakdown of Zoom users (panelists and attendees) attending the virtual Council meetings held during the pilot program. Unfortunately, Zoom does not have the capability to specify how many people are using the interpreter feature on the Zoom platform, only the number of panelists and attendees. Anecdotally, staff believes that there was just a single person that used the service.

Council Meeting User Statistics during Pilot Program			
Council Meeting Date	# of Panelists	# of Attendees	Total Users
11/9/2020	17	10	27
11/23/2020	23	11	34
11/30/2020	46	66	112
12/14/2020	27	12	39

Should the City Council authorize the continued use of interpreter services for Council meetings, there is a possibility that interpreter services could be used to cover the Planning Commission or other public meetings that may also benefit from interpreter services.

Staff has begun forming a connection between the City and the Spanish-speaking community to create awareness of what the City is doing and inform the community that interpreter services are being offered for the Council meetings; however, more will need to be done in order to improve participation. Additional opportunities to reach out to the Spanish-speaking community could be through the upcoming Blue-Ribbon Committee on Racial Equity and Social Justice and through the district elections process. By raising awareness about the availability of interpreter services and promoting participation, more members of the community can be engaged and contribute to shaping their community.

POLICY CONSISTENCY

Providing English/Spanish interpreter services at City Council meetings and other public meetings allows Spanish-speaking citizens the opportunity to be informed of City actions and activities and creates a more inclusive community and the potential for more civic engagement.

FINANCIAL CONSIDERATIONS

The breakdown of costs per Council meeting during the pilot program are shown in the table below.

Cost Per Council Meeting During Pilot Program			
Council Meeting Date	Approximate Meeting Time	# of Interpreters Used	Cost
11/9/2020	1 hr. 10 min.	1	\$350.00
11/23/2020	1 hr. 45 min.	2	\$700.00
11/30/2020	5 hr. 30 min.	2	\$1,100.00
12/14/2020	3 hr. 30 min.	2	\$700.00

NOTES:

1. One interpreter is needed for a meeting expected to be 1.5 hr. or less and costs \$350.
2. Two interpreters are needed for a meeting expected to last more than 1.5 hr. at the cost of \$350/interpreter. Time over 3 hr. is prorated.
3. None of the above Council meetings had a Closed Session. Closed Sessions would add an additional cost. Closed Sessions range from 0.5 hr. to 1.5 hr.

The cost of using interpreter services is difficult to obtain as it depends on several factors, such as length of time the services will be provided, length of City Council meetings (including any Closed Sessions and special meetings), and the use on other public meetings. Averaging and extrapolating the above expense during the pilot program would result in an annual cost of approximately \$16,400.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

There are no legal or risk management considerations presented with this staff report.

OPTIONS

1. Determine the City should continue using interpreter services for City Council meetings and/or other public meetings. Should the City Council elect this option, staff would bring a matter back to the Council at a future date to enter into an agreement for interpreter services and to allocate necessary fund through a budget amendment.

2. Determine the City discontinue using interpreter services at this time for City Council meetings and/or other public meetings. Should the Council elect this option, it could revisit the matter in the future, in particular, in the context of the community outreach work described in this Report.
3. Direct staff as determined appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

There are no attachments to this staff report.

Staff contact: Fidela Garcia, City Clerk
(805) 755-4403; fidelag@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durlinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us



Signature

Dave Durflinger

From: David Mullinax <dmullinax@cacities.org>
Sent: Friday, December 18, 2020 1:59 PM
Subject: Dec 18 Update

****EXTERNAL EMAIL****

CAUTION: This email originated from outside the City of Carpinteria. **DO NOT OPEN** attachments or **CLICK** on links unless you are sure they are safe. Remember, reputable vendors, banks, etc. will not ask you to disclose passwords or other sensitive information.

Channel Counties City Managers and management staff:

Several issues to update you on this week. Heading into the holidays, many of these matters will move forward quickly in early January. The Legislature returns January 4th and numerous bills of interest have already been introduced, with more to come. One issue that must be addressed immediately upon the Legislature's return is the tenant/landlord protections which expire on January 31, 2021. Additionally, numerous COVID-19 relief related bills have been introduced or are being considered.

Cal Cities lobbyists are preparing their legislative portfolio's for the upcoming Policy Committee meetings on January 14-15, following the guidance of the recently adopted 2021 League of California Cities strategic priorities www.cacities.org/strategicpriorities.

Updating newly elected officials to Legislative Listserve

I'd like to request that you send me any new emails to be added to our list serve. The list serve provides updates on legislative and other pertinent local government issues. Please send me emails of elected and staff that you want to be added.

Vaccinations

Now that the COVID-19 vaccinations are rolling into California and elsewhere across the US, the US Equal Employment Opportunity Commission (EEOC) has announced guidance for employers and have said that employers may mandate vaccinations for employees in their workplace. As discussed on our city manager's call, obviously this is a sensitive subject and anyone considering a mandate or partial mandate for certain employee groups are encouraged to work with your city attorney and employee organizations to ease the implementation of this safety measure.

A summary article from CBS News can be found [here](#) and the guidance documents from the EEOC can be found [here](#). Please let me or our Cal Cities GTLR Legislative Representative, [Bijan Mehryar](#) know if you have any questions.

State Budget

The Legislative Analyst Office (LAO) has put out a [report](#) indicating California has a surplus of \$26 billion in the current year, but this same report project an ongoing operating deficit until at least 2025 (currently estimated at \$14-\$17 billion in 2024-2025). The Legislative Analyst's Office (LAO) has

stated that it's quite unlikely for revenues to grow fast enough for the budget to break even and erase the operating deficit. This one-time windfall is due to COVID pushing back the Tax Day deadline and the legislature passing the budget with only estimates of tax revenues available. Although the legislature had intended to return and revise the budget later in the summer that was abandoned due to complications from COVID exposures.

With the unexpected windfall of funds, proposals that were largely shoved aside in 2020 are reemerging in the 2021 legislative session. We are still very early in the 2021 bill introduction phase and while Cal Cities staff will be seeking direction from the policy committees, I would like to inform you of these newly introduced/reintroduced bills:

Housing

AB 15 (Chiu) COVID-19 relief: tenancy: Tenant Stabilization Act of 2021. Extends tenant protections by extending the definition of "COVID-19 rental debt" to December 31, 2021. The current protections expire in February 2021 requiring an urgency clause, therefore triggering a 2/3 vote requirement.

AB 16 (Chiu) Tenancies: Tenant, Small Landlord, and Affordable Housing Provider Stabilization Act of 2021. The intent of the bill is to address the long-term financial impacts of the COVID-19 pandemic on renters, small landlords, and affordable housing providers.

SB 3 (Caballero) Tenancy: COVID-19. Senate Tenant Protection bill similar to one from this year. The League will likely oppose unless amended.

SB 6 (Caballero) Local planning: housing: commercial zones. This is a reintroduction of her strip mall rehab bill from this year. The bill would require the density for a housing development meet or exceed the density deemed appropriate to accommodate housing for lower income households including a density of at least 20 units per acre for a suburban jurisdiction.

SB 15 (Portantino) Housing development: incentives: rezoning of idle retail sites. Strip mall rehab bill which would incentivize the rehabilitation of idle sites in the form of grants allocated to local governments that rezone idle sites to allow the development of workforce housing. The League will likely support.

AB 68 (Salas) Affordable housing: California State Auditor's Report. Codifying the California [State Auditor's Report](#) 2020-108, issued on November 17, 2020, relating to affordable housing.

ACA1 (Aguilar-Curry) Local government financing: affordable housing and public infrastructure: voter approval. Lowers voter threshold for affordable housing and infrastructure down to 55%. Would authorize a city, county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property if the proposition proposing that tax is approved by 55% of the voters.

SB 5 (Atkins) Housing: bond act. Would authorize the issuance of bonds and would require the proceeds from the sale of those bonds to be used to finance housing-related programs that serve the homeless and extremely low income and very low income Californians.

SB 8 (Skinner) Density Bonus Law. Changes the definition of "development standard" for purposes of the Density Bonus Law.

SB 9 (Atkins) Housing development: approvals. Redo of SB 1120 as it relates to duplexes and lot splits. Would require a proposed housing development containing 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements.

SB 10 (Wiener) Planning and zoning: housing development: density. Redo of SB 902. Allows cities to build apartment buildings of 10 units without CEQA process.

SB 55 (Stern) Very high fire hazard severity zone: state responsibility area: development prohibition. Prohibits building of residential and commercial in Very High Fire Hazard Severity Zones such as the WUI or state responsibility areas.

SB 12 (McGuire) Local government: planning and zoning: wildfires. This bill would allow for prospective building fire prone areas but would require safety elements to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires.

SB 60 (Glazer) Residential short-term rental ordinances: health or safety infractions: maximum fines. Would enhance and raise the maximum fines for violation of an ordinance relating to short-term rentals to \$1,500 for a first violation, \$3,000 for a 2nd violation of the same ordinance within one year, and \$5,000 for each additional violation of the same ordinance within one year of the first violation.

SCA 2 (Allen) Public housing projects. Repeals voter approval of affordable housing projects. Currently the California Constitution prohibits the development, construction, or acquisition of a low-rent housing project by any state public body until the project is approved by a majority of the electorate. This measure would repeal these provisions.

Environmental Quality

Organic Waste diversion implementation (AB 1383 Lara, 2016) will be a focus for Cal Cities in 2021. CalRecycle recently finalized SB 1383 organic waste diversion regulations with the expectation that cities will begin planning to meet the regulatory requirements on the 1/1/22 start date. What under normal circumstances would be challenging requirements to plan for and fund by Jan 2022, is now impossible due to the pandemic. Cal Cities is actively looking for solutions so cities may continue planning for AB 1383 implementation without immediately incurring increased costs to city budgets, small businesses and rate payers while dealing with the pandemic and economic recovery.

CalRecycle just had their final regulations approved by the Office of Administrative Law and posted on their website in November 2020. The text for the final regulations was released last week. A copy can be found [here](#).

For a complete list of letters Cal Cities sent to CalRecycle commenting on the various drafts of the regulations and additional information, please visit our Organic Waste Recycling webpage at www.cacities.org/organicwaste.

Cal Cities lobbyist, Derek Dolfie is asking cities to complete a waste rate survey to help us assess how many cities are seeing a rate increase and if so, by how much. This information will be valuable for Cal Cities to lobby the legislature to receive any form of relief or statewide funding for solid waste and recycling issues, including SB 1383 implementation.

Here is a link to the [survey](#) and respond by Monday, January 11th 2021. Please fill out the survey at your convenience. I will send out a separate reminder email for this survey at a later date.

Additionally, Cal Cities will be working again with Senator Ben Allen and others on a measure to assist in greatly reducing the cost incurred by local government in the disposal of single use plastic and packaging waste by establishing regulations to reduce these products.

Governance, Transparency and Labor Relations

Cal OSHA/ Dept of Industrial Relations

As you know, California employers must now comply with a new set of emergency COVID-19 prevention regulations, which include a written prevention program, requirements for outbreaks and major outbreaks, and prevention measures in employer-provided housing and transportation. Cal Cities summary of these regulations may be found in this article. **Cal OSHA article**

2021 CalPERS Stakeholder Forum

CalPERS has announced their first Stakeholder Forum of 2021 from **9 AM – 3 PM** on **Wednesday, January 20, 2021**. This event is designed for stakeholders who represent CalPERS members, employers, and retirees. The event will be held virtually via Zoom and will provide you with an opportunity to engage with CalPERS leaders on a variety of pension & health care topics. The event will include breakout sessions on the topics of pension fund sustainability and risk, customer service, and health care.

You can register for this event [HERE](#). If you have questions about this CalPERS event, please email CalPERS_Stakeholder_Relations@calpers.ca.gov.

Transportation, Communications and Public Works

SB 4 (Gonzalez) Broadband for All. Similar to last year's SB 1130, this bill would provide greater broadband access for countless Californian's relying on their home access to engage in remote work. New in SB 4 is the creation of a new program that will help local governments build their own broadband options. It will allow local governments to make a billion dollar investment in public infrastructure by unlocking the bond market for local communities.

Elections & New Mayors & Council Members Academy

Congratulations to all of the new mayors & council members elected on November 3rd. The Cal Cities Annual New Mayors & Council Members Academy in January will look a bit different in 2021, the redesigned virtual event will be held over 4 days: **January 21 – 22 and 28 – 29**.

Similar to the Annual Conference, your registration will allow you access to all the virtual educational sessions and networking opportunities, plus the ability to use your credentials to access recordings of these sessions in the event that you miss the live event. Registration is now open at www.cacities.org/nmcma.

City Managers Department Conference – Feb 1, 3, 5, 2021

Registration is now open for the virtual City Manager's Department Conference [League of California Cities - City Managers Conference \(cacities.org\)](#)

Don't hesitate to contact me with any questions and wish all of you a very happy holiday season

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*Strengthening California Cities
Through Education & Advocacy*

[Home](#) > [Policy & Advocacy](#) > Action Center

Action Center

Welcome to the Action Center, where you can find a list of current legislative proposals that need your advocacy!

The League of California Cities is its strongest when joined by the voices of members and coalition partners. The League's legislative and regional public affairs teams are here to work hand-in-hand with members to protect local control and stand up for city interests.

Should you have any questions or would like to receive a copy of the Action Alert, please contact your [Regional Public Affairs Manager](#).

We appreciate your support!

***** NOTE *****

The Legislature has a recently changed letter submission process that requires

ALL LETTERS TO BE UPLOADED INTO A NEW ELECTRONIC PORTAL.

The portal will automatically send letters to the author's office and the committee(s) of jurisdiction.

1. Please visit <https://calegislation.lc.ca.gov/advocates/> to create an account and upload this letter. If you are having difficulty accessing the portal, please contact Meg Desmond at (916) 658-8224.
2. In addition to submitting the letter through the portal, please send a physical copy to your Legislator(s), and email a copy to cityletters@cacities.org, as well as your Regional Public Affairs Manager.

AB 685 (Reyes) Occupational Safety: COVID-19 Exposure: Notification. This bill would create an onerous and comprehensive set of reporting requirements for all California employers when an employee is exposed to COVID-19.

[AB 685 \(Reyes\) Sample Letter](#)

SB 776 (Skinner) Police Officers. Release of Records. This bill expands the categories of police and custodial personnel records subject to disclosure pursuant to the California Public Records Act (CPRA).

[SB 776 \(Skinner\) Sample Letter](#)

SB 1383 (Jackson) Unlawful Employment Practice: Family Leave. This bill would require any employer, public or private, with five or more employees to provide 12-weeks of protected leave each year and threatens them with litigation for any unintentional mistake.

SB 1383 (Jackson) Sample Letter

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Legislature reconvenes as hundreds of city officials gather virtually to hammer out Cal Cities legislative policy recommendations

January 13, 2021

Lawmakers returned to Sacramento Jan. 11 to kick off a new legislative session, a week later than planned due to COVID-19 concerns, and on the heels of Gov. Gavin Newsom's \$227.2 billion budget proposal for FY 2021-22 released on Jan. 8.

The budget proposal calls for immediate action by the Legislature in key areas to help small businesses and low-income individuals, provide renter protections, facilitate vaccine distribution, and reopen schools.

The Legislature's focus for the next month will be on immediate actions that can't wait until June, when a final budget will be approved, in order to get money distributed quickly to businesses and individuals significantly impacted by the pandemic.

From the outset, legislators and staff will be busy submitting bill requests to the Legislative Counsel by Jan. 22 to meet the Feb. 19 bill introduction deadline for the year. Assembly and Senate policy committees ramp up typically in March, but informational hearings begin early in the year. A tentative [2021 legislative calendar](#) is available on the California Senate website.

With the Legislature's return, the League of California Cities is ramping up its advocacy efforts for the 2021 legislative session. On Jan. 14 and Jan. 15, Cal Cities policy committees will kick off their 2021 committee meetings. All seven policy committees will meet over the two days. Each committee will be briefed on [Cal Cities' 2021 Strategic Advocacy Priorities](#) that were adopted in December 2020:

- Secure state and federal funding for local COVID-19 public health response and economic recovery for all.
- Secure funding to increase the supply and affordability of housing and resources to assist individuals at risk of — or already experiencing — homelessness while preserving local decision making.
- Improve state-local coordination and planning to strengthen community disaster preparedness, resiliency, and recovery.

- Protect and modernize critical infrastructure.

Policy committee members will also review the Governor's proposed budget, discuss key policy issues affecting California communities, decide where to focus committee priorities this year, and develop recommendations on policy positions that will go to Cal Cities Board of Directors for consideration. This important work serves as the foundation for Cal Cities efforts at the Capitol.

To review the policy committee agendas and for information on how to observe the committee meetings, please visit Cal Cities' Policy Committee [webpage](#).

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Proposed 2021-22 State Budget includes investment in climate resiliency, but limited direct funding for cities

January 13, 2021

Gov. Gavin Newsom's sweeping \$227 billion proposed 2021-22 State Budget includes a number of climate resiliency-related items, ranging from wildfire preparedness to electric vehicle deployment.

Due to an unexpected budget windfall of approximately \$15 billion, largely in one-time funds, the Governor is putting some of these funds towards supporting climate resilience and recovery.

In keeping with his priorities from the past several years, the Governor indicated that wildfire preparedness, which he frames as climate resiliency, will continue to be a budgetary priority. However, unlike previous years, local governments are not receiving the same type of environmental and climate resiliency funding they have in the past. Due to the projected budgetary future, many environmental programs are funded on a one-time, rather than continuous basis.

Overall, the Governor's climate resiliency budget priorities center on wildfire preparedness and forest management, and electric vehicle deployment. While investments in these areas help make the state more resilient to climate change, there is little to no money included in the proposed budget that goes directly to local governments to address issues like sea level rise or implementing climate change adaptation projects. Below, Cal Cities has outlined the various pots of funding related to climate resiliency that pertain to cities.

Cap-and-Trade

The Governor's budget proposes a \$1.37 billion Cap-and-Trade expenditure plan, which is up slightly from the \$965 million expenditure plan proposed in January 2020. This expenditure plan includes \$30 million for safe and affordable drinking water, \$635 million for the Governor's electric vehicle deployment plan, \$325 million for community air quality protection, and \$355 million for forest health management. In recent years, Cap-and-Trade has included funding for California Department of Resources Recycling and Recovery (CalRecycle) to meet the state's waste diversion goals. This year, that pot of funding is not included in the Cap-and-Trade expenditure plan, but is included in the Governor's Climate Catalyst Fund proposal.

Forest Management Task Force – Wildfire and Forest Resiliency Action Plan

In 2020, the Legislature and Governor included approximately \$90 million for the California Department of Forestry and Fire Protection (CAL FIRE) to enhance their fire protection capabilities.

This year, the Governor is proposing another significant investment in CAL FIRE by proposing \$1 billion to support the Forest Management Task Force's Wildfire and Forest Resiliency Action Plan. This plan touches on numerous items, ranging from forest health and management to building fire breaks and creating home hardening grant programs.

This action plan includes:

- \$512 million for resilient forests and landscapes, including \$23 million for urban forestry
- \$335 million for wildfire fuel breaks
- \$38 million for community hardening, including \$25 million for home hardening grants
- \$39 million for science-based management
- \$76 million for forest sector economic stimulus, including \$50 million for the Climate Catalyst Fund within the California Infrastructure and Economic Development Bank (IBank) to support climate smart agriculture loans to advance climate change-related projects

Out of this \$1 billion plan, \$323 million is proposed for early action in 2020-21 to accelerate fire prevention projects that protect communities and other efforts to jumpstart economic recovery in the forest sector.

Climate Catalyst Fund

In 2020, the Governor's January budget proposal unveiled an ambitious new program called the "Climate Catalyst Fund," with the intent to fund programs to address transportation emission reductions, climate smart agriculture and forestry, and circular economy development and implementation. Due to COVID-19-inflicted budgetary strains, the fund was created, but no money was appropriated into the fund. This year's budget proposal includes close to \$1 billion in funding for two programs to further these goals.

Fifty million is proposed for the IBank to support climate smart agriculture loans to advance projects, such as methane reduction, water efficiency, healthy soils, circular economy development, and energy efficiency for food processing. Of note, the Governor's Administration has indicated that this pot of funding could be used for infrastructure projected, related to the implementation of [SB 1383 \(Lara, 2016\)](#) organic waste diversion mandates.

Additionally, \$47 million of the approximately \$1 billion allocated to the Climate Catalyst Fund is for the wildfire and forest resilience package outlined in this article.

Recycling

This year's budget proposal includes \$5 million to CalRecycle to expand pilot programs to increase consumer redemption in communities underserved by recycling centers. With many recycling centers closed in recent years, this funding is much needed to address the lack of redemption centers in California.

Disaster and Emergency Preparedness

With California continuing to face COVID-19 and the threat of catastrophic wildfires, the Governor's budget proposes \$256 million to the California Office of Emergency Services (Cal OES) to fund the California Disaster Assistance Account (CDAA). The CDAA assists local governments to serve their communities in the wake of emergency events. This funding will go towards repairing, restoring, or replacing public real property damaged or destroyed during a disaster or to reimburse local governments for certain costs associated with the emergency activity undertaken.

Additionally, \$67 million this fiscal year and an additional \$158 million over the next three years is proposed to fund a large federal flood risk reduction project along the American River. The Governor is also proposing \$75 million for deferred maintenance on levees in the Central Valley.

Lastly, the Governor proposes \$25 million in 2020-21 for Cal OES and CAL FIRE to support implementation of a home hardening pilot grant program. These funds would go to basic retrofits for homes of low-income Californians who live in high fire threat areas.

EV Charging

The budget proposal includes \$1.5 billion for infrastructure and incentives to support the implementation of the state's zero-emission targets. Specifically, \$1 billion in future revenues for electric vehicle charging and hydrogen fueling stations, and \$465 million in Cap-and-Trade funding to improve access to new and used zero-emission vehicles.

The budget also proposes statutory changes to extend existing vehicle registration fees currently set to expire in 2024 under [AB 8 \(Perea, 2013\)](#) and authorize the securitization of these future revenues to support the expansion of the California Energy Commission's Clean Transportation Program.

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15 California cities receive perfect score on 2020 Municipal Equality Index

The Human Rights Campaign, in partnership with the Equality Federation Institute, released its [2020 Municipal Equality Index](#) (MEI), reflecting the largest number of top-scoring cities on the nationwide assessment of LGBTQ inclusion in municipal law, policy, and services. The 2020 MEI includes 15 California cities that received a maximum score of 100: Berkeley, Cathedral City, Chula Vista, Long Beach, Los Angeles, Oakland, Oceanside, Palm Springs, Rancho Mirage, Riverside, Sacramento, San Diego, San Francisco, Santa Monica, and West Hollywood.

Three California cities increased their score from the [2019 Municipal Equality Index](#). Berkeley and Cathedral City previously scored 96 and Riverside had the biggest jump moving up from 91 in 2019.

"I am inspired by all the people in the city who worked to reach a score of 100," said Riverside Council Member Erin Edwards. "A year ago, department heads, my office, and the city manager's office met to analyze our 2019 score. Everyone around the table agreed that we needed to actively strive for the best possible results for LGBTQ equity in 2020, and we did! We celebrate reaching 100 in 2020, and we know that we still have areas for growth. The city remains committed to this work in the years to come."

The Municipal Equality Index examines how inclusive municipal laws, policies, and services are of LGBTQ people who live and work there. Cities were rated on the following criteria:

- Non-discrimination laws: is discrimination on the basis of sexual orientation and gender identity prohibited by the city, county, or state in areas of employment, housing, and public accommodation.
- Municipality as an employer: does the city offer equivalent benefits and protections to LGBTQ employees, award contracts to fair-minded businesses, and take steps to ensure an inclusive workplace.
- Municipal services: does the city work to ensure LGBTQ constituents are included in city services and programs.
- Law enforcement: is there responsible reporting of hate crimes and engagement with the LGBTQ community in a thoughtful and respectful way.
- City leadership's public position on equality: is the city leadership committed to fully

include the LGBTQ community and to advocate for full equality.

“Receiving the Human Rights Campaign’s highest recognition confirms our city’s commitment to equality,” said Cathedral City Mayor John Aguilar. “Throughout our history, Cathedral City has been a safe haven for the LGBTQ community to live, work, and visit and that is why my husband and I call it home.”

The 2020 MEI reflects the largest number of top-scoring U.S. municipalities in its nine-year history. There were 94 U.S. cities that received a maximum score of 100 points, 15 of which are in California.

“Long Beach is proud to be recognized for our commitment to diversity and inclusion for the LGBTQ community,” said Mayor Robert Garcia. “This community is, and always will be, a place where everyone, regardless of gender identity or sexual orientation, can live, work, love, and thrive.”

The Human Rights Campaign is the largest civil rights organization working to achieve equality for lesbian, gay, bisexual, transgender, and queer Americans. The Equality Federation Institute is the movement builder and strategic partner to state-based organizations advancing equality for LGBTQ people in the communities across the country.

This story was featured in the Cal Cities Advocate newsletter on Jan. 6, 2021.

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